

Appendix A

Comment Letters Received on
the Draft PEIR

May 12, 2021

Galli Basson, Resource Management Specialist
Santa Clara Valley Open Space Authority
33 Las Colinas Lane
San Jose, CA 95119

RE: IPM Program PEIR Comment

Dear Galli,

I appreciate the opportunity to provide feedback on the Authority's draft policy, guidelines and environmental review of an Integrated Pest Management program. The Authority has extensive experience in managing natural lands and the IPM information and policies are comprehensive and reflect this experience. The policies relative to agricultural lands are less developed and will require additional consideration to effectively support cultivated agricultural production, while protecting public and worker safety and minimizing negative impacts to the environment.

O1-1

These comments cover two areas relative to the IPM guidelines and EIR on agricultural lands: ground squirrel control and the omission of IPM practices for agricultural lands.

Ground squirrel control

While ground squirrels are a native and keystone species on natural lands, including rangelands in Santa Clara County, they are significant pest for agriculture. Appropriate control methods to manage ground squirrel populations within cultivated agricultural lands should be considered. There are several methods that should be part of an integrated management plan, but they are not discussed in this guidance document. Information on the UC ANR website addressing ground squirrel best management practices will be useful. <http://www.groundsquirrelbmp.com/>

O1-2

Information on ground squirrel control, in the document section on management of pests in structures (p. 85), should be reviewed and amended.

- Deep ripping of burrows is not an effective method to control squirrels in structures. It is most effective as a method to prevent reinvasion in fields after squirrel populations have been controlled with other methods.
- The link to information on exclusion <http://icwdm.org/handbook/rodents/rodentexclusion.asp> is no longer found.
- The site icwdm.org should not be referenced for ground squirrel control as ground squirrels are not a species that is covered by information on this website.
- Chemical control methods for rats should not be referenced as control methods for ground squirrels. Products that are legal for rat control may not be registered for ground squirrel control. Specifically, Cholecaliferol is NOT registered in California for ground squirrel control.
- Trapping of ground squirrels in structures would be appropriate to remove squirrels. This could be followed by exclusion.

O1-3

O1-4

O1-5

O1-6



- Trapping of squirrels with multi-catch live traps can be effective to protect infrastructure and agricultural fields. For control in agricultural fields additional methods depending on the season are recommended. (Ground squirrel control measures on a public farmland site in the region has included the installation of raptor posts, live trapping, kill traps, Fumatoxin and carbon monoxide burrow treatments, burrow destruction, and burrow filling-burrow blocker. Despite all these efforts ground squirrel activity persists but with less damage to crops and farm infrastructure). O1-6
cont.
- Considerations for worker safety and legal methods to kill ground squirrels caught in live traps should be considered. Last year live trapping captured over 1000 ground squirrels in one season on one site. O1-7

Table 2.2: Cholecaliferol should not be listed for use on vertebrate pests except for the specific pest listed on the product label. O1-8

IPM practices for agricultural lands

Although it is clearly stated that IPM guidance document and EIR do not cover the myriad of pests that should be addressed with IPM on agricultural lands (cultivated, non-grazing lands), the inclusion of a couple treatment options is misleading. It is not clear why cultural and mechanical methods are discussed but not biological control methods, for example. Table 2.2 in the EIR suggests that controlling pests on agricultural lands is limited to mechanical and manual control. Even organic production uses pesticides to control pests. It is also not reasonable to assume that animal pests (vertebrate and invertebrate) can be controlled with only prevention (Table 2.2). In acquiring new agriculture properties previous pest control measures should be recognized as they will help to identify the scope and nature of potential pest problems. All control options as discussed on page 66 with the addition of biological control should be included in the EIR. O1-9

Best practices for controlling vertebrate pests including the control of ground squirrels and gophers in and around farm fields should be considered. Unlike insect pests and pathogens, vertebrate pests are not crop specific. Rodents are noted as a pest to be controlled on page 66, Table 16 but none of the cultural or physical options appear to be relevant to their control. Control of invertebrate pests is also essential to meet U.S. Food and Drug Administration’s Food Safety Modernization Act food safety standards. O1-10

Further development of an IPM plan is essential if the Authority intends to acquire agricultural lands and support sustainable agricultural production. This draft policy, guidelines and environmental review by the Authority of an Integrated Pest Management program is a positive and effective step towards a fully developed and comprehensive plan to effectively manage agricultural lands and cultivated agricultural production. O1-11

Sincerely,

Sheila Barry
 Livestock and Natural Resources Advisor
 San Francisco Bay Area
 University of California Agriculture and Natural Resources
 Cooperative Extension of Santa Clara County

From: [Sheila Barry](#)
To: [Galli Basson](#)
Subject: IPM and ground squirrels
Date: Wednesday, March 31, 2021 3:01:40 PM

Hi Galli

I will provide written comments to the Authority’s IPM program but I wanted to share some information about ground squirrel control. The prevention and control strategies presented do not seem adequate for agricultural lands (non-rangeland) where squirrels are a pest. If the authority intends to acquire and manage more farmland a broader discussion and consideration of ground squirrel control is important. UC IPM has this ground squirrel bmp website that covers possible control strategies.

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| I1-1
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<http://www.groundsquirrelbmp.com>.. These control strategies include non-chemical control with gas or smoke bombs for example. Santa Clara County Parks at their farm park (martial Cottle Park) is using the cheetah (CO) and. Burrow blocker (sand slurry). I believe the city of San Jose has a CO2 machine to treat burrows. UCCE also controls squirrels in the county’s farm park. This summer we trapped and euthanized (CO2) 900 + ground squirrels on 4 acres. We just completed 3 fumigation treatments on the same 4 acres plus 7 acres, treating over 1200 burrows. It is hard to fathom the magnitude of the problem on farmland. Before earnest control efforts, the veteran farmer lost all of his watermelon seedlings and Jacob’s farm lost 70% of their vegetable crops. Deep ripping is not feasible (requires a big tractor) and would not provide much in the way of population control. I realize that the authority has not needed to consider controlling ground squirrels on Preserve lands but agricultural lands where squirrel food is essentially planted requires a consistent control effort. I am not sure how your review process works but I thought you may want to consider public review of additional strategies for ground squirrel control that could be used on agricultural lands where you intend for crops to grow.

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| I1-2
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Deep ripping is not feasible (requires a big tractor) and would not provide much in the way of population control.

| I1-4
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I realize that the authority has not needed to consider controlling ground squirrels on Preserve lands but agricultural lands where squirrel food is essentially planted requires a consistent control effort. I am not sure how your review process works but I thought you may want to consider public review of additional strategies for ground squirrel control that could be used on agricultural lands where you intend for crops to grow.

| I1-5
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Sheila Barry
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University of California Cooperative Extension
Santa Clara County, CA

Appendix B

Mitigation Monitoring and
Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21081.6) 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 the proposed Integrated Pest Management (IPM) Program because the Program Environmental Impact Report (PEIR) identifies potential significant adverse impacts related to the IPM Program implementation, and all feasible mitigation measures have been adopted. Environmental protection measures (EPMs), which are part of the IPM Program, have been integrated into treatment design to avoid or minimize adverse effects. Where potentially significant impacts remain after application of EPMs, mitigation measures have been identified to further reduce and/or compensate for those impacts. While only mitigation measures are required to be included in an MMRP, both EPMs and mitigation measures are included in the IPM Program MMRP to assist in implementation of all measures for later activities consistent with the IPM Program.

MMRP FOR THE IPM PROGRAM AND USE WITH LATER TREATMENT PROJECTS

This MMRP for the IPM PEIR is adopted by the Santa Clara Valley Open Space Authority's Board of Directors as part of its approval of the IPM Program. This MMRP provides a comprehensive list of all EPMs and mitigation measures identified in the PEIR, which have been integrated into the IPM Program or made a condition of approval to avoid or mitigate significant effects on the environment resulting from implementation of the IPM Program. The PEIR is a program-level analysis for the overall IPM Program which includes manual, mechanical, and chemical pest control methods. For each later vegetation treatment project implemented under the IPM Program, a Within the Scope Environmental Checklist (Checklist) (see Appendix C of Volume I of the Final EIR) will be completed and will include all relevant EPMs and mitigation measures, along with a Project Monitoring Plan (PMP).

The initial step in CEQA compliance for all later pest management activities under the IPM Program (which are “later activities” pursuant to Section 15168 of the State CEQA Guidelines) is completion of the Checklist by the Authority. The Checklist will document the determination of whether the proposed pest management activities are within the scope of the PEIR. Under this CEQA compliance approach, the Authority must incorporate all EPMs relevant to the proposed activities and all feasible mitigation measures in response to significant impacts caused by the later pest management actions from the Program EIR into the later vegetation treatment project. Some EPMs and mitigation measures would apply to all projects while others would only apply to projects that include specific treatment types or treatment activities, would affect certain resources, or result in certain potentially significant impacts. The Checklist will identify all EPMs and mitigation measures that are applicable to the later pest management activities evaluated in the Checklist. The PMP will describe the timing for the implementation of each (e.g., prior to or during initial treatment and/or maintenance activities), and the entity(ies) responsible for implementation and verification/monitoring of the EPMs and mitigation measures. The Authority will be responsible for implementation of the EPMs and mitigation measures pursuant to Section 15097 of the State CEQA Guidelines. For the purposes of the PEIR, EPMs are intended to be implemented and enforced in the same way as mitigation measures consistent with Section 15126.4 of the State CEQA Guidelines.

If later IPM treatment activities are not within the scope of the PEIR and additional CEQA documentation is needed, such analysis may be provided through a Negative Declaration (ND), Mitigated Negative Declaration (MND), or an EIR, depending on the environmental impact differences encountered. If additional CEQA documentation is needed for a later IPM treatment, a project-specific MMRP will be prepared by the Authority as part of the additional CEQA

documentation if EPMs and/or mitigation measures are required to avoid or mitigate significant effects on the environment resulting from the later IPM treatment activities.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to monitor the implementation of EPMs and mitigation measures in connection with the approval of the IPM Program and its use by the Authority. The attached table has been prepared to assist the responsible parties in implementing the EPMs and mitigation measures. The table presents the text of each EPM and mitigation measure, the timing of its planned implementation, the implementing entity, and the entity with monitoring responsibility. The numbering of EPMs and mitigation measures follows the numbering sequence found in the PEIR. EPMs and mitigation measures that are referenced more than once in the PEIR are not duplicated in the MMRP table.

ROLES AND RESPONSIBILITIES

The Authority is the lead agency with authority to adopt the MMRP. The Authority will approve later treatment activities within the scope of the IPM Program and PEIR and prepare the PMP in connection with future Checklists.

Unless otherwise specified herein, the Authority is responsible for taking all actions necessary to implement the EPMs and mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. The Authority will be responsible for implementation of mitigation measures pursuant to Section 15097 of the State CEQA Guidelines.

The Authority is responsible for overall administration of the IPM Program and for verifying that staff members or contractors have completed the necessary actions for each measure.

Inquiries should be directed to:

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33 Las Colinas Lane
San Jose, CA 95119
Phone: (408) 224-7476
Email: gbasson@openspaceauthority.org

The location of this information is available online at: <https://www.openspaceauthority.org/IPM>.

REPORTING

The Authority shall document and describe the compliance of later treatment activities with the required EPMs and mitigation measures by preparing a post-project memorandum with the Checklist and PMP as an attachment.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- ▶ **EPMs and Mitigation Measures** – This column provides the verbatim text of the applicable EPM or adopted mitigation measure.
- ▶ **Implementation Responsibility** – This column identifies the party responsible for implementing the EPM or mitigation measure.
- ▶ **Timing** – This column identifies the time frame in which the EPM or mitigation measure will be implemented.
- ▶ **Verification/Monitoring Entity** – This column identifies the party responsible for verifying and monitoring implementation of the EPM or mitigation measure.

Environmental Protection Measures and Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)			
Air Quality			
<p>EPM AQ-1 Minimize Air Pollutant Emissions The Authority would implement applicable measures from the Bay Area Air Quality Management District’s Basic Construction Mitigation Measures, for IPM activities that would involve vehicle use on unpaved roadways and the use of heavy mechanical equipment. These measures would include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▶ All vehicle speeds on unpaved roads will be limited to 15 mph. ▶ Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage will be provided for Authority staff and contractors. ▶ All equipment will be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation. 	The Authority	During all treatment activities involving vehicle use on unpaved roadways and the use of heavy mechanical equipment	The Authority
Biological Resources			
<p>EPM BIO-1 Pre-treatment Survey and Buffers for Aquatic Habitat All terrestrial treatment areas will be surveyed for the presence of lakes, ponds, streams, drainages, seeps, springs, saturated soils, or similar features that hold water at the time of treatment or typically become inundated during winter rains. Surveys will occur prior to the initial treatment within a treatment area, and the extent of aquatic features will be reverified prior to implementing treatments in subsequent years. The Authority will not conduct any ground disturbing mechanical treatments or any chemical treatments within 15 feet of any aquatic features, and broadcast spraying of herbicides will be prohibited within 50 feet of aquatic features (unless the compound is specifically registered for aquatic use). Refer to EPM BIO-8 for additional restrictions on the use of specific chemicals near California-red legged frog (CRLF) habitats, including aquatic features.</p>	The Authority	Prior to and during all treatment activities	The Authority
<p>EPM BIO-2 Pre-treatment Surveys and Flagging for Special-Status Plants All treatment areas will be surveyed prior to IPM treatments to determine the potential presence of special-status plants. Special-status plants within a treatment area will be mapped and/or flagged and avoided.</p>	The Authority	Prior to all treatment activities	The Authority
<p>EPM BIO-3 Limited Herbicide Use Near Special-Status Plants Within 15 feet of special-status plants, the Authority will not broadcast spray (i.e., boom spray from an ATV) any herbicides that could have an adverse effect on the special-status plant species present (e.g., non-selective herbicides that injure all plant species they come in contact with).</p>	The Authority	During herbicide treatments	The Authority

Environmental Protection Measures and Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)			
<p>EPM BIO-4 Treatment Timing for Special-Status Plants Many special-status plants are annual plants, which persist over the summer, are dormant through the winter, with seeds that germinate in the early spring. When annual special-status plants are dormant (prior to germination), only treatments that do not affect seeds or underground parts may be used within 15 feet of them.</p>	The Authority	During all treatment activities	The Authority
<p>EPM BIO-5 Salvage Rare Plants Propagules Seed or other propagules of rare plants will be collected before treatments, as feasible, and utilized in restoration post-treatment if needed.</p>	The Authority	Prior to and following all treatment activities	The Authority
<p>EPM BIO-6 Avoid Nesting Bird Season To avoid impacts to nesting birds, invasive plant control treatments will be conducted outside of the bird nesting period, so treatments would not generally occur between February 1 – August 31, if they may adversely affect native bird nests.</p>	The Authority	During invasive plant control treatments	The Authority
<p>EPM BIO-7 Avoid Nesting Birds If invasive plant control work must be conducted during the nesting bird season (February 1 – August 31), a nesting bird survey will be conducted within 14 days of treatment. The survey will encompass the area within a 250-foot radius for raptors, and 50-foot-radius for other birds. If nesting birds are identified, work within these buffer areas will be postponed until the young have fledged or the nest is otherwise abandoned.</p>	The Authority	Within 14 days of all invasive plant control treatments that occur during the nesting bird season (February 1 – August 31)	The Authority
<p>EPM BIO-8 Herbicide Restrictions for California Red-Legged Frog Application of herbicides by the Authority with active ingredients that are subject to the CRLF Injunction (Center for Biological Diversity v. U.S. Environmental Protection Agency [2006] Case No.: 02-1580-JSW) would be prohibited within 60 feet of CRLF critical habitats, upland habitats, and aquatic features.</p>	The Authority	During herbicide treatments	The Authority
<p>EPM BIO-9 Avoid Monarch Butterfly Overwintering Sites Although it is unlikely that monarch butterfly overwintering sites will occur within treatment areas, to avoid potential impacts to overwintering monarchs, the Authority will survey for overwintering colonies where treatment areas occur within suitable overwintering habitat (e.g., conifer stands and eucalyptus stands) during the overwintering season (October through March) within 14 days before starting treatment. If overwintering colonies are identified, the site will be flagged and treatments that may disturb the colony (e.g., mechanical treatments or chemical treatments) will not occur within the site while the colony is present.</p>	The Authority	14 days prior to all treatment activities that occur within suitable overwintering habitat during the overwintering season (October through March)	

Environmental Protection Measures and Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)			
EPM BIO-10 Pre-treatment Surveys and Flagging for Monarch Butterfly Host Plan All treatment areas will be surveyed prior to IPM treatments to determine the potential presence of the monarch butterfly host plant milkweed (<i>Asclepias</i> spp.). Milkweed plants within a treatment area will be mapped and/or flagged and avoided.	The Authority	Prior to all treatment activities	The Authority
EPM BIO-11 Limited Herbicide Use Near Monarch Butterfly Host Plants Within 15 feet of monarch host plants, the Authority will not broadcast spray (i.e., boom spray from an ATV) any herbicides that could have an adverse effect on the monarch butterfly host plants. (e.g., non-selective herbicides that injure all plant species they come in contact with).	The Authority	During herbicide treatments	The Authority
Hazards and Hazardous Materials			
EPM HAZ-1 Maintain All Equipment The Authority 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. Before the start of treatment activities, the Authority (or contractor) 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.	The Authority	Prior to and during all treatment activities	The Authority
EPM HAZ-2 Require Spark Arrestors The Authority will require all mechanized hand tools to have federal- or state-approved spark arrestors.	The Authority	During manual treatments utilizing mechanized hand tools	The Authority
EPM HAZ-3 Prohibit Smoking in Vegetated Areas The Authority will require that smoking be only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter (PRC Section 4423.4), if smoking is permitted at all.	The Authority	Prior to, during, and after all treatment activities	The Authority
EPM HAZ-4 Pesticide Handling and Mixing The following EPMs will be implemented by the Authority when handling or mixing pesticides. <ul style="list-style-type: none"> ▶ Authority staff will comply with all federal, State, and local pesticide use laws and regulations. ▶ As a precaution against spilling, spray tanks will not be left unattended during filling. All pesticide spray equipment will be properly cleaned. ▶ Where possible, rinsate will be used as part of the water in the sprayer tank and applied to treatment areas. ▶ All pesticide containers will be triple rinsed, and the rinsate will be used as water in the sprayer tank and applied to treatment areas. 	The Authority	Prior to, during, and after all pesticide treatments	The Authority

