



Midpeninsula Regional
Open Space District

R-21-30
Meeting 21-06
February 24, 2021

AGENDA ITEM 6

AGENDA ITEM

Beatty House Removal and Site Restoration Project: CEQA Scoping Meeting

GENERAL MANAGER'S RECOMMENDATIONS *den*

Receive public comment on the scope and content of the Environmental Impact Report to be prepared per the California Environmental Quality Act.

SUMMARY

The Beatty House is located in the Sierra Azul Open Space Preserve and is eligible for inclusion on the California Register of Historic Resources. On April 20, 2020, the Midpeninsula Regional Open Space District (District) Board of Directors (Board) directed the General Manager to evaluate the environmental effects that would result from removing the Beatty House and implementing habitat enhancements to reflect native ecological conditions (R-20-39). District staff subsequently initiated environmental review per the California Environmental Quality Act (CEQA). The purpose of this meeting is to provide an overview and schedule for the Project's CEQA process and receive public comment on the environmental issues to be considered in the Project's Environmental Impact Report (EIR). The Board is not approving any elements of the Project at this time. Board consideration to approve the Project is expected in Summer 2022 after completion of environmental review.

BACKGROUND

The Beatty House is located at 17820 Alma Bridge Road in unincorporated Santa Clara County, approximately three miles south of Los Gatos and approximately two miles east of the Alma Bridge Road exit off Highway 17. The District acquired the Beatty House in 2008 as part of an approximately 57-acre property purchase to expand the Sierra Azul Open Space Preserve. Originally constructed between 1866 and 1877, the 1,440-square-foot, one-story Beatty House was last occupied in the mid-2000s and is in poor to fair condition.

In 2010, Knapp and VerPlanck Preservation Architects prepared a Historic Resources Assessment Summary Report to assess the Beatty House for historical significance. This report concluded that although the Beatty House is not currently listed on federal, state, or local inventories of historic resources, it is eligible for inclusion on the California Register of Historic Resources for the following reasons:

- The property that includes the Beatty House is associated with the early social and economic development of the Alma Valley area and the pioneer community of Alma, which is now submerged beneath Lexington Reservoir.

- The Beatty House embodies the characteristic construction that was common of Western pioneer vernacular dwellings constructed in the area in the 1860s, of which few remain.

The District previously evaluated the Beatty House property as a potential site for a District field office. Lack of water for fire suppression and potable uses rendered the site infeasible for a staff facility. Although there are two wells on the property, one does not meet health and safety standards and the other has insufficient water quantity and exhibits substantial contamination. The Board reviewed disposition options for the Beatty House on April 20, 2020 and directed the General Manager to evaluate the environmental effects that would result from removing the Beatty House and implementing habitat enhancements to reflect native ecological conditions.

District staff initiated the environmental review process per CEQA, which will culminate in the preparation of an EIR based on the following Project objectives:

- Improve ecological qualities at the Beatty House site and immediate surroundings
- Remove physical hazards to ensure public safety and potentially support future interpretive uses
- Provide focused interpretive and educational opportunities associated with the former Beatty House, consistent with open space values
- Enhance natural visual character and scenic qualities
- Implement a fiscally sustainable Project

On February 3, 2021, the District circulated a Notice of Preparation (NOP) for a 30-day public review and comment period (Attachment 1). The NOP is available on the District website and was distributed to responsible agencies, nearby jurisdictions, adjacent landowners, local historical societies, and local resource protection organizations.

DISCUSSION

CEQA is a state law that requires California agencies to analyze and disclose the effects of activities that may impact natural and human communities. CEQA is triggered by a discretionary action taken by the lead agency; the discretionary action that necessitates CEQA for the Project would be Board approval to remove the Beatty House.

The CEQA process provides several opportunities for public input, starting with the Scoping period. The purpose of Scoping is to solicit feedback on the content of the EIR, feasible project alternatives to consider in the EIR, and mitigation measures that could reduce potentially significant impacts. The Project's Scoping period was initiated with the release of the NOP on February 3, 2021 and will conclude on March 5, 2021. In addition, District staff is soliciting public comment during the Scoping meeting at the February 24, 2021 Board meeting. Relevant comments received during the Scoping period, including those received after this Board meeting, will be considered as part of the development of the Project's EIR.

The Project's EIR will describe potential environmental impacts associated with the Project and will identify feasible mitigation measures to reduce significant impacts. CEQA allows the EIR to focus on environmental effects that may be potentially significant; thus, the Project's EIR will focus on (1) biological resource impacts during construction activities, and (2) removal of a historic structure that is eligible for listing on the California Register of Historic Resources. An Initial Study will accompany the EIR to discuss all other environmental topics that are unlikely to result in significant impacts and do not warrant detailed analysis in the EIR.