Environmental Protection Measures and Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)			
<ul style="list-style-type: none"> ▶ When a pesticide container is marked as recyclable, Authority staff will deliver the triple rinsed pesticide containers to the appropriate herbicide container collection site. ▶ All unused pesticides would be properly discarded at a local “safe send” collection. ▶ Pesticides and pesticide containers will be lawfully stored, handled, and disposed of in accordance with the label and in a manner that would safeguard human, fish, and wildlife health and prevent soil and water contamination. ▶ Authority staff will consider the water quality parameters (e.g., pH, hardness) that are important to ensure the greatest efficacy when specified on the pesticide label. ▶ All pesticide spills will be addressed immediately. 			
<p>EPM HAZ-5 Pesticide Application: The following EPMs will be implemented by the Authority when applying pesticides.</p> <ul style="list-style-type: none"> ▶ Authority staff will comply with all federal, State, and local pesticide use laws and regulations. For example, Authority staff will use application equipment and apply rates for the specific pest(s) identified on the pesticide label. ▶ Before each treatment season and before mixing or applying any product for the first time each season, all applicators will review the product label. ▶ Applicators will follow all label recommendations regarding buffer zones around wetlands and waters, where applicable. ▶ Only herbicides registered for aquatic use will be broadcast sprayed within 50 feet of aquatic resources, and no pesticides would be used within 15 feet of aquatic resources (i.e., surface waters, wetlands, seasonal streams, or locations where groundwater is present at the soil surface). ▶ Applicators will use low impact herbicide application techniques (e.g., spot treatment and cut stump applications) rather than spray applications (e.g., boom sprayer or other larger tank wand applications), wherever practical. ▶ Applicators will use low volume rather than high volume spray applications when the low impact methods described above are not feasible or practical to maximize herbicide effectiveness and ensure correct and uniform application rates. ▶ Applicators will use and adjust spray equipment to apply the coarsest and largest droplet size with optimal coverage of the target species to reduce the potential for drift. 	The Authority	Prior to, during, and after all pesticide treatments	The Authority

Environmental Protection Measures and Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)			
<ul style="list-style-type: none"> ▶ Applicators will use drift reduction technologies such as low-drift nozzles, where possible. ▶ Spraying will occur during low and consistent direction wind conditions (average less than 7 mph; preferably 3-5 mph) and moderate temperatures (less than 85 degrees Fahrenheit) to prevent unintended drift. ▶ Applicators will avoid spraying during inversion conditions (often associated with calm or very low wind conditions) that can cause large-scale herbicide drift to non-target areas. ▶ Equipment will be calibrated regularly to ensure that the proper rate of pesticide is applied to the target area or species. ▶ Spray applications will be made at the lowest height for uniform coverage of target pests to minimize or eliminate potential drift. ▶ If windy conditions frequently occur during afternoons, spraying (especially boom treatments) will be conducted during early morning hours. ▶ Herbicide applications will not be conducted on days with greater than 30 percent forecast for rain within six hours, except for pesticides that are rapidly rain fast or need rain to activate the product to minimize or eliminate potential runoff. Within 100 feet of aquatic resources (surface waters, wetlands, seasonal streams, or locations where groundwater is present at the soil surface) this rain-free window will be increased to 24 hours. ▶ Applicators will use environmentally safe drift retardant adjuvants during spray applications, especially adjacent to sensitive areas. ▶ Applicators will use a non-toxic dye to aid in identifying treated target areas and any areas of overspray or drift. Dye would also aid in detecting equipment leaks. If a leak is discovered, application would stop immediately, and the sprayer would not be used until repairs are made. ▶ When drift cannot be sufficiently reduced through altering equipment set up and application techniques, buffer zones in addition to those described above will be identified to protect sensitive areas downwind of applications. ▶ When an application is required adjacent to a sensitive habitat area, it will only occur when the wind is blowing in the opposite direction of the sensitive area. ▶ To eliminate unnecessary pesticide applications, Authority staff will examine the target area for the presence of expected pests before applying a pesticide product. 			

Environmental Protection Measures and Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)			
<ul style="list-style-type: none"> ▶ Authority staff will consider the timing of a pesticide application to ensure that native plants are protected (e.g., senescence) while effectively treating invasive plants. ▶ Application equipment (e.g., backpack sprayer, transport vehicles) will be thoroughly cleaned and Personal Protective Equipment (PPE) removed and properly disposed of after treatments. 			
<p>EPM HAZ-6 Notification of Pesticide Use in the Vicinity of Public Areas Signage will be posted at each pedestrian entry point notifying the public of upcoming and recent pesticide application locations, and footpaths and trails will be closed to the public during pesticide application. Signs will be posted before the start of treatment and notification would remain in place for at least 72 hours after treatment ceases.</p>	The Authority	Prior to, during, and after all pesticide treatments	The Authority

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
Biological Resources			
<p>Mitigation Measure 3.3-2a: Avoid Loss of Bay Checkerspot Butterfly and Host Plants The Authority will obtain take coverage for Bay checkerspot butterfly under the Habitat Plan for covered activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions required by the Habitat Plan to avoid and minimize injury, death, disturbance, or habitat degradation for this special-status species. If take coverage is not obtained for manual and mechanical activities, the Authority will implement the following measures:</p> <ul style="list-style-type: none"> ▶ EPM BIO-2 and EPM BIO-4 shall be implemented for Bay checkerspot butterfly host plant species (dwarf plantain and purple owl's clover). Per these EPMs, the Authority will conduct pre-treatment surveys for dwarf plantain and purple owl's clover and flag and/or map and avoid all occurrences during manual and mechanical treatments. When the host plants are dormant, only manual and mechanical treatment activities that do not affect seeds or underground parts shall be used within 15 feet of dwarf plantain and purple owl's clover occurrences. ▶ If pyrethrin-type spray insecticides are proposed for use (e.g., on a wasps' nest) within Bay checkerspot butterfly suitable habitat, they shall be applied by a qualified biologist with experience identifying Bay checkerspot butterfly. Prior to any application, a visual survey will be conducted within 15 feet of the application site. If dwarf plantain and purple owl's clover are observed within 15 feet of a target wasps' nest, no pyrethrin-type spray insecticides will be used unless it is confirmed no Bay checkerspot butterfly eggs or larvae are present, and only immediately following the absence determination. If adult Bay checkerspot butterflies are found during the survey, no pyrethrin-type spray insecticides will be used until the butterflies have left the 15-foot buffer on their own. ▶ If broadcast spraying (i.e., from a boom on an ATV) of herbicides is proposed for use within Bay checkerspot butterfly suitable habitat, EPM BIO-2 through EPM BIO-5 will be implemented. These measures will require identification, flagging, and avoidance of dwarf plantain and purple owl's clover and prohibit the broadcast spraying of non-selective herbicides (i.e., herbicides that injure all plant species that are directly exposed to the herbicide) within 15 feet of dwarf plantain and purple owl's clover. Non-selective herbicides will only be broadcast sprayed in suitable habitat if it is applied during the dormant period of dwarf plantain and purple owl's clover (July through February) and does not damage seeds or underground parts. 	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>Mitigation Measure 3.3-2b: Avoid Loss of Crotch Bumble Bee Nest Colonies To avoid direct disturbance of Crotch bumble bee nest colonies, if ground disturbing treatments (e.g., digging, scraping, hoeing, rodent burrow removal, installation of exclusion fencing for feral pigs or bullfrogs), use of weedmats, or pyrethrin-type insecticide treatments are proposed in Crotch bumble bee suitable habitat during the period when nest colonies may be present (March through September), prior to implementing treatments, the Authority will conduct field surveys within treatment sites for the presence of the species.</p> <ul style="list-style-type: none"> ▶ Surveys to determine occupancy of suitable habitat by Crotch bumble bee will occur within 1 year prior to treatment implementation and at four evenly spaced sampling periods within the flight season (March through September). Surveys will follow the general procedures in the USFWS' Survey Protocols for the Rusty Patched Bumble Bee (<i>Bombus affinis</i>) (USFWS 2018). Surveys will use non-lethal netting methods for one (1) person-hour per 3 acres of the treatment site or until 150 bumble bees are sighted, whichever comes first. If no Crotch bumble bees are detected, then no further survey of that treatment area or further mitigation is required. Alternatively, the Authority may assume presence within suitable habitat, and apply only the additional measure below. ▶ If Crotch bumble bees are detected within the treatment area, or presence is assumed, and ground disturbing treatments (e.g., digging, scraping, hoeing, installation of exclusion fencing for feral pigs or bullfrogs), weed mats, or use of pyrethrin-type spray insecticides are planned; a pre-treatment survey will occur within 30 days of the treatment to identify the location of active nest colonies. ▶ Crotch bumble bee nest colonies detected within the treatment area will be flagged and no ground disturbing treatments, weed mats, or pyrethrin-type spray insecticides will be used within 15 feet of the colony during March through September, or until the colony is no longer active (i.e., no bees are seen flying in or out of the nest for three consecutive days). Air space shall be maintained between the active nest colony and nectar resources to facilitate foraging. ▶ To avoid loss of Crotch bumble bee nest colonies through removal of floral resources, within occupied habitat (presence can be assumed or follow survey requirements above to determine occupancy), mechanical vegetation removal and spraying of non-selective herbicide treatments will be conducted such that the entirety of floral resources are not removed during the period when colonies may be present (March through September), and untreated portions of occupied habitat are retained adjacent to treatment areas to provide floral resources and refuge for Crotch bumble bees. 	<p>The Authority</p>	<p>Prior to and during ground disturbing treatments, installation of exclusion fencing, use of weedmats, or pyrethrin-type insecticide treatments occurring in Crotch bumble bee suitable habitat during the period when nest colonies may be present (March through September)</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<ul style="list-style-type: none"> ▶ If in the future Crotch bumble bee is listed under the CESA and take is not covered under the Valley Habitat Plan, the Authority will consult with CDFW to determine additional measures that may be required to avoid take of individuals, or will apply for an Incidental Take Permit. Additional measures may include, but are not limited to, further limitations on the use of pyrethrin-type spray insecticides and mechanical treatment during the flight season, and limitations on ground disturbing treatments in overwintering habitat. If agreement is reached, the Authority shall implement all measures developed in consultation with CDFW. 			
<p>Mitigation Measure 3.3-2c: Avoid Injury or Loss of Special-Status Fishes The Authority will not conduct trapping, shooting, gigging, or electroshocking during the spawning season for Monterey roach (March through June) within suitable habitat (i.e., perennial streams). Shooting, trapping, gigging, and electroshocking of aquatic species will only be conducted by a qualified biologist with experience identifying special-status fishes.</p>	The Authority	During treatment activities involving shooting, gigging, or electroshocking during the spawning season for Monterey roach (March through June) within suitable habitat	The Authority
<p>Mitigation Measure 3.3-2d: Avoid Impacts to California Tiger Salamander and California Red-Legged Frog The Authority will obtain take coverage for California tiger salamander and California red-legged frog for covered IPM activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions required by the Habitat Plan to avoid and minimize injury, death, disturbance, or habitat degradation for these special-status species. If take coverage is not obtained for manual and mechanical activities, the Authority will implement the following measures:</p> <ul style="list-style-type: none"> ▶ Conduct field surveys within treatment sites to determine the presence of suitable California tiger salamander and California red-legged frog habitat. ▶ Prohibit burrow removal for rodent control where suitable California tiger salamander upland habitat is present to avoid harming individual California tiger salamanders that may be present in empty burrows. ▶ Prohibit mechanical and chemical treatments in suitable California tiger salamander upland habitat during the wet season (generally October 15 through May), and within 24 hours of rainfall. Only manual IPM treatment activities shall be conducted in suitable upland habitat during the wet season to avoid injury or mortality of these species during overland movement. ▶ Prior to conducting IPM treatments in California tiger salamander or California red-legged frog suitable habitat that could result in incidental injury or death of 	The Authority	Prior to and during all treatment activities	The Authority

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>individuals as determined by a qualified biologist (e.g., mechanical treatments that use large, ground disturbing equipment such as tractor-operated mowers), and within 14 days of treatment, pre-treatment clearance surveys shall be conducted. If individuals of either species are found within a treatment site during pre-treatment clearance surveys, monitoring shall be conducted during the treatment (with the exception of pond draining as discussed below). If California tiger salamander or California red-legged frog individuals are found within a treatment site while work is occurring, work shall stop until the individuals are no longer at risk of incidental injury or death from the implementation of the treatment or have left the treatment area without assistance.</p> <ul style="list-style-type: none"> ▶ Pond draining shall not occur during the breeding period for California tiger salamander or California red-legged frog (generally October 15 through May). In addition, prior to draining any pond, protocol surveys will be conducted by a qualified biologist. Draining of the pond shall only proceed once surveys confirm that no California tiger salamanders, California red-legged frogs, or egg masses are present. <p>Prior to the use of herbicides, the Authority will conduct field surveys within treatment sites for the presence of suitable aquatic and upland habitat for California tiger salamander and California red-legged frog. If suitable aquatic or upland habitat is identified, the Authority will implement the following measures:</p> <ul style="list-style-type: none"> ▶ No broadcast spraying of herbicides will occur within 50 feet of suitable California tiger salamander or California red-legged frog aquatic habitat and no application of herbicides by any method will occur within 15 feet of California tiger salamander or California red-legged frog aquatic habitat. ▶ Within 50 feet of suitable California tiger salamander or California red-legged frog upland habitat, no broadcast spraying of herbicides (i.e., boom on an ATV) will occur during the wet season (generally October 15 through May), or within 24 hours of rainfall, to avoid direct exposure to California tiger salamander or California red-legged frog. Targeted, handheld application of herbicides may occur outside of this window within 50 feet of California red-legged frog upland habitat or California tiger salamander upland habitat by staff trained to identify and avoid any potential burrows and burrow openings. ▶ When using herbicides that contain the active ingredients that are subject to the herbicide injunction for California red-legged frog (Center for Biological Diversity v. U.S. Environmental Protection Agency [2006] Case No.: 02-1580-JSW) the requirements of that injunction shall apply (see EPM BIO-8). 			

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>Alternatively, if it is not feasible to meet the objectives of the IPM Program under these requirements for herbicide use, the Authority will consult USFWS and/or CDFW before implementation of herbicide application to develop measures to avoid the injury, death, or disturbance of California tiger salamander and California red-legged frog. These measures may include, but are not limited to, limitations on the types of herbicides used and restrictions on the timing of use. If agreement is reached, the Authority shall implement all measures developed in consultation with the agencies.</p>			
<p>Mitigation Measure 3.3-2e: Avoid Impacts to Foothill Yellow-Legged Frog the Authority will obtain take coverage for foothill yellow-legged frog for all IPM activities under the Habitat Plan (all activities including chemical treatments are covered by the Habitat Plan for foothill yellow-legged frog). The Authority will implement all applicable permit conditions required by the Habitat Plan to avoid and minimize injury, death, disturbance, or habitat degradation for this special-status species. If take coverage is not obtained, the Authority will implement the following the following measures:</p> <ul style="list-style-type: none"> ▶ Conduct field surveys within treatment sites for the presence of suitable foothill yellow-legged frog habitat. ▶ The Authority will not broadcast spray herbicides within 50 feet of suitable aquatic or upland habitat and no application of herbicides by any method will occur within 15 feet of suitable aquatic habitat of foothill yellow-legged frog. Alternatively, if it is not feasible to meet the objectives of the IPM Program under these requirements for herbicide use, the Authority will consult CDFW to develop measures to avoid incidental injury or death of the species. These measures may include but are not limited to, limitations on the types of herbicides used and timing of use. If agreement is reached, the Authority shall implement all measures developed in consultation with CDFW. ▶ Prior to conducting IPM treatments in foothill yellow-legged frog suitable habitat that could result in incidental injury or death of individuals as determined by a qualified biologist (e.g., mechanical treatments that use large, ground disturbing equipment such as tractor-operated mowers), and within 14 days of treatment, pre-treatment clearance surveys shall be conducted. If individuals are found within a treatment site during pre-treatment surveys, monitoring shall be conducted during treatment. If foothill yellow-legged frogs are found within a treatment site while work is occurring, work shall stop until the individual is no longer at risk of incidental injury or death from the implementation of the treatment, or until the individual is moved outside of the treatment site by a qualified biologist. 	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>Mitigation Measure 3.3-2f: Preconstruction Surveys and Avoidance of California Giant Salamander, Coast Range Newt, and Santa Cruz Black Salamander Prior to conducting IPM treatments in California giant salamander, coast range newt, and Santa Cruz black salamander suitable habitat that could result in incidental injury or death of individuals (e.g., mechanical treatments that use large, ground disturbing equipment such as tractor-operated mowers) as determined by a qualified biologist, and within 14 days of treatment, pre-treatment clearance surveys shall be conducted.</p> <p>If individuals of these species are found within a treatment site during pre-treatment clearance surveys, monitoring shall be conducted during treatment. If California giant salamander, coast range newt, or Santa Cruz black salamander are found within the treatment site while work is occurring, work shall stop until the individual is no longer at risk of incidental injury or death from the implementation of the treatment, or until the individual is moved outside of the treatment site by a qualified biologist.</p>	The Authority	Prior to and during all treatment activities	The Authority
<p>Mitigation Measure 3.3-2g: Avoid Impacts from Aquatic-based IPM Treatments to Special Status Amphibians Exclusion fencing, trapping, giggering, shooting, and electroshocking in aquatic environments shall be conducted by a qualified biologist with experience in the identification of amphibian species and possessing the appropriate federal and state permits to handle listed species. Inadvertently trapped or shocked special-status amphibians will be released immediately upon discovery.</p>	The Authority	During treatment activities involving exclusion fencing, trapping, giggering, shooting, and electroshocking in aquatic environments	The Authority
<p>Mitigation 3.3-2h: Avoid Injury or Loss of Special-Status Reptiles The Authority will obtain take coverage for western pond turtle under the Habitat Plan. The Authority will implement all applicable permit conditions that may be required by the Habitat Plan to avoid and minimize impacts to western pond turtle.</p> <p>For special-status reptiles that are not covered by the Habitat Plan (and for western pond turtle if Habitat Plan take coverage is not obtained), the Authority will implement the following avoidance and minimization measures prior to conducting IPM treatment activities that have the potential to injure or harm special-status reptiles:</p> <ul style="list-style-type: none"> ▶ Conduct assessment of treatment sites for the presence of suitable special-status reptile habitat. Prior to scraping/grubbing, ripping, rodent burrow removal, mechanical treatments, or tree removal within suitable habitat for special-status reptiles, and within 30 days of treatment, the Authority will survey the treatment site for the presence of special-status reptiles (and western pond turtle nests, if applicable). If special-status reptiles are found within the 	The Authority	Prior to and during all treatment activities	The Authority

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>treatment site, monitoring for special-status reptiles will be conducted during the treatment and work will stop if a special-status reptile is at risk of injury until it is no longer at risk. Special-status reptiles (except for Alameda whipsnake) may be moved outside of the treatment area by a qualified biologist. Any western pond turtle nests will be flagged and avoided (if applicable).</p> <ul style="list-style-type: none"> ▶ Prior to conducting IPM treatment activities within occupied habitat for Alameda whipsnake, the Authority shall consult USFWS on any activities that may result in injury, death, or disturbance of the species to develop measures to avoid these impacts. Additional measures may include but are not limited to surveys, monitoring, and seasonal restrictions on use of pesticides and other treatments. If avoidance is not feasible then the Authority will not conduct IPM treatment activities that would cause impacts to Alameda whipsnake. ▶ Shooting, trapping, gigging, and electroshocking of aquatic species, and trapping of rattlesnakes, will be conducted by a qualified biologist with experience in the identification of special-status reptile species. Inadvertently trapped special-status reptiles will be released immediately upon discovery. Trapping for rattlesnakes shall not be conducted within the range of Alameda whipsnake. 			
<p>Mitigation 3.3-2i: Avoid Loss of Special-Status Birds, Nests, and Nesting Colonies</p> <p>The Authority will obtain take coverage for least Bell’s vireo under the Habitat Plan for covered activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions that may be required by the Habitat Plan to avoid and minimize impacts to least Bell’s vireo. In occupied habitat for least Bell’s vireo (or in suitable habitat if occupancy is not known), the Authority will not use chemical treatments without prior consultation with USFWS.</p> <p>The Authority will obtain take coverage for tricolored blackbird and burrowing owl under the Habitat Plan. The Authority will implement all applicable permit conditions required by the Habitat Plan.</p> <p>If take coverage under the Habitat Plan is not obtained for covered special-status birds before covered activities are implemented, the Authority will implement the following avoidance and minimization measures:</p> <ul style="list-style-type: none"> ▶ Treatment activities within 250 feet of riparian habitat suitable for least Bell’s vireo nesting will occur outside of the least Bell’s vireo breeding season (defined as March 15 through September 15) to the extent feasible. If work must occur within 250 feet of riparian habitat within the breeding season, a qualified biologist will conduct visual and audio surveys for nesting least Bell’s vireo 	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>according to the Least Bell's Vireo Survey Guidelines (USFWS 2001) or as approved by USFWS. Vocalization recordings will not be used. In the event that least Bell's vireo territory or active nests are confirmed during the surveys, the biologist will establish an avoidance buffer zone between the territory edge and investigation activities at a distance recommended by USFWS. The Authority will periodically monitor active territories and maintain the territory avoidance buffer zone until nestlings have fledged and are no longer reliant on the nest or parental care for survival or until the nest is abandoned (as determined by a qualified biologist).</p> <ul style="list-style-type: none"> ▶ Prior to conducting treatments in burrowing owl habitat, the Authority will conduct a survey of the treatment site for burrowing owl burrows. If an active burrow is identified near a treatment site and work cannot be conducted outside of the nesting season (February 1 to August 31), a qualified biologist will establish an avoidance buffer that extends 150 to 1,500 feet around the burrow, depending on nesting stage and level of disturbance. If burrowing owls are present at the treatment site during the non-breeding season (September 1 through January 31), a qualified biologist will establish an avoidance buffer that extends a minimum of 150 feet around the burrow. ▶ IPM Program activities that occur within 250 feet of suitable tricolored blackbird nesting colony habitat will be conducted outside of the breeding season (March 15 through September 31). If work must occur within 250 feet of suitable tricolored blackbird nesting colony habitat during breeding season, then a protocol survey for tricolored blackbird nests will be conducted. If a nesting colony is present, then no IPM activities will occur within 250 feet of the colony until the colony has dispersed. Vegetation that has been documented to be used for nesting by tricolored blackbird shall not be removed for a period of 5-years following the use of the vegetation for nesting. ▶ Within Swainson's hawk nesting habitat, the Authority will survey for active nests prior to the implementation of any IPM Program activities. If nests are identified, IPM Program activities would be prohibited within 0.25 mile of the active nest during nesting season (March 1 - September 15). This buffer may be adjusted as appropriate by a qualified biologist in consultation with CDFW. If removal of a Swainson's hawk nest tree is required, the Authority shall conduct removal of the tree outside of the active nesting season in coordination with CDFW. ▶ For all other special-status bird species, the Authority will apply EPM BIO-6 and EPM BIO-7 to trapping, gigning, shooting, and electroshocking activities for bullfrog and invasive fish removal. This would require that trapping, gigning, 			

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>shooting, and electroshocking activities for bull frog and invasive fish removal occur outside of the nesting season, or requires a nesting bird survey if activities would occur within the nesting season and non-disturbance buffers would be implemented.</p> <ul style="list-style-type: none"> ▶ Brown-headed cowbird trapping shall be conducted by a qualified biologist with experience in the identification of bird species. Inadvertently trapped special-status birds will be released immediately upon discovery. Prior to initiating trapping, the Authority will consult CDFW and USFWS regarding trapping within 250 feet of special-status bird species habitat. 			
<p>Mitigation Measure 3.3-2j: Avoid Injury and Loss of San Joaquin Kitfox The Authority will obtain take coverage for San Joaquin kitfox under the Habitat Plan for covered activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions required by the Habitat Plan.</p> <p>Prior to the application of pesticides within suitable habitat for San Joaquin kitfox, the Authority will consult with USFWS to determine the appropriate measures to avoid injury, death, or disturbance to the species due to pesticides. The Authority will implement all conservation measures developed with USFWS such as restrictions on pesticide use.</p> <p>If take coverage under the Habitat Plan is not obtained before IPM Program activities are implemented within suitable habitat for San Joaquin kitfox, the Authority will implement the following avoidance and minimization measures:</p> <ul style="list-style-type: none"> ▶ Prior to implementing IPM Program activities that could disturb San Joaquin kitfox dens, such as mowing, rodent burrow removal, grubbing/clearing, and tree removal within suitable habitat for San Joaquin kitfox, the Authority will survey for dens within a buffer of 200 feet around treatment sites. If potential dens are found during surveys, a non-disturbance buffer of not less than 100 feet will be maintained around the den site for the duration of treatment activities. If a natal den is discovered within 200 feet of a treatment site, all activity shall cease, and the Authority will contact the USFWS and CDFW to consult about potential avoidance measures before activities can occur (USFWS 2011). ▶ No trapping of feral pets would occur within suitable habitat for San Joaquin kitfox, unless the Authority conducts surveys and determines that the suitable habitat is unoccupied in consultation with USFWS. 	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>Mitigation Measure 3.3-2k: Avoid Injury and Loss of American Badger and Ringtail</p> <ul style="list-style-type: none"> ▶ No more than 14-days prior to implementation of IPM Program activities that could disturb American badger and ringtail dens, such as herbicide application, mowing, grubbing/clearing, rodent burrow removal, and tree removal within suitable habitat, a qualified biologist shall conduct pre-treatment surveys within 100 feet of treatment project sites for potential American badger and ringtail dens. ▶ If any potentially occupied American badger dens are located during surveys, no work shall be performed within a 50-foot buffer around each den during the non-breeding season or within a 100-foot buffer around dens during the period when pups are potentially in the den (February 15 through July 1). ▶ If any potentially occupied ringtail dens (e.g., brush piles, appropriately sized burrows, hollow logs, hollow trees) are located during surveys, the same buffers as described for American badger during non-breeding and breeding season (May 1 through June 30) shall be implemented. ▶ Feral pet trapping within suitable habitat for American badger shall be conducted by a qualified biologist with experience in the identification of American badger. Inadvertently trapped special-status species, including American Bader, will be released immediately upon discovery. ▶ Feral pet trapping within suitable habitat for ringtail shall be conducted by a qualified biologist with experience in the identification of ringtail. Inadvertently trapped special-status species, including ringtail, will be released immediately upon discovery. Prior to initiating trapping in suitable ringtail habitat, the Authority will consult CDFW to confirm trapping methods are sufficient in avoiding potential injury to ringtail. 	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>
<p>Mitigation Measure 3.3-2l: Avoid Injury and Loss of Mountain Lion</p> <p>The Authority shall conduct 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 habitat surveys to determine the presence of nursery habitat suitable for mountain lion within preserves where treatments may occur. The desktop analysis shall be updated as habitat conditions or species occurrence information changes.</p> <p>Where the desktop analysis determines that suitable nursery habitat is present, the Authority will conduct focused surveys of the treatment area and a 2,000-foot buffer for the presence of potential mountain lion nurseries. Surveys will be conducted within 7 days before commencement of treatment activities by a qualified wildlife biologist with familiarity with mountain lion and experience using</p>	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>survey methods for the species. Potential mountain lion dens will include caves, large natural cavities within rocky areas, or thickets deemed appropriate for use by mountain lions based on size and other characteristics (e.g., proximity to human development, surrounding habitat, and coordination with local experts to determine known locations of female mountain lions). The qualified wildlife biologist will 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 a mountain lion nursery. 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).</p> <p>If signs of a mountain lion nursery are found 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, track plates, hair snares, and/or other noninvasive methods, as well as coordination with local experts tracking the species (if available). Surveys using these noninvasive methods will be conducted for three days and three nights to determine whether a nursery may be present.</p> <p>If a nursery is known to occur in the area or further signs of a nursery are detected (e.g., lactating adult females or kittens on camera, repeated detections of an adult female in the area, growls or calls from kittens), the Authority will implement a no-disturbance buffer of at least 2,000 feet (Wilmers et al. 2013) for a minimum of 10 weeks. Treatment activities will not occur within this buffer during this time to avoid disturbance, injury, or mortality of mountain lion.</p> <p>Feral pet trapping within suitable habitat for mountain lion shall be conducted by a qualified biologist with experience in the identification of mountain lion cubs. Inadvertently trapped special-status species, including mountain lion individuals, will be released immediately upon discovery. Prior to initiating trapping in suitable mountain lion habitat, the Authority will consult CDFW to confirm trapping methods are sufficient in avoiding potential injury to mountain lion individuals.</p>			
<p>Mitigation 3.3-2m: Minimize Loss of San Francisco Dusky-Footed Woodrat Nests The Authority will survey for the presence of San Francisco dusky-footed woodrat nests within areas proposed for mechanical vegetation removal. The locations of nests shall be recorded, and nests flagged for avoidance by treatment activities.</p> <p>The Authority will consult with CDFW in areas where treatments would result in destruction or removal of a nest. Management actions shall be determined in consultation with CDFW and may include the live capture and relocation of woodrats to suitable adjacent habitats and the dismantling of nests. If consultation</p>	<p>The Authority</p>	<p>Prior to and during all treatment activities</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>determines that nest dismantling may occur, nests shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the nest, and the nest shall remain undisturbed for two to three weeks to give the young enough time to mature and leave the nest on their own accord. After two to three weeks, the empty nest may be dismantled. Nest material shall be moved to suitable adjacent areas within suitable habitat that shall not be disturbed. As woodrats exhibit high site fidelity, buildings with previous woodrat nests shall be regularly inspected for potential intrusion to prevent infestation.</p>			
<p>Mitigation 3.3-2n: Avoid Loss of Special-Status Bat Roosts If exclusion of bats or fumigation is necessary in buildings and structures during the nursery season (April through August), a qualified biologist will conduct surveys for roosting bats. Surveys shall consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of bat roosting is found, the number and species of roosting bats will be determined. When special-status bat roosting sites are located in buildings, exclusion of bats and fumigation shall occur outside of the April through August nursery season.</p> <p>The Authority shall not remove trees greater than 16 inches diameter at breast height (dbh) during the April through August nursery season, unless a qualified biologist conducts surveys for roosting bats where suitable large trees are to be removed. Surveys will consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of special-status roosting bats is found, removal of trees where potential special-status bat roosts are identified shall occur outside of the nursery season. If no evidence of special-status bat roosts is found, then the Authority may move forward with tree removal.</p>	<p>The Authority</p>	<p>Before and during treatment activities involving exclusion of bats, fumigation, and tree removal</p>	<p>The Authority</p>
Cultural and Tribal Cultural Resources			
<p>Mitigation 3.6-1: Built-Environment Survey Before implementation of IPM treatment activities that could alter historic-age buildings or structures (50 years or older), the structures shall be surveyed by a qualified architectural historian who meets the Secretary's Standards. The structure will be evaluated for eligibility for listing on the CRHR. If the structure is evaluated and deemed not eligible for listing on the CRHR, IPM Program treatment activities may proceed. If structures are determined to be eligible for the CRHR, IPM Program activities will follow the Secretary's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and</p>	<p>The Authority</p>	<p>Before treatment activities that could alter historic-age buildings or structures (50 years or older)</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>Reconstructing Historic Buildings, or the Secretary’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. If the Authority is unable to implement the Secretary’s Standards, then no building alterations to structures deemed eligible for listing on the CRHR shall occur.</p>			
<p>Mitigation Measure 3.6-2a: Records Search and Survey Before Ground Disturbance for Archaeological Resources An archaeological and historical resource record search will be conducted prior to implementing ground disturbing IPM treatments on added preserves for which a records search is not available. Once the exact locations of ground disturbing IPM treatment activities have been determined and before commencement, the cultural records shall be consulted, and a qualified archaeologist shall conduct pedestrian surveys in areas where previously recorded archaeological resources have been identified. In the event of a surface find, materials will be evaluated and recorded on standard Department of Parks and Recreation primary record forms (DPR 523) in accordance with national and state criteria. A determination of eligibility/ineligibility for the CRHR will be recommended for any surface finds. A survey report shall be completed by the qualified archaeologist and will include recommendations for minimizing potential adverse effects to any archaeological resource finds. The Authority shall follow recommendations identified in the report, which may include activities such as subsurface testing, implementing a Worker Environmental Awareness Program, flagging and complete avoidance of sites, construction monitoring by a qualified archaeologist, or notification of the geographically and culturally affiliated Native American tribe to extend an invitation for construction monitoring. If no archaeological resources are found during the pedestrian survey, the proposed IPM activities may proceed.</p>	<p>The Authority</p>	<p>Before and during ground disturbing treatment activities on preserves for which a records search is not available</p>	<p>The Authority</p>
<p>Mitigation Measure 3.6-2b: Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features In the event that any surface or subsurface archaeological features or deposits, including locally darkened soil (“midden”) that could conceal cultural deposits are discovered, all ground-disturbing activity within 100 feet of the find shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, IPM activities may proceed. If the qualified archaeologist determines the archaeological material to be Native American in nature, the Authority shall contact the appropriate Native American tribe for their input on the preferred treatment of the find. If the archaeologist determines that further information is needed to evaluate</p>	<p>The Authority</p>	<p>During ground disturbing treatment activities where subsurface archaeological features are discovered</p>	<p>The Authority</p>

Mitigation Measures	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES			
<p>significance, a data recovery plan shall be prepared. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall develop, and the Authority shall implement, appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).</p>			
Hazards and Hazardous Materials			
<p>Mitigation Measure 3.4-2: Identify and Avoid Known Hazardous Waste Sites Prior to the start of IPM treatment activities requiring soil disturbance in the vicinity of the abandoned Wright Mine, the Authority shall mark/flag the Wright Mine, including a 100-foot buffer around the mine area, and no soil disturbing IPM treatment activities will occur within 100 feet of the site boundaries. If it is determined through coordination with the Central Coast RWQCB, the lead agency responsible for the site, that no potential or known contamination is located on the site, the treatment may proceed as planned.</p>	<p>The Authority</p>	<p>Before and during soil disturbing treatment activities in the vicinity of the abandoned Wright Mine</p>	<p>The Authority</p>

Appendix C

Within-the-Scope Environmental Checklist

1 INTRODUCTION

The Santa Clara Valley Open Space Authority's (Authority's) Integrated Pest Management Program (IPM Program) is used to direct pest management on Authority-owned open space lands. The IPM Program describes comprehensive guidelines and procedures for the careful management of pests throughout the Authority's preserves while protecting natural resources and public health. The Program Environmental Impact Report (PEIR) for the IPM Program evaluates the environmental impacts of the IPM Program. The IPM Program is described in Chapter 2, "Program Description" of the PEIR. The PEIR has been prepared under the direction of the Authority, the CEQA lead agency, in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines. The PEIR functions as a Program EIR in accordance with State CEQA Guidelines Section 15168 for streamlining of CEQA review of later activities consistent with the IPM Program.

Using the Within-the-Scope Environmental Checklist (Checklist) and reliance on the PEIR, the Authority will evaluate future pest management activities intended to implement the IPM Program as a later activity addressed by the PEIR to determine whether the later activity qualifies as within the scope of the PEIR or requires additional environmental documentation or its own independent environmental review. Such evaluations will ascertain whether a later pest management activity is consistent with the description of IPM treatments contained in the IPM Program and whether the effects on the environment were covered in the PEIR. Also, the Authority will evaluate whether the later management activity would (1) cause any new impact, (2) cause any substantially more severe significant impact than was addressed in the PEIR, or (3) reveal a mitigation measure or alternative that is substantially different from those in the PEIR or found infeasible in the PEIR, but that is now is feasible, and that the Authority declines to implement. If none of those outcomes are determined, and the effects on the environment were covered in the PEIR, the impacts of the later management activity can be found to be within the scope of this PEIR, and no additional environmental documentation would be required (State CEQA Guidelines Section 15168[c][1], [2] and [4]). The determination that a pest management activity is within the scope of the PEIR is a factual determination that should be supported by substantial evidence. The substantial evidence underpinning the finding is developed using the Checklist provided in this section. If a pest management activity is within the scope of this PEIR, the Authority may act on the activity using the Checklist and PEIR without public circulation of any additional environmental document. If the pest management activity is approved, the Authority would file a Notice of Determination.

Under this CEQA compliance approach, the Authority must incorporate all relevant environmental protection measures (EPMs) and all feasible mitigation measures in response to significant impacts caused by the later activity from the PEIR into the later activity. A "within-the-scope" finding for later pest management actions would facilitate an increase in the pace and scale of pest management on the Authority's lands in a manner that includes environmental protections.