The EIR will also describe a reasonable range of alternatives that can meet the Project objectives but would avoid or lessen significant environmental effects. The EIR will therefore discuss Project alternatives that could reduce likely impacts to biological and historic resources.

FISCAL IMPACT

Overview and schedule of the CEQA process for the Project has no immediate fiscal impact. Funding for removal and site restoration activities for Fiscal Year 2021-22 (FY22) and future years will be requested as part of the annual Budget and Action Plan process. The following table outlines the Project budget per fiscal year.

Beatty House Removal and Site Restoration MAA22-005	Prior Year Actuals	FY21 Amended	FY22 Projected	FY23 Projected	Estimated Future Years	TOTAL
Total Budget:	\$0	\$50,000	\$357,500	\$0	\$0	\$407,500
Spent-to-Date (as of 01/20/2021):	\$0	(\$2,139)	\$0	\$0	\$0	(\$2,139)
Encumbrances:	\$0	(\$42,007)	\$0	\$0	\$0	(\$42,007)
Budget Remaining (Proposed):	\$0	\$5,854	\$357,500	\$0	\$0	\$363,350

The following table outlines the Measure AA Portfolio #22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects allocation, costs-to-date, projected future Project expenditures and projected ending balance at the portfolio level.

MAA22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects Portfolio Allocation:	\$6,714,000
Grant Income (through FY23):	\$217,016
Total Portfolio Allocation:	\$6,931,016
Life-to-Date Spent (as of 01/20/2021):	(\$1,229,876)
Encumbrances:	(\$50,353)
Remaining FY21 Project Budgets:	(\$481,058)
Future MAA22 project costs (projected through FY23):	(\$3,428,700)
Total Portfolio Expenditures:	(\$5,189,987)
Portfolio Balance Remaining (Proposed):	\$1,741,029

The following table outlines the Measure AA Portfolio #22 allocation, costs-to-date, projected life-to-date project expenditures and projected portfolio balance remaining.

MAA22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects Portfolio Allocation:	\$6,714,000
Grant Income (through FY23):	\$217,016
Total Portfolio Allocation:	\$6,931,016
MAA22-001 Hendrys Creek Property Land Restoration	(\$513,343)
MAA22-002 Sierra Azul Cathedral Oaks Land Conservation	\$0
MAA22-003 Freudenberg Land Purchase	(\$540,587)
MAA22-004 Beatty Parking Area and Trail Connections	(\$3,228,557)
MAA22-005 Beatty House Removal and Site Restoration	(\$407,500)
MAA22-XXX Reserved for Land Acquisition	(\$500,000)
Total Portfolio Expenditures:	(\$5,189,987)
Portfolio Balance Remaining (Proposed):	\$1,741,029

BOARD COMMITTEE REVIEW

The full Board reviewed this Project on April 20, 2020 and directed the General Manager to evaluate the environmental effects that would result from removing the Beatty House and implementing habitat enhancements to reflect native ecological conditions.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. Additional notice was distributed to the Sierra Azul Open Space Preserve interested party list and property owners and residents surrounding Lexington Reservoir.

CEQA COMPLIANCE

The purpose of this meeting is to receive public Scoping comments to inform the scope and content of the EIR.

NEXT STEPS

Upon conclusion of the Scoping period, staff and the consultant team will develop the draft EIR. The following table provides a tentative Project schedule.

Milestone	Tentative Schedule
Scoping Period	February 3, 2021 – March 5, 2021
District Prepare Draft EIR	Spring – Fall 2021
Public Review of Draft EIR	Winter 2021/2022
District Prepare Final EIR	Spring 2022
Circulate and Certify Final EIR	Summer 2022
Permitting	Fall 2022 – Summer 2023
Project Implementation	Fall 2023

Attachment:

Beatty House Removal and Site Restoration Notice of Preparation

Responsible Department Head:

Jane Mark, Planning Department

Prepared by:

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Graphics prepared by:

Francisco Lopez Tapia, GIS Technician, Information Systems & Technology

**NOTICE OF PREPARATION
BEATTY HOUSE REMOVAL AND SITE RESTORATION
Midpeninsula Regional Open Space District**

Date Published:	February 3, 2021
Project Title:	Beatty House Removal and Site Restoration
Project Location:	17820 Alma Bridge Road, Santa Clara County, CA
Lead Agency:	Midpeninsula Regional Open Space District 330 Distel Circle Los Altos, CA 94022
Contact:	Alex Casbara, Planner III acasbara@openspace.org
Review Period:	Wednesday, February 3, 2021 – Friday, March 5, 2021

INTRODUCTION

The Midpeninsula Regional Open Space District (Midpen) issues this Notice of Preparation (NOP) to announce preparation of an Environmental Impact Report (EIR) for the Beatty House Removal and Site Restoration (Project). Midpen will prepare an EIR for the Project to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and will serve as the lead agency for CEQA compliance. In accordance with CEQA Statute and Guidelines (Guidelines) Section 15082, the purpose of this NOP is to describe the Project, identify potential environmental effects, and invite interested parties to comment on the scope and content of the EIR (CEQA Guidelines Section 15082[b]).

PROJECT LOCATION

The Beatty House is located at 17820 Alma Bridge Road in unincorporated Santa Clara County, approximately three miles south of Los Gatos and approximately two miles east of the Alma Bridge Road exit from Highway 17 (Attachment 1). The approximately 1.6-acre Beatty House area (Project site) is located adjacent to Alma Bridge Road and occupies portions of two Assessor's Parcel Numbers (558-36-011 and 558-36-012) in the western portion of the Sierra Azul Open Space Preserve (Preserve).

The Preserve encompasses over 18,000 acres south of the Town of Los Gatos and east of Highway 17, and is comprised of grasslands, oak woodlands, and deep ravines that provide wildlife habitat and opportunities for public access. The Preserve is divided into four subareas: Kennedy-Limekiln, Mount Umunhum, Cathedral Oaks, and Rancho de Guadalupe. The Project site is in the Cathedral Oaks subarea along the western boundary of the Preserve.

According to the *Santa Clara County General Plan 1995-2010* and the *Santa Clara County Zoning Ordinance*, the Project site's land use designation is Existing Regional Parks and zoning designation is Hillside-Scenic Roads. The Project site is east of Lexington Reservoir and adjacent to Lexington Reservoir County Park, which is operated by the Santa Clara County Parks and Recreation Department.

EXISTING CONDITIONS

Originally constructed between 1866 and 1877, the 1,440-square-foot, one-story Beatty House includes three bedrooms, one bathroom, a kitchen, and a living room. The home was last occupied in the mid-2000s and is in poor to fair condition due to lack of use and years of deferred maintenance.

The Beatty House sits atop a level site that descends sharply to the west toward Alma Bridge Road. The Project site's topography includes steep slopes with elevations ranging from 680 to 1,400 feet above sea level. The Project site contains oak woodland, chaparral, and annual grasslands, although these natural communities are disturbed due to former small-scale agricultural and grazing uses. An unnamed, natural-bottom creek located approximately 150 feet south of the Beatty House flows east-to-west and discharges into Lexington Reservoir. A second unnamed, natural-bottom creek located approximately 100 feet north of the Beatty House flows east-to-west and discharges into Lexington Reservoir.

Unpaved roadways connect the Project site to Alma Bridge Road at two access-controlled gates along the Project site's western boundary. An electrical line travels west-to-east along utility poles located immediately south of the Beatty House, and a detached gas meter is located immediately east of the Beatty House.

PROJECT BACKGROUND

Midpen acquired the Beatty House in 2008 as part of an approximately 57-acre property purchase to expand the Preserve and increase regional trail connectivity. Santa Clara County contributed funds toward the property purchase in exchange for a conservation easement, which stipulates retention for public park and open space purposes in perpetuity.

In 2010, Knapp and VerPlanck Preservation Architects prepared a Historic Resources Assessment Summary Report to evaluate the Beatty House and associated outbuildings for historical significance. This report concluded that, although the Beatty House is not currently listed on federal, state, or local historic resource inventories, the Project site is eligible for individual inclusion on the California Register of Historic Resources for the following reasons:

- The property that includes the Beatty House is associated with the early social and economic development of the Alma Valley area and the pioneer community of Alma, which is now submerged beneath Lexington Reservoir.
- The Beatty House embodies the characteristic construction that was common for Western pioneer vernacular dwellings constructed in the 1860s, of which very few remain in the region.

Midpen evaluated the Beatty House for conversion into a field office for Midpen staff. However, the lack of water for fire suppression and potable uses rendered the structure uninhabitable. Although there are two wells on the property, one does not meet health and safety standards and the other has insufficient water quantity and exhibits substantial contamination. Moreover, municipal water and sanitary sewer services are not available at the Project site. Due to the costly infrastructure improvements needed to convert the Beatty House into a viable field office, this potential use was withdrawn from consideration. On April 20, 2020, the Midpen Board of Directors directed the General Manager to remove the Beatty House and restore the underlying natural resource values.