If a later pest management activity would have impacts that were not covered by the PEIR (and therefore would not qualify for a within-the-scope finding), then additional documentation may need to be prepared that accompanies the PEIR to demonstrate the management activity's CEQA compliance (State CEQA Guidelines Section 15168(c)(1)). If additional documentation is needed, it may be a Negative Declaration, Mitigated Negative Declaration, or an EIR, depending on the environmental impact differences encountered. In this situation, the Checklist serves the same function as an initial study to identify which impacts were not covered by (and are therefore not within the scope of) the PEIR and, therefore, must be addressed in a Negative Declaration, Mitigated Negative Declaration, or an EIR, as well as documenting those impacts that are within the scope of the PEIR.

2 TREATMENTS ADDRESSED IN THE PEIR

Proposed pest management activities qualifying as within the scope of the PEIR must be consistent with the treatments covered in the IPM Program, which are summarized in this section. Refer to Chapter 2, "Program Description", of the PEIR for a detailed description of the IPM Program.

2.1 TREATMENT TYPES

- ▶ **Manual Treatments:** Manual control treatments consist of prevention, sanitation, pulling, digging, hoeing, physical barriers/exclusion, rodent burrow removal, covering/tarping, crop rotation, soil sterilization, mulching, weedmats, release of biocontrol insects, trapping, gassing, shooting, and electrical currents. Manual treatments are effective for the removal of small pest populations, individual occurrences, and pest populations that occur near special-status species and their habitat or sensitive natural communities. Additionally, they are often used as a follow-up vegetation treatment in areas where larger invasive plant populations have been sprayed with an herbicide.
- ▶ **Mechanical Treatments:** Mechanical control treatments include the use of motorized equipment for activities including mowing/cutting, cultivation, discing, girdling/frilling/drilling, and flaming. Mechanical treatments can be effective for the removal of small to moderate sized pest populations.
- ▶ **Chemical Treatments:** A list of pesticides (i.e., herbicides, insecticides, a rodenticide, and a fumigant) were selected to support the IPM Program. Because herbicides, insecticides, and rodenticides have a potential to inadvertently affect non-target plants and wildlife (e.g., offsite herbicide transport via wind or precipitation, accidental consumption of rodenticide by non-target wildlife), a toxicological analysis was conducted for the use of each compound and is included in Appendix HAZ-1 of the PEIR. Pesticides are intended for use only on the pests in properties, buildings, and lands owned and managed by the Authority.

2.2 SPECIFIC IPM TREATMENTS BY MANAGEMENT CATEGORY

2.2.1 IPM on Natural Lands

IPM in the Authority's natural areas focuses primarily on the control of pests that threaten the long-term viability of natural resources on Authority preserves. The Authority's goal is to maintain the long-term stability and resiliency of its natural areas. Pests that are commonly encountered on natural areas include invasive plants and invasive animals, regulated species (i.e., plants and wildlife that are regulated under state and federal law or California Code), and feral pets.

- ▶ **Managing Invasive Plants on Natural Lands:** A variety of treatment types can be used to control invasive plants on natural lands; those evaluated in the PEIR include manual, mechanical, and chemical treatment methods. Manual and mechanical treatment options for natural lands include the following: pulling, digging, scraping, cutting/mowing, weed whipping, brush cutting, girdling/frilling/drilling, and green flaming. Chemical control of annual and biennial weeds includes two strategies to treat different life stages: 1) post-emergent (i.e., direct application of herbicide to eliminate the plant), and 2) pre-emergent (i.e., treatment to prevent the germination of seeds). All of the herbicides analyzed in the PEIR can be used to control invasive plants on natural lands. Application methods can include cut-stump, spray, and wick.
- ▶ **Managing Invasive Animals on Natural Lands:** Invasive animals pose another threat to the Authority's natural areas. Once established in a preserve, invasive animals compete for valuable resources and disturb the sensitive balance of natural food webs. Invasive animals known to occur on Authority preserves includes non-native fish and turtles, American bullfrogs, feral pigs and pets, and brown-headed cowbirds.

Manual treatment options for invasive animals on natural lands include the following:

- *Non-native fish habitat modification (pond draining):* The Authority can temporarily drain a man-made pond where non-native fish are known to occur. To control these populations, ponds are typically drained for sufficient time to eliminate all non-native fish species, then refilled. Many non-native fish species are managed by the California Department of Fish and Wildlife (CDFW), thus special permits are required and would be obtained before pond draining.
- *Non-native turtles trapping and habitat modification (pond draining):* The Authority will first attempt to trap non-native turtles and remove them in compliance with CDFW regulations when they share habitat with protected, native species. Traps are designed specific to the target species and meant to capture the turtles without harm. Traps will be checked daily for release and documentation of any native species and removal

of any non-native species. A qualified biologist will determine if any native species are present in the trapping area and would consult with CDFW and the U.S. Fish and Wildlife Service (USFWS) if special-status species are present. In special cases, ponds can be drained for sufficient time to collect and eliminate non-native amphibian species as described below for bullfrogs.

- *American Bullfrogs (Bullfrogs)*: Bullfrogs are classified by CDFW as a game amphibian and are regulated by state fishing regulations. A special permit is required from CDFW prior to targeting bullfrogs and if special-status species are present, a qualified biologist must be present.
 - *Habitat modification (pond draining)*. Pond draining is one of the most common methods used for bullfrog control in California, especially where protected species may be present such as the native California red-legged frog. American bullfrogs need a perennial water source to complete their life cycle. In contrast, California red-legged frogs and California tiger salamanders only need water during their breeding cycle.
 - *Physical barriers (fencing)*. Exclusionary fencing to keep bullfrogs from entering non-infested wetlands is a temporary tool that would be used while other control methods are applied concurrently. Fencing is not considered a long-term solution because it disrupts movement of other wildlife, can entrap non-target wildlife species, and may disrupt the natural processes of the wetlands. Exclusionary fences are useful during pond draining to limit the potential for dispersal of bullfrogs out of the treatment area. Exclusionary fencing can also be used in conjunction with funnel traps to collect bullfrogs as they attempt to disperse from drying ponds.
 - *Trapping*. Submerged funnel traps and floating cage traps can be used to control different life stages of bullfrogs. Funnel traps designed for catching baitfish can be used to live capture bullfrog tadpoles. Floating cage traps have been successfully used to catch adult frogs.
 - *Gigging or shooting*. Gigging or shooting bullfrogs is implemented with small caliber air rifles and lead-free ammunition to eliminate individual adult bullfrogs. Gigging is the targeted spearing of fish or frogs with barbed tines mounted on a long pole. Both gigging and shooting are effective and humane methods for selective removal of target adult bullfrogs.
 - *Electrical currents*. Use of electrical currents (electroshocking) to temporarily disable frogs in netting and gigging operations have proved to be effective in some control programs. Electroshockers are mounted either on small boats or on backpacks, then the electroshock current would be applied to the surface of the wetland. This treatment is non-specific and will affect all aquatic species within the range of the electroshocking 'wand'. Electroshocking is non-lethal, rather it shocks and lifts the affected individuals to the surface where they can be netted or otherwise collected. This treatment method, therefore, must be followed by another treatment method such as hand removal or gigging. Even with follow-up control of individuals found by electroshocking, this treatment method alone will rarely eradicate bullfrogs from the target area because only a portion of adults are usually found, and it does not control eggs or larval stages.
- *Feral Pigs*: The Authority will work with CDFW to develop a management program to capture feral pigs using baited traps and humane termination (i.e., immediately fatal firearm shot). Permitting will be arranged through a memorandum of understanding for pig depredation across all properties or through a pig depredation permit on a case-by-case basis. As part of this effort, the Authority will coordinate with other regional land management agencies that are controlling feral pig populations.
 - *Physical barriers (fencing)*. Exclusion of pigs with pig-proof fencing can be effective in preventing high value areas from being invaded by pigs. Fencing must be maintained annually to be effective. Pig-proof fencing is usually very expensive to install and maintain, and also has the possibility of restricting the movement of native animal species. It is an effective strategy for protecting extremely high value natural areas, agricultural lands, or archeological sites.
 - *Trapping*. Trapping is the most effective means for regulating wild pig populations on a small landscape scale. Cage traps function by attracting single or multiple pigs into traps with bait through a one-way or guillotine trap door. Since pigs have large home ranges and they can disperse over large landscapes, the trapper would scout large landscapes or use a network of camera-traps to identify locations where pigs are actively travelling and feeding. Pre-baiting increases the effectiveness of live-catch traps.

- *Shooting.* Shooting (either hunting or professional depredation) is the most common method for feral pig control throughout California and could be used by the Authority. Permitted depredation hunting with the assistance of tracking dogs or using nighttime vision aids and thermal imaging can increase the effectiveness of managing populations. Shooting methods will only employ lead-free, copper-based ammunition to reduce non-target mortality to pig carcass scavengers. Shooting will not be used in Authority preserves open to the public.
- *Feral pets trapping:* The Authority will utilize catch pole or otherwise trap dogs, cats, turtles, rabbits and other domesticated animals found escaped or released in Authority preserves and return them to their owners, or turn them over to local animal control departments or animal shelters.

2.2.2 IPM for Agricultural Lands

The Authority currently has one agricultural preserve with row crops (the Pajaro River Agricultural Preserve) and may acquire other agricultural properties in the future. The purpose of IPM on agricultural properties is to manage pests to maintain the specific land uses (e.g., crop production), while also providing natural resource protection and visitor access. Agricultural pests that may be encountered include weeds, pathogens and insects in croplands; and rodents in farm field and buildings. The Authority has a separate grazing program and policy for rangelands that addresses how the Authority uses grazing as a management tool to conserve biodiversity while protecting water quality, cultural resources, scenic values, and recreational opportunities. Therefore, management of rangelands is not included in the PEIR.

- ▶ *Manual and mechanical treatment options for pest in agricultural lands.* Manual and mechanical treatment options for controlling pests on agricultural lands that were evaluated in the PEIR include pulling, mulching, hoeing, weedmats, mowing, green flaming, discing, cultivation, and rodent burrow removal and live trapping.

2.2.3 IPM in Buildings and Structures

Authority properties include buildings such as the administrative office located in San Jose, and numerous structures such as barns, uninhabited houses, and sheds in the preserves. Certain animals and plants may be incompatible with human use of these structures or may harm the building itself. For example, rodents, ants, bats, and similar structural pest species are typically controlled in buildings when their population numbers may result in structural damage or health risks to humans. The purpose of pest control in Authority buildings is to manage pests for human health and safety and preserve the intended uses of the building structure.

- ▶ *Manual, mechanical, and chemical treatment options for buildings and structures.* Manual and mechanical treatment options for pest management related to buildings and structures involves prevention (e.g., keeping the inside of buildings clean and free of food), physical controls (e.g., filling cracks, pruning vegetation, using sticky or snap traps), habitat modifications (e.g., preventing entry through exclusion techniques, moving habitat/nests, destroying burrows), and chemical control (e.g., use of insecticides, rodenticides, or fumigants).
 - *Ants and Insects:* Ants and insects can be controlled using different chemical treatments depending on the infestation. Chemical treatments analyzed in the PEIR include diatomaceous earth, insecticidal soap spray, boric acid bait, fipronil, and sulfuryl fluoride.
 - *Cockroaches:* Chemical treatment options to control cockroaches include diatomaceous earth, hydroprone, fipronil, and indoxacarb insecticidal baits.
 - *Mice/Rodents:* All woodrats found on Authority lands are the San Francisco Dusky-footed woodrat (*Neotoma fuscipes annectens*) which is a CDFW Species of Special Concern. Control of woodrats, as with all native species, would first focus on prevention instead of physical or chemical control. Control treatments can include snap traps, box traps, habitat modification, and acute rodenticide.
- ▶ *Skunks/Opossums/Raccoons:* Control methods for skunks, opossums, and raccoons include habitat modification and live box and cage traps. Larger openings, such as under decks and porches, can be fully enclosed with plywood, concrete, or wire mesh to prevent animals from making dens under structures. If animals are already

denning in the areas, one-way, hinged doors will be used to allow them out but preventing them from returning. Additionally, all skunks, opossum, and raccoons are easily trapped with live box or cage traps. Trap design varies but solid wall traps are preferred for skunks to shield the trapper from skunk spray during the control operation.

- ▶ **Ground squirrels:** Control methods for ground squirrels include habitat modification and acute rodenticide. If deemed necessary, old burrows can be removed by deep ripping them to a depth of at least 20 inches, using a tractor and ripping bar(s). If this method is used, appropriate permits would be obtained to avoid impacts to sensitive species. Chemical control of ground squirrels will not be considered except under very unusual circumstances (i.e., human health and safety considerations).
- ▶ **Bats:** Control of bats will be limited to prevention/habitat modification methods. The Authority will carefully assess where bats are entering structures and modify the building to exclude future entry, and screening or netting will be installed in obvious roof/gable areas where bats can roost. One-way trap doors to allow bats to escape roost areas after exclusionary methods are completed will be installed.
- ▶ **Feral Domestic Pigs:** Control of feral domestic pigs will be limited to prevention/habitat modification and live/box traps. Feral domestic pets can be relics of old structures. If the Authority inherits older buildings/infrastructure that support feral pets, wildlife exclusion features will be installed. In some rare cases, the Authority may consider retrofitting structures so they can no longer support animals. Because feral domestic pets may be private property, Authority staff will conduct all trapping in conjunction with local animal control departments and/or animal shelters.

2.2.4 IPM for Recreational Facilities and Vegetative Rights-of-Way

Recreational facilities and vegetative rights-of-way (ROW) within Authority preserves are areas where public use is most likely to occur. In these areas, pests can become a nuisance to the public and are referred to as nuisance pests. Nuisance pests include species that commonly occur on Authority lands, such as stinging insects, but whose presence can be incompatible when their proximity or behavior conflict with human use of buildings and recreational facilities in the preserves. Nuisance pests in and around recreational facilities and vegetative ROW include plants, insects, and wildlife, such as mosquitos, ticks, wasps, rattlesnakes, and poison oak. Managing nuisance pests involves preventative measures, such as managing the facility so that extra resources attracting the pest are no longer found (i.e., controlling trash in picnic areas). In some cases, manual and mechanical treatments or chemical control may be required to effectively minimize a pest problem within or near recreational facilities and vegetative ROW.

- ▶ **Manual and mechanical treatment options for recreational facilities and vegetative row.** The following summarizes manual and mechanical control treatment options for recreational facilities and vegetative ROW.
 - **Vegetative ROW Treatments**
 - **Mechanical mowing.** Mechanical mowing will be used to prevent vegetation from impeding roads and trails, and from encroaching on or near parking lots, gates, and stiles. Equipment includes weed whips, hedgers, chainsaws, poles saws, chippers, and tractor-operated mowers.
 - **Tree removal.** Hazard and downed trees will be limbed or removed if they present a fall hazard across a public facility such as a trail, are blocking roads, trail, or parking lots, or are otherwise hazardous to visitors, staff, or contractors. The trees may be dead or alive. Stumps of live trees may be treated with herbicide to prevent re-growth.
 - **Scraping/grubbing.** Grubbing to bare mineral dirt would be conducted around utility poles and boxes to reduce the risk of fire.
 - **Social Wasps:** Control methods for social wasps will include habitat modification and digging. Problem wasp nests will be physically removed with water jets or by digging them out of underground locations
 - **Rattlesnakes:** Control methods for rattlesnakes will include habitat modification and trapping. The Authority will eliminate hiding places for snakes by trailheads, trail ROW, and parking areas by mowing brush, removing rock and brush piles near high use areas, and filling cracks and holes in publicly accessible buildings. In certain areas (especially in structures and recreational facilities where humans gather and there is potential for snakebites), the Authority can elect to capture and relocate, or eliminate single problem snakes.

- **Chemical treatment options for recreational facilities and vegetative row:**
- **Vegetative ROW Treatments:** Chemical treatment is typically not used for ROW clearing unless perennial plants require permanent treatment (e.g., poison oak can be eliminated from specific locations with spot application of herbicides), are near paved surfaces, are around utility poles, or to reduce the risk of fire spread from ROW into natural lands by clearing the area of vegetation. Chemicals that will be used to treat vegetative ROW include glyphosate (Roundup ProMax) and Imazapyr (Polaris), which will be applied via spray using a backpack or boom on an ATV or truck.
 - **Mosquitos:** Where chemical control is determined to be the only viable treatment option for a specific concern to human health and safety around a recreational facility, the Authority will contact the Santa Clara County Vector Control District for assistance.
 - **Social Wasps:** Pyrethrin-type aerosol sprays containing d-trans allethrin and phenothrin will only be used to control social wasps where immediate threats exist to human health and safety. These aerosol sprays are extremely effective at immediately eliminating single, problem wasp nests. The pyrethrin-type sprays work as a contact neuro-poison that results in near immediate mortality of any insect. The sprays offer a relatively safe and effective means for Authority staff to respond to immediate threats of wasp nests. Contact pyrethrins are completely non-selective, so care must be taken to target only the pest wasp and not to impact other beneficial insects.

3 IPM PROGRAM AREA

The Authority has preserved over 25,000 acres of open space, natural areas, watersheds, and wildlife habitat in the cities of Campbell, Milpitas, Morgan Hill, San Jose, and Santa Clara and the unincorporated areas of Santa Clara County. The IPM Program Area includes the 14 open space preserves currently owned and managed by the Authority, totaling 16,446 acres, as shown in Table 1-1 below. Of the Authority preserves, three are currently open to the public.

Table 1-1 Authority-Owned and Managed Preserves Included in the IPM Program Area

Preserve # from Figure 2-1	Preserve Name	Acres	Public Access Status
1	Coyote Ridge	1,832	Closed
2	Coyote Valley	348	Open
3	Croy Redwoods	116	Closed
4	Diablo Foothills	834	Closed
5	El Toro Preserve	39	Closed
6	Mount Chual	552	Closed
7	Pajaro River Agricultural Preserve	284	Closed
8	Palassou Ridge	3,524	Closed
9	Rancho Canada del Oro	5,538	Open
10	Santa Teresa Foothills	62	Closed
11	Sierra Vista	1,590	Open
12	Upper Uvas	1,216	Closed
13	Little Uvas	276	Closed
14	North Coyote Valley	235	Closed

Note: Acreages are rounded to the nearest one.

Source: Data compiled by Authority and Ascent Environmental in 2019 and 2021

The IPM Program would also be applied to new open space land acquired by the Authority to add or expand preserves in the future. The Authority will evaluate the conditions of newly acquired preserves to determine if the potential effects that could occur were examined in the PEIR. If it is determined that the potential effects associated with the newly acquired preserve are covered by the PEIR, the Authority would note this for its records, update the IPM Manual, and no further analysis would be required. If it is determined that environmental effects specific to the additional preserve land are not covered in the PEIR, then the Authority would complete the appropriate additional environmental documentation and seek discretionary consideration before applying IPM techniques.