PROJECT OBJECTIVES

The Project would achieve the following objectives, in alignment with Midpen's mission:

- Remove physical hazards to ensure public safety and potentially support future interpretive uses
- Improve ecological qualities at the Beatty House site and immediate surroundings
- Provide focused interpretive and educational opportunities associated with the former Beatty House, consistent with open space values
- Enhance natural visual character and scenic qualities
- Implement a fiscally sustainable Project

DESCRIPTION OF THE PROPOSED PROJECT

The Project would entail removal of the Beatty House and implementation of habitat enhancements to reflect native ecology. No public access facilities would be constructed as part of this Project. In accordance with CEQA Guidelines Section 15064.5(b)(4), Midpen will identify feasible measures to mitigate to the greatest extent possible any adverse changes in the historic significance of the Beatty House, which is eligible for individual inclusion on the California Register of Historic Resources. A statement of overriding considerations would be required if impacts cannot be sufficiently mitigated.

POTENTIAL PERMITS AND APPROVALS REQUIRED

- Midpen Board of Directors: Project approval
- Regional Water Quality Control Board: general construction permit
- County of Santa Clara: demolition and grading permits
- Bay Area Air Quality Management District: register all portable equipment permits with BAAQMD; notify BAAQMD of all demolition activities 10 days prior to occurrence of activity.

POTENTIAL ENVIRONMENTAL EFFECTS

The EIR will describe direct and indirect environmental impacts associated with the Project and will identify feasible mitigation measures to reduce potentially significant impacts. The EIR will focus on significant or potentially significant impacts to the following resources:

- Biological Resources: Impacts to sensitive species during construction activities.
- Cultural Resources: Impacts to a historic building that is eligible for listing on the California Register of Historic Resources.

CEQA allows a lead agency to limit detailed discussion of environmental effects that would not be potentially significant (PRC Section 21100, CEQA Guidelines Sections 15126.2[a] and 15128). Thus, an Initial Study will accompany the EIR to screen other environmental resources and describe why the Project would not result in significant effects to the following topics:

- | | |
|------------------------------------|--------------------------------|
| • Aesthetics | • Hydrology & Water Quality |
| • Agriculture & Forestry Resources | • Land Use & Planning |
| • Air Quality | • Mineral Resources |
| • Energy | • Noise |
| • Geology & Soils | • Population & Housing |
| • Greenhouse Gas Emissions | • Public Services & Recreation |
| • Hazards & Hazardous Materials | • Transportation |

- Tribal Cultural Resources
- Utilities & Service Systems
- Wildfire
- Mandatory Findings of Significance

ALTERNATIVES TO BE EVALUATED IN THE EIR

In accordance with CEQA Guidelines Section 15126.6, the EIR will describe a reasonable range of alternatives that are capable of meeting most of the Project objectives but would avoid or substantially lessen significant effects resulting from the Project. The EIR will also evaluate a No Project Alternative and will identify alternatives that were considered but rejected as infeasible by the lead agency.

OPPORTUNITY FOR PUBLIC COMMENT

All comments on environmental issues received during the public comment period will be considered and addressed in the EIR. Midpen will accept written or emailed comments submitted by Friday, March 5, 2021 to the following address:

Alex Casbara, Planner III
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022
Via email: acasbara@openspace.org

Comments provided via email should include *Beatty House Removal and Site Restoration NOP Scoping Comment* in the subject line, and the name and physical address of the commenter in the body of the email.

PUBLIC SCOPING MEETING

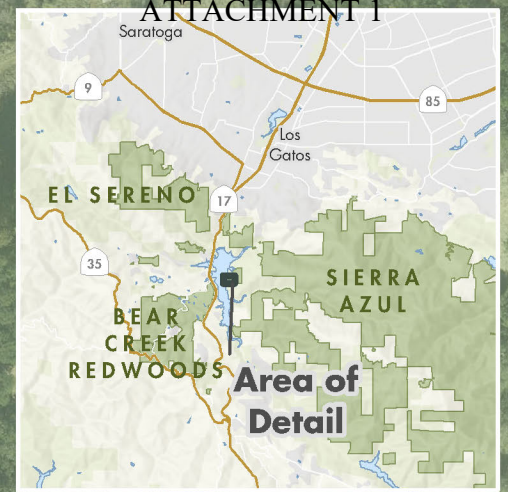
Midpen will host a public scoping meeting to inform stakeholders about the Project and solicit input regarding environmental topics and alternatives to be evaluated in the EIR. The scoping meeting will occur during the Midpen Board of Directors meeting scheduled for Wednesday, February 24, 2021. In accordance with public health orders, all Midpen board meetings are held via Teleconference only. The meeting may be viewed online and links to the meetings will be posted with each agenda at the following website: <https://www.openspace.org/about-us/board-meetings>.

Lexington Reservoir

Alma Bridge Road

Beatty House

SIERRA AZUL
OPEN SPACE
PRESERVE



Beatty Property Site Location

-  MROSD Preserves
-  Building
-  Unpaved Seasonal Road

Midpeninsula Regional
Open Space District
(Midpen)
11/20/2020



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.