4 EVALUATION OF ENVIRONMENTAL IMPACTS

4.1 OVERVIEW

The Checklist provided herein is to be used to determine whether future pest management activities in the IPM Program Area have been covered in the PEIR to allow for approval without further environmental review and documentation (beyond what is needed to complete the Checklist), or whether additional CEQA documentation is required (i.e., a Negative Declaration, Mitigated Negative Declaration, or EIR). Environmental effects are not necessarily limited to those identified in the Checklist, which encompass all effects disclosed in the PEIR. For this reason, the Checklist includes a row for “Other Impacts” under each resource area.

The determination as to whether a Negative Declaration, Mitigated Negative Declaration, or EIR is required for impacts that are not within the scope of the PEIR is subject to the “fair argument” standard, which requires preparation of an EIR when there is a fair argument, based on substantial evidence in the record, that the proposed treatment project may have a significant effect on the environment.

4.2 DETERMINING WHETHER A PEST MANAGEMENT ACTIVITY IS WITHIN THE SCOPE OF THE PEIR

The purpose of the Checklist is to guide the Authority in its determination of whether a future pest management activity is within the scope of the IPM Program PEIR. A proposed pest management activity is within the scope of the PEIR when it meets all of the following qualifications:

- ▶ **Treatment Methods.** The proposed pest management activities are consistent with the treatment types and activities described in Chapter 2, “Program Description” of the PEIR.
- ▶ **Geographic Area.** The location of the proposed pest management activities is within the geographic limits of the Authority’s IPM Program Area.
- ▶ **Environmental Impacts.** The environmental effects of the proposed pest management activities have been covered in the PEIR and none of the criteria for preparation of subsequent CEQA documentation are met (State CEQA Guidelines Sections 15168(c)(2), 15162).

4.3 DOCUMENTING WHETHER IMPACTS OF A PROPOSED PEST MANAGEMENT ACTIVITY ARE WITHIN THE SCOPE OF THE PEIR

For the Checklist to adequately document the impacts that are within the scope of this PEIR and do not require additional CEQA review and documentation, the Checklist must identify the following:

- ▶ **Relevant PEIR analysis.** Identify the specific sections, impact numbers, and page numbers from this PEIR that contain information relevant to the proposed pest management activity.
- ▶ **Additional Studies Prepared and References Cited.** Attach to the Checklist site-specific studies, reports, and survey results used in support of the within-the-scope finding or impact significance determination, if less severe

than that identified in the PEIR. Include copies of references cited in the Checklist, which will be made available to the public by the Authority upon request.

- ▶ **Environmental Protection Measures.** Identify each EPM that is relevant to the pest management activity, which will demonstrate that the EPM will be integrated into treatment design.
- ▶ **Environmental Impacts.** Identify which impacts in the PEIR would occur from implementation of the proposed pest management activity. Because the intent of the PEIR is to disclose potentially significant impacts that are reasonably foreseeable to occur from any of the pest management activities within the extent of the IPM Program Area, it is expected that, due to site-specific conditions, proposed pest management activity may result in impacts less severe than those identified in the PEIR. The Authority may rely on the impact significance determination in the PEIR, and for significant impacts, apply the relevant mitigation measures. Alternatively, if an impact identified as significant in the PEIR would be less than significant for the later pest management activity, the Authority may demonstrate with substantial evidence in the Checklist that the impact is less than significant and mitigation measure(s) are not needed. Similarly, potentially significant environmental effects identified in the PEIR may be minimized or found to be less than significant without mitigation in the future due to technological advances, further research, or industry response; these effects and the reasons they are less severe than those identified in the PEIR will be documented in the Checklist.
- ▶ **Mitigation Measures.** Identify each mitigation measure from the PEIR that is relevant to the proposed treatment project. In the Checklist, explain any components of the mitigation measures that are not applicable to the treatment, and for any significance determination that is different than the PEIR, describe how each measure will address site-specific conditions and reduce the impact of the future pest management activity.

4.4 PROVIDING SUBSTANTIAL EVIDENCE

The impact determinations and within-the-scope findings in the Checklist, as well as any feasibility determinations associated with EPMs and mitigation measures, must be based on substantial evidence (defined in the CEQA Guidelines as “facts, reasonable assumptions predicted upon facts, and expert opinion supported by facts”). Therefore, the Checklist will include analytical discussions of the conclusions reached. Portions of the PEIR relied on for conclusions should be identified by section number and page number. Ancillary information (e.g., site-specific surveys) not included in the PEIR but relied on for conclusions or required by PEIR measures will be attached to the Checklist. A list of references cited in the Checklist will be included with the Checklist and copies of such references made available to the public by the Authority upon request.

4.5 PROJECT-SPECIFIC ANALYSIS

4.5.1 Environmental Protection Measures, Mitigation Measures, and Monitoring and Reporting

The analysis must consider the measures identified in the PEIR that will avoid, reduce, or otherwise mitigate potential impacts of the future pest management activity. These measures take the form of EPMs and mitigation measures. Some EPMs and mitigation measures apply to all future pest management activities, while others only apply to management activities of a specific treatment type or specific locations. Attachment A, “Project Monitoring Plan” provides a comprehensive list of EPMs and mitigation measures from the PEIR. The Authority should complete Attachment A to indicate which EPMs and mitigation measures from the PEIR are applicable to the later pest management activity, indicate the timing of implementation, and identify the entity(ies) responsible for implementing and verifying or enforcing each measure. In effect, a completed Attachment A to the Checklist will function as the Mitigation Monitoring and Reporting Program for the later pest management activities.

4.5.2 Resource Areas

The environmental resource areas in the Checklist are the same as those analyzed in Chapter 3, “Environmental Impacts and Mitigation Measures”, of the PEIR. The Authority will review the environmental analysis in the PEIR for each corresponding resource area in the Checklist. The Authority will consider whether required EPMs and mitigation measures would be effective in avoiding, reducing, or mitigating environmental impacts of the future pest management activity considering the proposed activities and site-specific characteristics. EPMs are intended to be integrated into treatment design and implementation; therefore, the Authority should determine if it is necessary to implement the EPM during preparation of the Checklist, prior to the pest management activity, or during the pest management activity. For example, implementation of EPM BIO-1, Pre-treatment Survey and Buffers for Aquatic Habitat, is intended to be carried out prior to the pest management activity and requires the Authority to survey for the presence of aquatic habitat, which will determine whether other EPMs and mitigation measures must be implemented prior to or during pest management activities. Written explanations supporting all conclusions should be provided in the discussion following the Checklist questions for each resource area.

4.5.3 Checklist Answers

After verifying that the future pest management activities, treatment types, and geographic location of the management activity are consistent with the PEIR, the primary functions of the Checklist are to determine:

- ▶ whether any of the significant impacts of the proposed pest management activity would be substantially more severe than those covered in the PEIR;
- ▶ whether the pest management activity would result in any new impacts that were not covered in the PEIR; and
- ▶ the type of CEQA document, if any, that is appropriate to examine impacts that are not within the scope of the PEIR.

Accordingly, the Checklist questions presented for each resource area identify, for each impact addressed in the PEIR, whether the impact applies to the treatment project and if so, identify the EPMs and mitigation measures that are applicable to the treatment project. The checklist is also intended to identify whether the impact significance determination for the pest management activity is different than the impact significance determination in the PEIR; if it is different, the checklist will identify whether the difference constitutes a substantially more severe significant impact and is therefore not within the scope of the PEIR. If it is determined that a substantially more severe significant impact that cannot be mitigated down to the same level as, or lower level than, identified in the PEIR would result from a later pest management activity, an EIR must be prepared, unless one or more mitigation measures incorporated into implementation of the pest management activity would mitigate the effects to a point where clearly no significant effect on the environment would occur, in which case an MND would be appropriate. The MND or EIR may be limited to examining the impacts that are not within the scope of the PEIR.

“New” impacts are effects on the environment that were not addressed in the IPM Program PEIR.

For each new impact listed in the Checklist, the Authority should indicate whether the impact would be one of the following:

- ▶ **New Impact that is Less Than Significant:** The proposed pest management activity would result in a new adverse impact that is not analyzed in the IPM Program PEIR; however, the impact would not be significant. In this case, the impact is not “within the scope” of the IPM Program PEIR and a Negative Declaration could be prepared. Pursuant to CEQA Guidelines Section 15168(d), a subsequent Negative Declaration could be prepared to document the new impact and substantial evidence supporting the less-than-significant conclusion, along with the Checklist documenting the rest of the “within-the-scope” impacts.
- ▶ **New Impact that is Less Than Significant with Mitigation Incorporated:** The proposed pest management activity would result in a new significant impact that is not analyzed in the IPM Program PEIR, but due to the Authority’s willingness to incorporate new mitigation into the pest management activity, the impact is clearly less than

significant with feasible mitigation. In this case, the impact is not “within the scope” of the IPM Program PEIR and a Mitigated Negative Declaration could be prepared, consistent with CEQA Guidelines Section 15168(d), which allows for use of a subsequent negative declaration to document the new impact and substantial evidence supporting the less-than-significant conclusion, along with the Checklist documenting the rest of the “within-the-scope” impacts.

- ▶ **New Impact that is Potentially Significant:** The proposed pest management activity would result in a new significant impact that is not analyzed in the IPM Program PEIR (which would be subject to the “fair argument” standard as a new impact), the impact cannot be clearly mitigated to less than significant. In this circumstance, the impact is not “within the scope” of the IPM Program PEIR and preparation of an EIR is required. The EIR will cover the new potentially significant or significant impact(s) and need not further evaluate significant impacts already covered in the PEIR, which are documented in the Checklist.

In summary, when additional environmental documentation is needed to augment the PEIR for CEQA compliance, the Checklist and accompanying analysis would serve the same function as an initial study that defines the topics to be addressed in the EIR, Mitigated Negative Declaration, or Negative Declaration to cover the impacts that are not within the scope of the PEIR, as directed by State CEQA Guidelines Section 15168(d)(1). Pursuant to State CEQA Guidelines Section 15168(d), a later Negative Declaration could be prepared, if the new impact would be less than significant, or Mitigated Negative Declaration, if the new impact or substantially more severe significant impact could be clearly mitigated to less than significant. The analysis of any new impact to support adoption of a Negative Declaration or Mitigated Negative Declaration, along with the analysis of impacts that are within the scope, would be documented in the Checklist. If a later EIR is prepared, it could be limited in its scope to the new significant impact(s) or substantially more severe significant impact(s), with the remainder of the impacts that are within the scope of the PEIR being documented in the Checklist.

4.6 PROJECT-SPECIFIC CEQA FINDINGS AND OVERRIDING CONSIDERATIONS

When the Authority approves a later pest management activity using a within-the-scope finding for all environmental impacts, it must still adopt CEQA findings pursuant to Section 15091 of the State CEQA Guidelines. A statement of overriding considerations is not included because no significant and unavoidable impacts were identified in the PEIR. The Authority has the option of reusing, incorporating, or adapting all or part of the findings adopted by the Board of Directors (Board) for the IPM Program PEIR to the extent the findings are applicable to the proposed pest management activity. A findings template intended to assist the Authority to formulate their own findings is attached to this Checklist as Attachment B.

ENVIRONMENTAL CHECKLIST

PEST MANAGEMENT ACTIVITY PROJECT INFORMATION

1. **Project Title:**
2. **Contact Person Information and Phone Number:** *[provide phone number and email]*
5. **Project Location:** *[include GPS coordinates; also include cross streets or other major landmark as useful to identify treatment location]*
6. **Total Area to be Treated (acres)**
7. **Description of Project:** (Describe the whole action involved, including any phasing of initial management activities as well as planned management activities, including equipment to be used and planned duration of management activities. Provide cross reference to specific subsections and page numbers from Chapter 2 of the PEIR to demonstrate that the pest management activities are consistent with those analyzed in the PEIR. Attach additional sheets if necessary.)
8. **Specific IPM Treatments by Management Category** *[see description in IPM PEIR Section 2.8, "Specific IPM Treatments by Management Category", check every applicable category]*
 - IPM Treatment on Natural Lands
 - Manual
 - Mechanical
 - Chemical
 - IPM Treatment on Agricultural Lands
 - Manual
 - Mechanical
 - IPM Treatment on Buildings and Structure
 - Manual
 - Mechanical
 - Chemical
 - IPM Treatment on Recreational Facilities
 - Manual
 - Mechanical
 - Chemical

7. Regional Setting and Surrounding Land Uses: (Briefly describe the project's surroundings)

[insert text here]

8. Other Public Agencies Whose Approval is Required: (e.g., permits)

[insert text here; note status of any required approvals (permits)]

DETERMINATION

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

- I find that all of the effects of the proposed pest management activity (a) have been covered in the IPM Program PEIR, and (b) all applicable Environmental Protection Measures and mitigation measures identified in the IPM Program PEIR will be implemented. The proposed pest management activity is, therefore, **WITHIN THE SCOPE** of the IPM Program PEIR. **NO ADDITIONAL CEQA DOCUMENTATION** is required.
- I find that the proposed pest management activity will have effects that were not covered in the IPM Program PEIR. These effects are less than significant without any mitigation beyond what is already required pursuant to the IPM Program PEIR. A **NEGATIVE DECLARATION** will be prepared.
- I find that the proposed pest management activity will have effects that were not covered in the IPM Program PEIR or will have effects that are substantially more severe than those covered in the IPM Program PEIR. Although these effects may be significant in the absence of additional mitigation beyond the IPM Program PEIR's measures, revisions to the proposed pest management activity or additional mitigation measures have been agreed to by the Authority 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 pest management activity will have significant environmental effects that are (a) new and were not covered in the IPM Program PEIR and/or (b) substantially more severe than those covered in the IPM Program PEIR. 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

Date

Printed Name

Title

Agency

EVALUATION OF ENVIRONMENTAL IMPACTS

1. Refer to the applicable resource analysis section in the IPM Program PEIR for relevant information on each environmental topic.
2. A brief explanation is required for each impact, including impacts that have been identified in the PEIR as well as any “new impacts”.
3. The discussion of each impact identified in the PEIR that is also applicable to the proposed pest management activity should generally include the following information:
 - ▶ Briefly describe the impact of the proposed pest management activity.
 - ▶ Summarize the impact as it was presented in the PEIR, including a statement that the impact is covered in PEIR.
 - ▶ Provide evidence that (explain why) the pest management activity impact is covered in PEIR, considering whether the proposed activity is consistent with the treatment types and activities addressed in the PEIR as well as the associated intensity (i.e., duration).
 - ▶ Identify EPMs and mitigation measures applicable to the treatment project.
 - ▶ (If applicable) Explain which components of the mitigation measure or EPM would be applied. This circumstance exists if the mitigation measure or EPM allows contains multiple options to meet the performance criteria of the measure, and determinations of feasibility. A site- and/or treatment activity-specific explanation for the applicable method to meet the performance criteria or feasibility determination must be provided in the Checklist.
 - ▶ (If applicable) Explain why the impact significance in the Checklist is different than that found in the PEIR; substantiate the different (new) significance conclusion.
 - ▶ (If applicable) Explain why mitigation measures or EPMs identified for this impact in PEIR do not apply to this pest management activity. This circumstance may exist where a potentially significant impact was identified in the PEIR, but the impact severity would be less for the pest management activity, or the mitigation measure does not otherwise apply.
4. If the Authority has determined that a new impact would occur, then the checklist answers for the new impact must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant without the need for mitigation.
5. “Potentially Significant” is appropriate if there is substantial evidence that a new impact may be significant. If there are one or more “Potentially Significant” new impacts identified, or if any impact would constitute a substantially more severe significant impact than was covered in the PEIR, an EIR is required unless one or more mitigation measures incorporated into the pest management activity would mitigate the effects to a point where clearly no significant effect on the environment would occur, in which case an Mitigated Negative Declaration would be appropriate and could be prepared, if the new impact would be less than significant, or MND, if the new impact could be clearly mitigated to less than significant. The analysis of any new impact to support adoption of an ND or MND, along with the analysis of impacts that are within the scope, would be documented in the Checklist. If a later EIR is prepared, it could be limited in its scope to the new significant impact(s) or substantially more severe significant impact(s), with the remainder of the impacts that are within the scope of the PEIR being documented in the Checklist and attached to the EIR as an appendix. When preparing any environmental document, the environmental analysis should incorporate by reference pertinent portions of the analysis from the IPM Program PEIR and focus the environmental analysis solely on issues that were not addressed in the IPM Program PEIR.
6. The Authority should incorporate into the Checklist references to information sources for potential impacts. Include a list of references cited in the Checklist and make copies of such references available to the public upon request.

4.7 AESTHETICS

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project!	List Mitigation Measures Applicable to the Project!	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.2-1: Have the Potential to Adversely Affect Scenic Vistas or Substantially Degrade the Existing Visual Character or Quality of Public Views	LTS	Impact 3.2-1, pp. 3.2-8 – 3.2-10						

¹NA: not applicable; there are no EPMs and/or mitigation measures identified in the PEIR for this impact. None: there are EPMs and/or mitigation measures identified in the PEIR for this impact, but none are applicable to the treatment project.

New Aesthetic and Visual Resource Impacts: Would the project result in other impacts to aesthetics that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Discussion

Impact 3.2-1

New Aesthetic and Visual Resource Impacts

4.8 BIOLOGICAL RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project ¹	List Mitigation Measures Applicable to the Project ¹	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.3-1: Have the Potential to Substantially Affect Special-Status Plants	LTS	Impact 3.3-1, pp 3.3-10 – 3.3-11						
Impact 3.3-2: Have the Potential to Substantially Affect Special-Status Wildlife Species	LTSM	Impact 3.2-2, pp 3.3-11 – 3.3-31						
Impact 3.3-3: Have the Potential to Substantially Affect Riparian Habitat or Other Sensitive Natural Communities Identified by CDFW or USFWS	LTS	Impact 3.3-3, pp 3.3-31 – 3.3-32						
Impact 3.3-4: Have the Potential to Substantially Affect State or Federally Protected Wetlands or Other Waters	LTS	Impact 3.3-4, pp 3.3-32 – 3.3-33						
Impact 3.3-5: Have the Potential to Conflict with Local Policies or Ordinances Protecting Biological Resources	LTS	Impact 3.3-5, p 3.3-33						
Impact 3.3-6: Have the Potential to Conflict with the Provisions of the Santa Clara Valley Habitat Plan	LTS	Impact 3.3-6, pp 3.3-33 – 3.3-34						

¹NA: not applicable; there are no EPMs and/or mitigation measures identified in the PEIR for this impact. None: there are EPMs and/or mitigation measures identified in the PEIR for this impact, but none are applicable to the treatment project.

New Biological Resources Impacts: Would the project result in other impacts to biological resources that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes <input type="checkbox"/> 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]		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Discussion

Impact 3.3-1

Impact 3.3-2

Impact 3.3-3

Impact 3.3-4

Impact 3.3-5

Impact 3.3-6

New Biological Resource Impacts

4.9 HAZARDS AND HAZARDOUS MATERIALS

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project ¹	List Mitigation Measures Applicable to the Project ¹	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.4-1: Have the Potential to Create a Health or Environmental Hazard Through the Use of Vehicle Fuels, Oils, and Lubricants and the Application of Chemicals in IPM Treatments	LTS	Impact 3.4-1 pp. 3.4-11 – 3.4-16						
Impact 3.4-2: Have the Potential to Expose the Public or Environment to Significant Hazards from Disturbance to Known Hazardous Materials Sites	LTSM	Impact 3.4-2, pp. 3.4-16						

¹NA: not applicable; there are no EPMs and/or Mitigation Measures identified in the PEIR for this impact. None: there are EPMs and/or Mitigation Measures identified in the PEIR for this impact, but none are applicable to the treatment project.

New Hazards and Hazardous Materials Impacts: Would the project result in other impacts related to hazards and hazardous materials that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Discussion

Impact 3.4-1

Impact 3.4-2

New Hazards and Hazardous Materials Impacts

4.10 HYDROLOGY AND WATER QUALITY

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project ¹	List Mitigation Measures Applicable to the Project ¹	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.5-1: Have the Potential to 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 Manual or Mechanical IPM Treatment Activities	LTS	Impact 3.5-1, pp. 3.5-13						
Impact 3.5-2: Have the Potential to 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 Chemical IPM Treatment Activities	LTS	Impact 3.5-2, pp. 3.5-14 – 3.5-15						
Impact 3.5-3: Have the Potential to Release Substantial Pollutants due to Flooding	LTS	Impact 3.5-3, p. 3.5-16						

¹NA: not applicable; there are no EPMs and/or Mitigation Measures identified in the PEIR for this impact. None: there are EPMs and/or Mitigation Measures identified in the PEIR for this impact, but none are applicable to the project.

New Hydrology and Water Quality Impacts: Would the project result in other impacts to hydrology and water quality that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Discussion

Impact 3.5-1

Impact 3.5-2

Impact 3.5-3

New Hydrology and Water Quality Impacts

4.11 CULTURAL AND TRIBAL CULTURAL RESOURCES

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project!	List Mitigation Measures Applicable to the Project!	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.6-1: Have the Potential to Cause a Substantial Adverse Change in the Significance of a Historic Resource	LTSM	Impact 3.6-1, pp. 3.6-9 – 3.6-10						
Impact 3.6-2: Have the Potential to Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources	LTSM	Impact 3.6-2, pp. 3.6-10 – 3.6-11						
Impact 3.6-3: Have the Potential to Disturb Human Remains	LTS	Impact 3.6-3, p. 3.5-11 – 3.6-12						
Impact 3.6-4: Potential to Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource	LTSM	Impact 3.6-4, p. 3.6-12 – 3.6-13						

*NA: not applicable; there are no EPMs and/or Mitigation Measures identified in the PEIR for this impact. None: there are EPMs and/or Mitigation Measures identified in the PEIR for this impact, but none are applicable to the project.

New Cultural and Tribal Cultural Resource Impacts: Would the project result in other impacts to cultural and tribal cultural resources that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Discussion

Impact 3.6-1

Impact 3.6-2

Impact 3.6-3

Impact 3.6-4

New Cultural and Tribal Cultural Resource Impacts

4.12 RECREATION

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project ¹	List Mitigation Measures Applicable to the Project ¹	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.7-1: Potential to Increase the Use of Existing Parks or Other Recreation Facilities Resulting in Physical Deterioration of the Facility	LTS	Impact 3.7-1 pp. 3.7-5 – 3.7-6						

¹NA: not applicable; there are no EPMs and/or Mitigation Measures identified in the PEIR for this impact. None: there are EPMs and/or Mitigation Measures identified in the PEIR for this impact, but none are applicable to the project.

New Recreation Impacts: Would the project result in other impacts to recreation that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Discussion

Impact 3.7-1

New Recreation Impacts

4.13 WILDFIRE

Impact in the PEIR			Project-Specific Checklist					
Environmental Impact Covered in the PEIR	Identify Impact Significance in the PEIR	Identify Location of Impact Analysis in the PEIR	Does the Impact Apply to the Project?	List EPMs Applicable to the Project ¹	List Mitigation Measures Applicable to the Project ¹	Identify Impact Significance for Project	Would this be a Substantially More Severe Significant Impact than Identified in the PEIR?	Is this Impact Within the Scope of the PEIR?
Would the project:								
Impact 3.8-1: Have the Potential to Substantially Exacerbate Fire Risk and Expose People to Wildfire Pollutants or Uncontrolled Spread of a Wildfire	LTS	Impact 3.8-1 pp. 3.8-8 – 3.8-9						
Impact 3.8-2: Have the Potential to Expose People or Structures to Substantial Risks Related to Post-Fire Landslides or Debris Flow	LTS	Impact 3.8-2 p. 3.8-10						

¹NA: not applicable; there are no EPMs and/or Mitigation Measures identified in the PEIR for this impact. None: there are EPMs and/or Mitigation Measures identified in the PEIR for this impact, but none are applicable to the project.

New Wildfire Impacts: Would the treatment result in other impacts related to wildfire that are not evaluated in the IPM Program PEIR?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Discussion

Impact 3.8-1

Impact 3.8-2

New Impacts to Wildfire

ATTACHMENT A - PROJECT MONITORING PLAN

Instructions: Review the environmental protection measures (EPMs) and mitigation measures and verify that those that are applicable will be implemented. Provide information for each column as follows:

- ▶ **Applicable (Yes/No).** Document whether the EPM or mitigation measure is applicable to the proposed pest management activity (Yes or No). The applicability should be substantiated in the Environmental Checklist Discussion.
- ▶ **Implementation Responsibility.** This column identifies the party responsible for implementing the EPM or mitigation measure.
- ▶ **Timing.** This column identifies the time frame in which the EPM or mitigation measure will be implemented (e.g., prior to treatment, during treatment, etc.).
- ▶ **Verification/Monitoring Entity** – This column identifies the party responsible for verifying and monitoring implementation of the EPM or mitigation measure.

Environmental Protection Measures and Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)				
Air Quality				
<p>EPM AQ-1 Minimize Air Pollutant Emissions The Authority would implement applicable measures from the Bay Area Air Quality Management District’s Basic Construction Mitigation Measures, for IPM activities that would involve vehicle use on unpaved roadways and the use of heavy mechanical equipment. These measures would include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▶ All vehicle speeds on unpaved roads will be limited to 15 mph. ▶ Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage will be provided for Authority staff and contractors. ▶ All equipment will be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation. 				
Biological Resources				
<p>EPM BIO-1 Pre-treatment Survey and Buffers for Aquatic Habitat All terrestrial treatment areas will be surveyed for the presence of lakes, ponds, streams, drainages, seeps, springs, saturated soils, or similar features that hold water at the time of treatment or typically become inundated during winter rains. Surveys will occur prior to the initial treatment within a treatment area, and the extent of aquatic features will be reverified prior to implementing treatments in subsequent years. The Authority will not conduct any ground disturbing mechanical treatments or any chemical treatments within 15 feet of any aquatic features, and broadcast spraying of herbicides will be prohibited within 50 feet of aquatic features (unless the compound is specifically registered for aquatic use). Refer to EPM BIO-8 for additional restrictions on the use of specific chemicals near California-red legged frog (CRLF) habitats, including aquatic features.</p>				
<p>EPM BIO-2 Pre-treatment Surveys and Flagging for Special-Status Plants All treatment areas will be surveyed prior to IPM treatments to determine the potential presence of special-status plants. Special-status plants within a treatment area will be mapped and/or flagged and avoided.</p>				
<p>EPM BIO-3 Limited Herbicide Use Near Special-Status Plants Within 15 feet of special-status plants, the Authority will not broadcast spray (i.e., boom spray from an ATV) any herbicides that could have an adverse effect on the special-status plant species present (e.g., non-selective herbicides that injure all plant species they come in contact with).</p>				
<p>EPM BIO-4 Treatment Timing for Special-Status Plants Many special-status plants are annual plants, which persist over the summer, are dormant through the winter, with seeds that germinate in the early spring. When annual special-status plants are dormant (prior to germination), only treatments that do not affect seeds or underground parts may be used within 15 feet of them.</p>				
<p>EPM BIO-5 Salvage Rare Plants Propagules Seed or other propagules of rare plants will be collected before treatments, as feasible, and utilized in restoration post-treatment if needed.</p>				

Environmental Protection Measures and Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)				
EPM BIO-6 Avoid Nesting Bird Season To avoid impacts to nesting birds, invasive plant control treatments will be conducted outside of the bird nesting period, so treatments would not generally occur between February 1 – August 31, if they may adversely affect native bird nests.				
EPM BIO-7 Avoid Nesting Birds If invasive plant control work must be conducted during the nesting bird season (February 1 – August 31), a nesting bird survey will be conducted within 14 days of treatment. The survey will encompass the area within a 250-foot radius for raptors, and 50-foot-radius for other birds. If nesting birds are identified, work within these buffer areas will be postponed until the young have fledged or the nest is otherwise abandoned.				
EPM BIO-8 Herbicide Restrictions for California Red-Legged Frog Application of herbicides by the Authority with active ingredients that are subject to the CRLF Injunction (Center for Biological Diversity v. U.S. Environmental Protection Agency [2006] Case No.: 02-1580-JSW) would be prohibited within 60 feet of CRLF critical habitats, upland habitats, and aquatic features.				
EPM BIO-9 Avoid Monarch Butterfly Overwintering Sites Although it is unlikely that monarch butterfly overwintering sites will occur within treatment areas, to avoid potential impacts to overwintering monarchs, the Authority will survey for overwintering colonies where treatment areas occur within suitable overwintering habitat (e.g., conifer stands and eucalyptus stands) during the overwintering season (October through March) within 14 days before starting treatment. If overwintering colonies are identified, the site will be flagged and treatments that may disturb the colony (e.g., mechanical treatments or chemical treatments) will not occur within the site while the colony is present.				
EPM BIO-10 Pre-treatment Surveys and Flagging for Monarch Butterfly Host Plant All treatment areas will be surveyed prior to IPM treatments to determine the potential presence of the monarch butterfly host plant milkweed (<i>Asclepias</i> spp.). Milkweed plants within a treatment area will be mapped and/or flagged and avoided.				
EPM BIO-11 Limited Herbicide Use Near Monarch Butterfly Host Plants Within 15 feet of monarch host plants, the Authority will not broadcast spray (i.e., boom spray from an ATV) any herbicides that could have an adverse effect on the monarch butterfly host plants. (e.g., non-selective herbicides that injure all plant species they come in contact with).				
Hazards and Hazardous Materials				
EPM HAZ-1 Maintain All Equipment The Authority 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. Before the start of treatment activities, the Authority (or contractor) 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.				
EPM HAZ-2 Require Spark Arrestors The Authority will require all mechanized hand tools to have federal- or state-approved spark arrestors.				

Environmental Protection Measures and Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)				
<p>EPM HAZ-3 Prohibit Smoking in Vegetated Areas The Authority will require that smoking be only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter (PRC Section 4423.4), if smoking is permitted at all.</p>				
<p>EPM HAZ-4 Pesticide Handling and Mixing The following EPMs will be implemented by the Authority when handling or mixing pesticides.</p> <ul style="list-style-type: none"> ▶ Authority staff will comply with all federal, State, and local pesticide use laws and regulations. ▶ As a precaution against spilling, spray tanks will not be left unattended during filling. All pesticide spray equipment will be properly cleaned. ▶ Where possible, rinsate will be used as part of the water in the sprayer tank and applied to treatment areas. ▶ All pesticide containers will be triple rinsed, and the rinsate will be used as water in the sprayer tank and applied to treatment areas. ▶ When a pesticide container is marked as recyclable, Authority staff will deliver the triple rinsed pesticide containers to the appropriate herbicide container collection site. ▶ All unused pesticides would be properly discarded at a local "safe send" collection. ▶ Pesticides and pesticide containers will be lawfully stored, handled, and disposed of in accordance with the label and in a manner that would safeguard human, fish, and wildlife health and prevent soil and water contamination. ▶ Authority staff will consider the water quality parameters (e.g., pH, hardness) that are important to ensure the greatest efficacy when specified on the pesticide label. ▶ All pesticide spills will be addressed immediately. 				
<p>EPM HAZ-5 Pesticide Application: The following EPMs will be implemented by the Authority when applying pesticides.</p> <ul style="list-style-type: none"> ▶ Authority staff will comply with all federal, State, and local pesticide use laws and regulations. For example, Authority staff will use application equipment and apply rates for the specific pest(s) identified on the pesticide label. ▶ Before each treatment season and before mixing or applying any product for the first time each season, all applicators will review the product label. ▶ Applicators will follow all label recommendations regarding buffer zones around wetlands and waters, where applicable. ▶ Only herbicides registered for aquatic use will be broadcast sprayed within 50 feet of aquatic resources, and no pesticides would be used within 15 feet of aquatic resources (i.e., surface waters, wetlands, seasonal streams, or locations where groundwater is present at the soil surface). ▶ Applicators will use low impact herbicide application techniques (e.g., spot treatment and cut stump applications) rather than spray applications (e.g., boom sprayer or other larger tank wand applications), wherever practical. ▶ Applicators will use low volume rather than high volume spray applications when the low impact methods described above are not feasible or practical to maximize herbicide effectiveness and ensure correct and uniform application rates. ▶ Applicators will use and adjust spray equipment to apply the coarsest and largest droplet size with optimal coverage of the target species to reduce the potential for drift. 				

Environmental Protection Measures and Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
ENVIRONMENTAL PROTECTION MEASURES (EPMs)				
<ul style="list-style-type: none"> ▶ Applicators will use drift reduction technologies such as low-drift nozzles, where possible. ▶ Spraying will occur during low and consistent direction wind conditions (average less than 7 mph; preferably 3-5 mph) and moderate temperatures (less than 85 degrees Fahrenheit) to prevent unintended drift. ▶ Applicators will avoid spraying during inversion conditions (often associated with calm or very low wind conditions) that can cause large-scale herbicide drift to non-target areas. ▶ Equipment will be calibrated regularly to ensure that the proper rate of pesticide is applied to the target area or species. ▶ Spray applications will be made at the lowest height for uniform coverage of target pests to minimize or eliminate potential drift. ▶ If windy conditions frequently occur during afternoons, spraying (especially boom treatments) will be conducted during early morning hours. ▶ Herbicide applications will not be conducted on days with greater than 30 percent forecast for rain within six hours, except for pesticides that are rapidly rain fast or need rain to activate the product to minimize or eliminate potential runoff. Within 100 feet of aquatic resources (surface waters, wetlands, seasonal streams, or locations where groundwater is present at the soil surface) this rain-free window will be increased to 24 hours. ▶ Applicators will use environmentally safe drift retardant adjuvants during spray applications, especially adjacent to sensitive areas. ▶ Applicators will use a non-toxic dye to aid in identifying treated target areas and any areas of overspray or drift. Dye would also aid in detecting equipment leaks. If a leak is discovered, application would stop immediately and the sprayer would not be used until repairs are made. ▶ When drift cannot be sufficiently reduced through altering equipment set up and application techniques, buffer zones in addition to those described above will be identified to protect sensitive areas downwind of applications. ▶ When an application is required adjacent to a sensitive habitat area, it will only occur when the wind is blowing in the opposite direction of the sensitive area. ▶ To eliminate unnecessary pesticide applications, Authority staff will examine the target area for the presence of expected pests before applying a pesticide product. ▶ Authority staff will consider the timing of a pesticide application to ensure that native plants are protected (e.g., senescence) while effectively treating invasive plants. ▶ Application equipment (e.g., backpack sprayer, transport vehicles) will be thoroughly cleaned and Personal Protective Equipment (PPE) removed and properly disposed of after treatments. 				
<p>EPM HAZ-6 Notification of Pesticide Use in the Vicinity of Public Areas Signage will be posted at each pedestrian entry point notifying the public of upcoming and recent pesticide application locations, and footpaths and trails will be closed to the public during pesticide application. Signs will be posted before the start of treatment and notification would remain in place for at least 72 hours after treatment ceases.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
Biological Resources				
<p>Mitigation Measure 3.3-2a: Avoid Loss of Bay Checkerspot Butterfly and Host Plants</p> <p>The Authority will obtain take coverage for Bay checkerspot butterfly under the Habitat Plan for covered activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions required by the Habitat Plan to avoid and minimize injury, death, disturbance, or habitat degradation for this special-status species. If take coverage is not obtained for manual and mechanical activities, the Authority will implement the following measures:</p> <ul style="list-style-type: none"> ▶ EPM BIO-2 and EPM BIO-4 shall be implemented for Bay checkerspot butterfly host plant species (dwarf plantain and purple owl's clover). Per these EPMs, the Authority will conduct pre-treatment surveys for dwarf plantain and purple owl's clover and flag and/or map and avoid all occurrences during manual and mechanical treatments. When the host plants are dormant, only manual and mechanical treatment activities that do not affect seeds or underground parts shall be used within 15 feet of dwarf plantain and purple owl's clover occurrences. ▶ If pyrethrin-type spray insecticides are proposed for use (e.g., on a wasps' nest) within Bay checkerspot butterfly suitable habitat, they shall be applied by a qualified biologist with experience identifying Bay checkerspot butterfly. Prior to any application, a visual survey will be conducted within 15 feet of the application site. If dwarf plantain and purple owl's clover are observed within 15 feet of a target wasps' nest, no pyrethrin-type spray insecticides will be used unless it is confirmed no Bay checkerspot butterfly eggs or larvae are present, and only immediately following the absence determination. If adult Bay checkerspot butterflies are found during the survey, no pyrethrin-type spray insecticides will be used until the butterflies have left the 15-foot buffer on their own. ▶ If broadcast spraying (i.e., from a boom on an ATV) of herbicides is proposed for use within Bay checkerspot butterfly suitable habitat, EPM BIO-2 through EPM BIO-5 will be implemented. These measures will require identification, flagging, and avoidance of dwarf plantain and purple owl's clover and prohibit the broadcast spraying of non-selective herbicides (i.e., herbicides that injure all plant species that are directly exposed to the herbicide) within 15 feet of dwarf plantain and purple owl's clover. Non-selective herbicides will only be broadcast sprayed in suitable habitat if it is applied during the dormant period of dwarf plantain and purple owl's clover (July through February) and does not damage seeds or underground parts. 				
<p>Mitigation Measure 3.3-2b: Avoid Loss of Crotch Bumble Bee Nest Colonies</p> <p>To avoid direct disturbance of Crotch bumble bee nest colonies, if ground disturbing treatments (e.g., digging, scraping, hoeing, rodent burrow removal, installation of exclusion fencing for feral pigs or bullfrogs), use of weedmats, or pyrethrin-type insecticide treatments are proposed in Crotch bumble bee suitable habitat during the period when nest colonies may be present (March through September), prior to implementing treatments, the Authority will conduct field surveys within treatment sites for the presence of the species.</p> <ul style="list-style-type: none"> ▶ Surveys to determine occupancy of suitable habitat by Crotch bumble bee will occur within 1 year prior to treatment implementation and at four evenly spaced sampling periods within the flight season (March through September). Surveys will follow the general procedures in the USFWS' Survey Protocols for the Rusty Patched Bumble Bee (<i>Bombus affinis</i>) (USFWS 2018). Surveys will use non-lethal netting methods for one (1) person-hour per 3 acres of the treatment site or until 150 bumble bees are sighted, whichever comes first. If no Crotch bumble bees are detected, then no further survey of that 				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>treatment area or further mitigation is required. Alternatively, the Authority may assume presence within suitable habitat, and apply only the additional measure below.</p> <ul style="list-style-type: none"> ▶ If Crotch bumble bees are detected within the treatment area, or presence is assumed, and ground disturbing treatments (e.g., digging, scraping, hoeing, installation of exclusion fencing for feral pigs or bullfrogs), weed mats, or use of pyrethrin-type spray insecticides are planned; a pre-treatment survey will occur within 30 days of the treatment to identify the location of active nest colonies. ▶ Crotch bumble bee nest colonies detected within the treatment area will be flagged and no ground disturbing treatments, weed mats, or pyrethrin-type spray insecticides will be used within 15 feet of the colony during March through September, or until the colony is no longer active (i.e., no bees are seen flying in or out of the nest for three consecutive days). Air space shall be maintained between the active nest colony and nectar resources to facilitate foraging. ▶ To avoid loss of Crotch bumble bee nest colonies through removal of floral resources, within occupied habitat (presence can be assumed or follow survey requirements above to determine occupancy), mechanical vegetation removal and spraying of non-selective herbicide treatments will be conducted such that the entirety of floral resources are not removed during the period when colonies may be present (March through September), and untreated portions of occupied habitat are retained adjacent to treatment areas to provide floral resources and refuge for Crotch bumble bees. ▶ If in the future Crotch bumble bee is listed under the CESA and take is not covered under the Valley Habitat Plan, the Authority will consult with CDFW to determine additional measures that may be required to avoid take of individuals, or will apply for an Incidental Take Permit. Additional measures may include, but are not limited to, further limitations on the use of pyrethrin-type spray insecticides and mechanical treatment during the flight season, and limitations on ground disturbing treatments in overwintering habitat. If agreement is reached, the Authority shall implement all measures developed in consultation with CDFW. 				
<p>Mitigation Measure 3.3-2c: Avoid Injury or Loss of Special-Status Fishes</p> <p>The Authority will not conduct trapping, shooting, gigging, or electroshocking during the spawning season for Monterey roach (March through June) within suitable habitat (i.e., perennial streams). Shooting, trapping, gigging, and electroshocking of aquatic species will only be conducted by a qualified biologist with experience identifying special-status fishes.</p>				
<p>Mitigation Measure 3.3-2d: Avoid Impacts to California Tiger Salamander and California Red-Legged Frog</p> <p>The Authority will obtain take coverage for California tiger salamander and California red-legged frog for covered IPM activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions required by the Habitat Plan to avoid and minimize injury, death, disturbance, or habitat degradation for these special-status species. If take coverage is not obtained for manual and mechanical activities, the Authority will implement the following measures:</p> <ul style="list-style-type: none"> ▶ Conduct field surveys within treatment sites to determine the presence of suitable California tiger salamander and California red-legged frog habitat. ▶ Prohibit burrow removal for rodent control where suitable California tiger salamander upland habitat is present to avoid harming individual California tiger salamanders that may be present in empty burrows. 				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<ul style="list-style-type: none"> ▶ Prohibit mechanical and chemical treatments in suitable California tiger salamander upland habitat during the wet season (generally October 15 through May), and within 24 hours of rainfall. Only manual IPM treatment activities shall be conducted in suitable upland habitat during the wet season to avoid injury or mortality of these species during overland movement. ▶ Prior to conducting IPM treatments in California tiger salamander or California red-legged frog suitable habitat that could result in incidental injury or death of individuals as determined by a qualified biologist (e.g., mechanical treatments that use large, ground disturbing equipment such as tractor-operated mowers), and within 14 days of treatment, pre-treatment clearance surveys shall be conducted. If individuals of either species are found within a treatment site during pre-treatment clearance surveys, monitoring shall be conducted during the treatment (with the exception of pond draining as discussed below). If California tiger salamander or California red-legged frog individuals are found within a treatment site while work is occurring, work shall stop until the individuals are no longer at risk of incidental injury or death from the implementation of the treatment or have left the treatment area without assistance. ▶ Pond draining shall not occur during the breeding period for California tiger salamander or California red-legged frog (generally October 15 through May). In addition, prior to draining any pond, protocol surveys will be conducted by a qualified biologist. Draining of the pond shall only proceed once surveys confirm that no California tiger salamanders, California red-legged frogs, or egg masses are present. <p>Prior to the use of herbicides, the Authority will conduct field surveys within treatment sites for the presence of suitable aquatic and upland habitat for California tiger salamander and California red-legged frog. If suitable aquatic or upland habitat is identified, the Authority will implement the following measures:</p> <ul style="list-style-type: none"> ▶ No broadcast spraying of herbicides will occur within 50 feet of suitable California tiger salamander or California red-legged frog aquatic habitat and no application of herbicides by any method will occur within 15 feet of California tiger salamander or California red-legged frog aquatic habitat. ▶ Within 50 feet of suitable California tiger salamander or California red-legged frog upland habitat, no broadcast spraying of herbicides (i.e., boom on an ATV) will occur during the wet season (generally October 15 through May), or within 24 hours of rainfall, to avoid direct exposure to California tiger salamander or California red-legged frog. Targeted, handheld application of herbicides may occur outside of this window within 50 feet of California red-legged frog upland habitat or California tiger salamander upland habitat by staff trained to identify and avoid any potential burrows and burrow openings. ▶ When using herbicides that contain the active ingredients that are subject to the herbicide injunction for California red-legged frog (Center for Biological Diversity v. U.S. Environmental Protection Agency [2006] Case No.: 02-1580-JSW) the requirements of that injunction shall apply (see EPM BIO-8). <p>Alternatively, if it is not feasible to meet the objectives of the IPM Program under these requirements for herbicide use, the Authority will consult USFWS and/or CDFW before implementation of herbicide application to develop measures to avoid the injury, death, or disturbance of California tiger salamander and California red-legged frog. These measures may include, but are not limited to, limitations on the types of herbicides used and restrictions on the timing of use. If agreement is reached, the Authority shall implement all measures developed in consultation with the agencies.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>Mitigation Measure 3.3-2e: Avoid Impacts to Foothill Yellow-Legged Frog the Authority will obtain take coverage for foothill yellow-legged frog for all IPM activities under the Habitat Plan (all activities including chemical treatments are covered by the Habitat Plan for foothill yellow-legged frog). The Authority will implement all applicable permit conditions required by the Habitat Plan to avoid and minimize injury, death, disturbance, or habitat degradation for this special-status species. If take coverage is not obtained, the Authority will implement the following the following measures:</p> <ul style="list-style-type: none"> ▶ Conduct field surveys within treatment sites for the presence of suitable foothill yellow-legged frog habitat. ▶ The Authority will not broadcast spray herbicides within 50 feet of suitable aquatic or upland habitat and no application of herbicides by any method will occur within 15 feet of suitable aquatic habitat of foothill yellow-legged frog. Alternatively, if it is not feasible to meet the objectives of the IPM Program under these requirements for herbicide use, the Authority will consult CDFW to develop measures to avoid incidental injury or death of the species. These measures may include but are not limited to, limitations on the types of herbicides used and timing of use. If agreement is reached, the Authority shall implement all measures developed in consultation with CDFW. ▶ Prior to conducting IPM treatments in foothill yellow-legged frog suitable habitat that could result in incidental injury or death of individuals as determined by a qualified biologist (e.g., mechanical treatments that use large, ground disturbing equipment such as tractor-operated mowers), and within 14 days of treatment, pre-treatment clearance surveys shall be conducted. If individuals are found within a treatment site during pre-treatment surveys, monitoring shall be conducted during treatment. If foothill yellow-legged frogs are found within a treatment site while work is occurring, work shall stop until the individual is no longer at risk of incidental injury or death from the implementation of the treatment, or until the individual is moved outside of the treatment site by a qualified biologist. 				
<p>Mitigation Measure 3.3-2f: Preconstruction Surveys and Avoidance of California Giant Salamander, Coast Range Newt, and Santa Cruz Black Salamander Prior to conducting IPM treatments in California giant salamander, coast range newt, and Santa Cruz black salamander suitable habitat that could result in incidental injury or death of individuals (e.g., mechanical treatments that use large, ground disturbing equipment such as tractor-operated mowers) as determined by a qualified biologist, and within 14 days of treatment, pre-treatment clearance surveys shall be conducted. If individuals of these species are found within a treatment site during pre-treatment clearance surveys, monitoring shall be conducted during treatment. If California giant salamander, coast range newt, or Santa Cruz black salamander are found within the treatment site while work is occurring, work shall stop until the individual is no longer at risk of incidental injury or death from the implementation of the treatment, or until the individual is moved outside of the treatment site by a qualified biologist.</p>				
<p>Mitigation Measure 3.3-2g: Avoid Impacts from Aquatic-based IPM Treatments to Special Status Amphibians Exclusion fencing, trapping, giggering, shooting, and electroshocking in aquatic environments shall be conducted by a qualified biologist with experience in the identification of amphibian species and possessing the appropriate federal and state permits to handle listed species. Inadvertently trapped or shocked special-status amphibians will be released immediately upon discovery.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>Mitigation 3.3-2h: Avoid Injury or Loss of Special-Status Reptiles</p> <p>The Authority will obtain take coverage for western pond turtle under the Habitat Plan. The Authority will implement all applicable permit conditions that may be required by the Habitat Plan to avoid and minimize impacts to western pond turtle. For special-status reptiles that are not covered by the Habitat Plan (and for western pond turtle if Habitat Plan take coverage is not obtained), the Authority will implement the following avoidance and minimization measures prior to conducting IPM treatment activities that have the potential to injure or harm special-status reptiles:</p> <ul style="list-style-type: none"> ▶ Conduct assessment of treatment sites for the presence of suitable special-status reptile habitat. Prior to scraping/grubbing, ripping, rodent burrow removal, mechanical treatments, or tree removal within suitable habitat for special-status reptiles, and within 30 days of treatment, the Authority will survey the treatment site for the presence of special-status reptiles (and western pond turtle nests, if applicable). If special-status reptiles are found within the treatment site, monitoring for special-status reptiles will be conducted during the treatment and work will stop if a special-status reptile is at risk of injury until it is no longer at risk. Special-status reptiles (except for Alameda whipsnake) may be moved outside of the treatment area by a qualified biologist. Any western pond turtle nests will be flagged and avoided (if applicable). ▶ Prior to conducting IPM treatment activities within occupied habitat for Alameda whipsnake, the Authority shall consult USFWS on any activities that may result in injury, death, or disturbance of the species to develop measures to avoid these impacts. Additional measures may include but are not limited to surveys, monitoring, and seasonal restrictions on use of pesticides and other treatments. If avoidance is not feasible then the Authority will not conduct IPM treatment activities that would cause impacts to Alameda whipsnake. ▶ Shooting, trapping, gigging, and electroshocking of aquatic species, and trapping of rattlesnakes, will be conducted by a qualified biologist with experience in the identification of special-status reptile species. Inadvertently trapped special-status reptiles will be released immediately upon discovery. Trapping for rattlesnakes shall not be conducted within the range of Alameda whipsnake. 				
<p>Mitigation 3.3-2i: Avoid Loss of Special-Status Birds, Nests, and Nesting Colonies</p> <p>The Authority will obtain take coverage for least Bell's vireo under the Habitat Plan for covered activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions that may be required by the Habitat Plan to avoid and minimize impacts to least Bell's vireo. In occupied habitat for least Bell's vireo (or in suitable habitat if occupancy is not known), the Authority will not use chemical treatments without prior consultation with USFWS.</p> <p>The Authority will obtain take coverage for tricolored blackbird and burrowing owl under the Habitat Plan. The Authority will implement all applicable permit conditions required by the Habitat Plan.</p> <p>If take coverage under the Habitat Plan is not obtained for covered special-status birds before covered activities are implemented, the Authority will implement the following avoidance and minimization measures:</p> <ul style="list-style-type: none"> ▶ Treatment activities within 250 feet of riparian habitat suitable for least Bell's vireo nesting will occur outside of the least Bell's vireo breeding season (defined as March 15 through September 15) to the extent feasible. If work must occur within 250 feet of riparian habitat within the breeding season, a qualified biologist will conduct visual and audio surveys for nesting least Bell's vireo according to the Least Bell's Vireo Survey Guidelines (USFWS 2001) or as approved by USFWS. Vocalization recordings will not be used. In the event that least Bell's vireo territory or active nests are confirmed during the surveys, the 				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>biologist will establish an avoidance buffer zone between the territory edge and investigation activities at a distance recommended by USFWS. The Authority will periodically monitor active territories and maintain the territory avoidance buffer zone until nestlings have fledged and are no longer reliant on the nest or parental care for survival or until the nest is abandoned (as determined by a qualified biologist).</p> <ul style="list-style-type: none"> ▶ Prior to conducting treatments in burrowing owl habitat, the Authority will conduct a survey of the treatment site for burrowing owl burrows. If an active burrow is identified near a treatment site and work cannot be conducted outside of the nesting season (February 1 to August 31), a qualified biologist will establish an avoidance buffer that extends 150 to 1,500 feet around the burrow, depending on nesting stage and level of disturbance. If burrowing owls are present at the treatment site during the non-breeding season (September 1 through January 31), a qualified biologist will establish an avoidance buffer that extends a minimum of 150 feet around the burrow. ▶ IPM Program activities that occur within 250 feet of suitable tricolored blackbird nesting colony habitat will be conducted outside of the breeding season (March 15 through September 31). If work must occur within 250 feet of suitable tricolored blackbird nesting colony habitat during breeding season, then a protocol survey for tricolored blackbird nests will be conducted. If a nesting colony is present, then no IPM activities will occur within 250 feet of the colony until the colony has dispersed. Vegetation that has been documented to be used for nesting by tricolored blackbird shall not be removed for a period of 5-years following the use of the vegetation for nesting. ▶ Within Swainson’s hawk nesting habitat, the Authority will survey for active nests prior to the implementation of any IPM Program activities. If nests are identified, IPM Program activities would be prohibited within 0.25 mile of the active nest during nesting season (March 1 - September 15). This buffer may be adjusted as appropriate by a qualified biologist in consultation with CDFW. If removal of a Swainson’s hawk nest tree is required, the Authority shall conduct removal of the tree outside of the active nesting season in coordination with CDFW. ▶ For all other special-status bird species, the Authority will apply EPM BIO-6 and EPM BIO-7 to trapping, giggering, shooting, and electroshocking activities for bullfrog and invasive fish removal. This would require that trapping, giggering, shooting, and electroshocking activities for bull frog and invasive fish removal occur outside of the nesting season, or requires a nesting bird survey if activities would occur within the nesting season and non-disturbance buffers would be implemented. ▶ Brown-headed cowbird trapping shall be conducted by a qualified biologist with experience in the identification of bird species. Inadvertently trapped special-status birds will be released immediately upon discovery. Prior to initiating trapping, the Authority will consult CDFW and USFWS regarding trapping within 250 feet of special-status bird species habitat. 				
<p>Mitigation Measure 3.3-2j: Avoid Injury and Loss of San Joaquin Kitfox</p> <p>The Authority will obtain take coverage for San Joaquin kitfox under the Habitat Plan for covered activities (i.e., manual and mechanical treatments). The Authority will implement all applicable permit conditions required by the Habitat Plan. Prior to the application of pesticides within suitable habitat for San Joaquin kitfox, the Authority will consult with USFWS to determine the appropriate measures to avoid injury, death, or disturbance to the species due to pesticides. The Authority will implement all conservation measures developed with USFWS such as restrictions on pesticide use.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>If take coverage under the Habitat Plan is not obtained before IPM Program activities are implemented within suitable habitat for San Joaquin kitfox, the Authority will implement the following avoidance and minimization measures:</p> <ul style="list-style-type: none"> ▶ Prior to implementing IPM Program activities that could disturb San Joaquin kitfox dens, such as mowing, rodent burrow removal, grubbing/clearing, and tree removal within suitable habitat for San Joaquin kitfox, the Authority will survey for dens within a buffer of 200 feet around treatment sites. If potential dens are found during surveys, a non-disturbance buffer of not less than 100 feet will be maintained around the den site for the duration of treatment activities. If a natal den is discovered within 200 feet of a treatment site, all activity shall cease, and the Authority will contact the USFWS and CDFW to consult about potential avoidance measures before activities can occur (USFWS 2011). ▶ No trapping of feral pets would occur within suitable habitat for San Joaquin kitfox, unless the Authority conducts surveys and determines that the suitable habitat is unoccupied in consultation with USFWS. 				
<p>Mitigation Measure 3.3-2k: Avoid Injury and Loss of American Badger and Ringtail</p> <ul style="list-style-type: none"> ▶ No more than 14-days prior to implementation of IPM Program activities that could disturb American badger and ringtail dens, such as herbicide application, mowing, grubbing/clearing, rodent burrow removal, and tree removal within suitable habitat, a qualified biologist shall conduct pre-treatment surveys within 100 feet of treatment project sites for potential American badger and ringtail dens. ▶ If any potentially occupied American badger dens are located during surveys, no work shall be performed within a 50-foot buffer around each den during the non-breeding season or within a 100-foot buffer around dens during the period when pups are potentially in the den (February 15 through July 1). ▶ If any potentially occupied ringtail dens (e.g., brush piles, appropriately sized burrows, hollow logs, hollow trees) are located during surveys, the same buffers as described for American badger during non-breeding and breeding season (May 1 through June 30) shall be implemented. ▶ Feral pet trapping within suitable habitat for American badger shall be conducted by a qualified biologist with experience in the identification of American badger. Inadvertently trapped special-status species, including American Badger, will be released immediately upon discovery. ▶ Feral pet trapping within suitable habitat for ringtail shall be conducted by a qualified biologist with experience in the identification of ringtail. Inadvertently trapped special-status species, including ringtail, will be released immediately upon discovery. Prior to initiating trapping in suitable ringtail habitat, the Authority will consult CDFW to confirm trapping methods are sufficient in avoiding potential injury to ringtail. 				
<p>Mitigation Measure 3.3-2l: Avoid Injury and Loss of Mountain Lion</p> <p>The Authority shall conduct 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 habitat surveys to determine the presence of nursery habitat suitable for mountain lion within preserves where treatments may occur. The desktop analysis shall be updated as habitat conditions or species occurrence information changes.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>Where the desktop analysis determines that suitable nursery habitat is present, the Authority will conduct focused surveys of the treatment area and a 2,000-foot buffer for the presence of potential mountain lion nurseries. Surveys will be conducted within 7 days before commencement of treatment activities by a qualified wildlife biologist with familiarity with mountain lion and experience using survey methods for the species. Potential mountain lion dens will include caves, large natural cavities within rocky areas, or thickets deemed appropriate for use by mountain lions based on size and other characteristics (e.g., proximity to human development, surrounding habitat, and coordination with local experts to determine known locations of female mountain lions). The qualified wildlife biologist will 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 a mountain lion nursery. 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).</p> <p>If signs of a mountain lion nursery are found 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, track plates, hair snares, and/or other noninvasive methods, as well as coordination with local experts tracking the species (if available). Surveys using these noninvasive methods will be conducted for three days and three nights to determine whether a nursery may be present.</p> <p>If a nursery is known to occur in the area or further signs of a nursery are detected (e.g., lactating adult females or kittens on camera, repeated detections of an adult female in the area, growls or calls from kittens), the Authority will implement a no-disturbance buffer of at least 2,000 feet (Wilmers et al. 2013) for a minimum of 10 weeks. Treatment activities will not occur within this buffer during this time to avoid disturbance, injury, or mortality of mountain lion.</p> <p>Feral pet trapping within suitable habitat for mountain lion shall be conducted by a qualified biologist with experience in the identification of mountain lion cubs. Inadvertently trapped special-status species, including mountain lion individuals, will be released immediately upon discovery. Prior to initiating trapping in suitable mountain lion habitat, the Authority will consult CDFW to confirm trapping methods are sufficient in avoiding potential injury to mountain lion individuals.</p>				
<p>Mitigation 3.3-2m: Minimize Loss of San Francisco Dusky-Footed Woodrat Nests</p> <p>The Authority will survey for the presence of San Francisco dusky-footed woodrat nests within areas proposed for mechanical vegetation removal. The locations of nests shall be recorded, and nests flagged for avoidance by treatment activities.</p> <p>The Authority will consult with CDFW in areas where treatments would result in destruction or removal of a nest. Management actions shall be determined in consultation with CDFW and may include the live capture and relocation of woodrats to suitable adjacent habitats and the dismantling of nests. If consultation determines that nest dismantling may occur, nests shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the nest, and the nest shall remain undisturbed for two to three weeks to give the young enough time to mature and leave the nest on their own accord. After two to three weeks, the empty nest may be dismantled. Nest material shall be moved to suitable adjacent areas within suitable habitat that shall not be disturbed. As woodrats exhibit high site fidelity, buildings with previous woodrat nests shall be regularly inspected for potential intrusion to prevent infestation.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>Mitigation 3.3-2n: Avoid Loss of Special-Status Bat Roosts</p> <p>If exclusion of bats or fumigation is necessary in buildings and structures during the nursery season (April through August), a qualified biologist will conduct surveys for roosting bats. Surveys shall consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of bat roosting is found, the number and species of roosting bats will be determined. When special-status bat roosting sites are located in buildings, exclusion of bats and fumigation shall occur outside of the April through August nursery season.</p> <p>The Authority shall not remove trees greater than 16 inches diameter at breast height (dbh) during the April through August nursery season, unless a qualified biologist conducts surveys for roosting bats where suitable large trees are to be removed. Surveys will consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of special-status roosting bats is found, removal of trees where potential special-status bat roosts are identified shall occur outside of the nursery season. If no evidence of special-status bat roosts is found, then the Authority may move forward with tree removal.</p>				
Cultural and Tribal Cultural Resources				
<p>Mitigation 3.6-1: Built-Environment Survey</p> <p>Before implementation of IPM treatment activities that could alter historic-age buildings or structures (50 years or older), the structures shall be surveyed by a qualified architectural historian who meets the Secretary's Standards. The structure will be evaluated for eligibility for listing on the CRHR. If the structure is evaluated and deemed not eligible for listing on the CRHR, IPM Program treatment activities may proceed. If structures are determined to be eligible for the CRHR, IPM Program activities will follow the Secretary's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. If the Authority is unable to implement the Secretary's Standards, then no building alterations to structures deemed eligible for listing on the CRHR shall occur.</p>				
<p>Mitigation Measure 3.6-2a: Records Search and Survey Before Ground Disturbance for Archaeological Resources</p> <p>An archaeological and historical resource record search will be conducted prior to implementing ground disturbing IPM treatments on added preserves for which a records search is not available. Once the exact locations of ground disturbing IPM treatment activities have been determined and before commencement, the cultural records shall be consulted, and a qualified archaeologist shall conduct pedestrian surveys in areas where previously recorded archaeological resources have been identified. In the event of a surface find, materials will be evaluated and recorded on standard Department of Parks and Recreation primary record forms (DPR 523) in accordance with national and state criteria. A determination of eligibility/ineligibility for the CRHR will be recommended for any surface finds. A survey report shall be completed by the qualified archaeologist and will include recommendations for minimizing potential adverse effects to any archaeological resource finds. The Authority shall follow recommendations identified in the report, which may include activities such as subsurface testing, implementing a Worker Environmental Awareness Program, flagging and complete avoidance of sites, construction monitoring by a qualified archaeologist, or notification of the geographically and culturally affiliated Native American tribe to extend an invitation for construction monitoring. If no archaeological resources are found during the pedestrian survey, the proposed IPM activities may proceed.</p>				

Mitigation Measures	Applicable? (Y/N)	Implementation Responsibility	Timing	Verifying/Monitoring Entity
MITIGATION MEASURES				
<p>Mitigation Measure 3.6-2b: Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features In the event that any surface or subsurface archaeological features or deposits, including locally darkened soil (“midden”) that could conceal cultural deposits are discovered, all ground-disturbing activity within 100 feet of the find shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, IPM activities may proceed. If the qualified archaeologist determines the archaeological material to be Native American in nature, the Authority shall contact the appropriate Native American tribe for their input on the preferred treatment of the find. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan shall be prepared. If the find is determined to be significant by the archaeologist (i.e., because it is determined to constitute a unique archaeological resource), the archaeologist shall develop, and the Authority shall implement, appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).</p>				
Hazards and Hazardous Materials				
<p>Mitigation Measure 3.4-2: Identify and Avoid Known Hazardous Waste Sites Prior to the start of IPM treatment activities requiring soil disturbance in the vicinity of the abandoned Wright Mine, the Authority shall mark/flag the Wright Mine, including a 100-foot buffer around the mine area, and no soil disturbing IPM treatment activities will occur within 100 feet of the site boundaries. If it is determined through coordination with the Central Coast RWQCB, the lead agency responsible for the site, that no potential or known contamination is located on the site, the treatment may proceed as planned.</p>				

ATTACHMENT B - PROJECT-SPECIFIC CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

Template Available for Use by the Authority for Pest Management Activities Within the Scope of the IPM Program PEIR.

INTRODUCTION

The Santa Clara Valley Open Space Authority, referred to herein as "the Authority," in the exercise of its independent judgment, makes and adopts the following findings regarding its decision to approve the [Note to Authority: NAME OF PEST MANAGEMENT ACTIVITY], referred to herein as "pest management activity" or "proposed project," within the scope of the Program Environmental Impact Report (PEIR) for the Integrated Pest Management (IPM) Program. This document has been prepared 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.).

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)).

Here, as explained in the Board's Findings and the Draft Program Environmental Impact Report (Draft PEIR) and the Final PEIR (collectively, the "PEIR"), the IPM Program would not result in any significant and unavoidable environmental effects.

When the Authority approves a pest management activity 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)). According to case law, the Authority's findings need only address environmental impacts "within the scope of the responsible agency's jurisdiction." (*Riverwatch v. Olivenhain Municipal Water District* (2009) 170 Cal.App.4th 1186, 1202). Although the Authority must adopt findings for each pest management activity covered under the IPM Program PEIR, the Authority has the option of reusing, incorporating, or adapting all or part of the findings adopted by the Board for the IPM Program PEIR to meet the Authority's requirements to the extent the findings are applicable to the proposed pest management activity. The following document sets forth the required findings for the Authority's project-specific approval that relies on and implements the IPM Program PEIR.

The Authority adopts these findings to document its exercise of its independent judgment regarding the potential environmental effects analyzed in the IPM Program PEIR and to document its reasoning for approving the pest management activity under the IPM Program in spite of these effects.

BACKGROUND AND PROJECT DESCRIPTION

[**Note to Authority:** PROVIDE PROJECT DESCRIPTION FROM THE CHECKLIST]

RECORD OF PROCEEDINGS

In accordance with Public Resources Code Section 21167, subdivision (e), the record of proceedings for the Authority's decision to approve the pest management activity under the IPM Program includes the following documents at a minimum:

- ▶ The certified Final PEIR for the IPM Program, including the Draft PEIR, responses to comments on the Draft PEIR, and appendices;
- ▶ All recommendations and findings adopted by the Board in connection with the IPM Program and all documents cited or referred to therein;
- ▶ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the pest management activity prepared by the Authority, consultants to the Authority, or responsible or trustee agencies with respect to the Authority's compliance with the requirements of CEQA and with respect to the later action on the IPM Program;
- ▶ Matters of common knowledge to the Authority, including but not limited to federal, state, and local laws and regulations;
- ▶ Any documents expressly cited in these findings, in addition to those cited above; and
- ▶ Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

Pursuant to CEQA Guidelines section 15091, subdivision (e), the documents constituting the record of proceedings are available for review during normal business hours at [**Note to Authority:** WHERE]. The custodian of these documents is [**Note to Authority:** TITLE, NAME]. The certified Final IPM Program PEIR and IPM Program Findings/Statement of Overriding Consideration are also available on the Authority's webpage.

MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) was adopted by the Board for the IPM Program, and the applicable mitigation measures for this pest management activity have been identified in the Checklist. The Authority will use the MMRP and Project Monitoring Plan (included as Attachment A to the Checklist) to track compliance with the IPM Program mitigation measures. 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 pest management project and adoption of these Findings.

FINDINGS FOR DETERMINATIONS OF LESS THAN SIGNIFICANT

The Authority has reviewed and considered the information in the Final PEIR for the IPM Program addressing potential environmental effects, proposed mitigation measures, and alternatives. The Authority, relying on the facts and analysis in the Final PEIR and the proposed pest management activity Checklist, which were presented to the Board and reviewed and considered prior to any approvals, concurs with the conclusions of the Final PEIR and the pest management activity Checklist regarding the potential environmental effects of the IPM Program and the pest management activity.

The Authority concurs with the conclusions in the Final PEIR and pest management activity Checklist that all of the following impacts will be less than significant:

[**Note to the Authority:** the impacts listed below are the LTS impacts from the IPM Program PEIR. Check the box next to the impacts that are also LTS for the specific pest management activity. If any are no impact or don't apply to your project, delete them out of the template]

AESTHETICS AND VISUAL RESOURCES

Impact 3.2-1: Have the Potential to Adversely Affect Scenic Vistas or Substantially Degrade the Existing Visual Character or Quality of Public Views

BIOLOGICAL RESOURCES

Impact 3.3-1: Have the Potential to Substantially Affect Special-Status Plants

Impact 3.3-3: Have the Potential to Substantially Affect Riparian Habitat or Other Sensitive Natural Communities Identified by CDFW or USFWS

Impact 3.3-4: Have the Potential to Substantially Affect State or Federally Protected Wetlands or Other Waters

Impact 3.3-5: Have the Potential to Conflict with Local Policies or Ordinances Protecting Biological Resources

Impact 3.3-6: Have the Potential to Conflict with the Provisions of the Santa Clara Valley Habitat Plan

CULTURAL AND TRIBAL CULTURAL RESOURCES

Impact 3.6-3: Have the Potential to Disturb Human Remains

HAZARDS AND HAZARDOUS MATERIALS

Impact 3.4-1: Have the Potential to Create a Health or Environmental Hazard Through the Use of Vehicle Fuels, Oils, and Lubricants and the Application of Chemicals in IPM Treatments

HYDROLOGY AND WATER QUALITY

- Impact 3.5-1:** Have the Potential to 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 Manual or Mechanical IPM Treatment Activities
- Impact 3.5-2:** Have the Potential to 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 Chemical IPM Treatment Activities
- Impact 3.5-3:** Have the Potential to Release Substantial Pollutants due to Flooding

RECREATION

- Impact 3.7-1:** Have the Potential to Increase the Use of Existing Parks or Other Recreation Facilities Resulting in Physical Deterioration of the Facility

WILDFIRE

- Impact 3.8-1:** Have the Potential to Substantially Exacerbate Fire Risk and Expose People to Wildfire Pollutants or Uncontrolled Spread of a Wildfire
- Impact 3.8-2:** Have the Potential to Expose People or Structures to Substantial Risks Related to Post-Fire Landslides or Debris Flow

SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The IPM Program PEIR identified significant and potentially significant effects on the environment that the IPM Program 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.

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 PEIR 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 PEIR; and the Board incorporated by reference into its findings the discussion in those documents supporting the Final PEIR's determinations. In making those findings, the Board ratified, adopted, and incorporated into the findings the analyses and explanations in the Draft PEIR and Final PEIR 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 pest management activity will have all of the significant environmental impacts that the IPM Program was determined to contribute to or cause. Additionally, some of the environmental impacts predicted by the IPM Program PEIR to be less than significant after mitigation may be determined in the Checklist to be less severe for an individual pest management activity than determined in the IPM Program PEIR. The impacts and mitigation measures identified below reflect the conclusions of the Checklist by indicating which of the IPM Program's impacts that this pest management activity will contribute to or cause. By indicating the project-specific effects of this pest management activity as follows, the Authority 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 Authority finds that changes or alterations have been required in, or incorporated into, the pest management activity which avoid or substantially lessen the significant environmental effects indicated below, as identified in the Final PEIR and the Checklist. Implementation of the mitigation measures indicated below to be applicable to the pest management activity, which have been required or incorporated into the project, will reduce these impacts to a less-than-significant level. The Authority hereby directs that these mitigation measures be adopted.

[Note to the Authority: the impacts listed below are the LTSM impacts from the IPM Program PEIR. Check the box next to the impacts that are also LTSM for the pest management activity, as well as the box next to the mitigation measures that apply to the activity that reduce the impact, and delete other mitigation measures in the list that don't apply to the pest management activity. If any of the below impacts do not apply to the pest management activity, delete them and the associated mitigation measures out of the template. If any are LTS, move them up to the LTS section above]

BIOLOGICAL RESOURCES

- Impact 3.3-2:** Have the Potential to Substantially Affect Special-Status Wildlife Species
 - Mitigation Measure 3.3-2a: Avoid Loss of Bay Checkerspot Butterfly and Host Plants
 - Mitigation Measure 3.3-2b: Avoid Loss of Crotch Bumble Bee Nest Colonies
 - Mitigation Measure 3.3-2c: Avoid Injury or Loss of Special-Status Fishes
 - Mitigation Measure 3.3-2d: Avoid Impacts to California Tiger Salamander and California Red-Legged Frog
 - Mitigation Measure 3.3-2e: Avoid Impacts to Foothill Yellow-Legged Frog
 - Mitigation Measure 3.3-2f: Preconstruction Surveys and Avoidance of California Giant Salamander, Coast Range Newt, and Santa Cruz Black Salamander
 - Mitigation Measure 3.3-2g: Avoid Impacts from Aquatic-based IPM Treatments to Special Status Amphibians
 - Mitigation 3.3-2h: Avoid Injury or Loss of Special-Status Reptiles
 - Mitigation 3.3-2i: Avoid Loss of Special-Status Birds, Nests, and Nesting Colonies
 - Mitigation Measure 3.3-2j: Avoid Injury and Loss of San Joaquin Kitfox
 - Mitigation Measure 3.3-2k: Avoid Injury and Loss of American Badger and Ringtail
 - Mitigation Measure 3.3-2l: Avoid Injury and Loss of Mountain Lion
 - Mitigation 3.3-2m: Minimize Loss of San Francisco Dusky-Footed Woodrat Nests
 - Mitigation 3.3-2n: Avoid Loss of Special-Status Bat Roosts

CULTURAL AND TRIBAL CULTURAL RESOURCES

- Impact 3.6-1:** Have the Potential to Cause a Substantial Adverse Change in the Significance of a Historic Resource
 - Mitigation Measure 3.6-2a: Records Search and Survey Before Ground Disturbance for Archaeological Resources
 - Mitigation Measure 3.6-2b: Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features

Impact 3.6-4: Have the Potential to Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource

Mitigation Measure 3.6-2a: Records Search and Survey Before Ground Disturbance for Archaeological Resources

Mitigation Measure 3.6-2b: Halt Ground Disturbance Upon Discovery of Subsurface Archaeological Features

HAZARDS AND HAZARDOUS MATERIALS

Impact 3.4-2: Have the Potential to Expose the Public or Environment to Significant Hazards from Disturbance to Known Hazardous Materials Sites

Mitigation Measure 3.4-2: Identify and Avoid Known Hazardous Waste Sites