



Midpeninsula Regional  
Open Space District

R-25-14  
Meeting 25-03  
January 22, 2025

## AGENDA ITEM 6

### AGENDA ITEM

Grant Agreement under the United States Department of Transportation Federal Highway Administration Highway Infrastructure Program to support the Highway 17/El Sereno Open Space Preserve Spooky Knoll Trail Project

### GENERAL MANAGER'S RECOMMENDATIONS

1. Adopt a resolution authorizing the General Manager to enter into a grant funding agreement for \$400,000 in United States Department of Transportation Federal Highway Administration Highway Infrastructure Program funding.
2. Confirm continued use of "Spooky Knoll" as the trail name for consistency with the Congressional funding designation; if desired, future renaming of the trail could be investigated after construction is completed and grant obligations are fulfilled.

### SUMMARY

The General Manager recommends that the Midpeninsula Regional Open Space District (District) Board of Directors (Board) adopt a resolution (Attachment 1 – Resolution) authorizing the General Manager as signatory to enter into a grant funding agreement for up to \$400,000 in United States Department of Transportation Federal Highway Administration Highway Infrastructure Program (USDOT HIP) funding for the Highway 17/El Sereno Open Space Preserve - Spooky Knoll Trail Project.

### DISCUSSION

On April 4, 2022, District staff submitted a Congressional Community Project Funding Program ("Community Project Funding") request to Congresswoman Eshoo to support the Highway 17/El Sereno Open Space Preserve - Spooky Knoll Trail Project (Spooky Knoll Trail).

Congresswoman Eshoo's Community Project Funding member request for the Spooky Knoll Trail was successfully included as a part of the adopted Fiscal Year 2022-23 (FY23) federal budget. Funding appropriated to USDOT HIP for the project is administered by the California Department of Transportation (Caltrans).

Construction of the approximately 1.0-mile Spooky Knoll Trail will create a new segment of the Bay Area Ridge Trail (Ridge Trail) and complete the first loop trail in El Sereno Open Space Preserve (El Sereno OSP). The Spooky Knoll Trail will provide public access to panoramic views of the Santa Cruz Mountains, Lexington Reservoir, and Silicon Valley, add to 7 miles of existing trail in El Sereno OSP, and link 50+ existing miles of Ridge Trail to the recreational, multi-use trail overcrossing that is underway as part of the Highway 17 Wildlife and Trail

Crossings Project (Highway 17 Crossings Project). The District worked with partners, including Caltrans and the Santa Clara Valley Transportation Authority (VTA) to complete environmental review for the overall Highway 17 Crossings Project, including the Spooky Knoll Trail, which was certified in Summer 2024. Construction of the Spooky Knoll Trail is anticipated in 2025 with construction of the Highway 17 wildlife undercrossing and multi-use trail overcrossing beginning in 2027.

The USDOT HIP funding will provide \$400,000 of the estimated \$500,000 needed to construct the Spooky Knoll Trail. The remaining \$100,000 will come from the District's Measure AA general obligation bond and/or the General Fund.

Contingent upon Board authorization and USDOT approval, the District would review the final grant terms, when they are provided by the funding agency, and enter into a funding agreement with VTA/Caltrans. Construction of the Spooky Knoll Project will follow a notice to proceed from Caltrans. If the terms of the funding agreement are not in the District's or public's best interest, the General Manager would inform the Board of any changes to this proposed course of action.

A requirement of the grant is that the trail continue to be identified as the Spooky Knoll Trail at least in the interim since that is how the grant was proposed in the Community Project Funding request and subsequent legislative approval. The colloquial Spooky Knoll name was first used by the Land and Facilities trail crew who discovered a memorial rock for a pet "Spooky" on an overlooking knoll, while scouting for trail alignments. Spooky Knoll became the common use name and has been used to identify the trail in the District's annual Action Plans. This name was intended as a placeholder name and was used in the grant request application. However, since the name was incorporated into the grant award, it can no longer be changed without legislative approval from Congress, otherwise the grant funding will no longer be tied to the project and therefore cancelled. As such, the General Manager recommends the continued use of the Spooky Knoll Trail name as part of the acceptance of the grant funding agreement at least in the interim. At a future date, once all the grant obligations are fulfilled, the District can investigate the ability to rename the trail, if desired.

## **FISCAL IMPACT**

This funding opportunity would have a positive impact of up to \$400,000.

## **PRIOR BOARD AND COMMITTEE REVIEW**

- February 24, 2016: Award of contract to Trail People to proceed with the conceptual design and feasibility study of the Highway 17 trail crossing and connections ([R-16-18](#), [meeting minutes](#))
- August 24, 2016: Caltrans cooperative agreement for the Project Initiation Document Phase of the Highway 17 Crossings Project ([R-16-105](#), [meeting minutes](#))
- October 12, 2016: Contract Amendment with Trail People for additional Caltrans analysis ([R-16-126](#), [meeting minutes](#))
- November 9, 2016: Resolution and approval of a Caltrans cooperative agreement ([R-16-147](#), [meeting minutes](#))

- June 27, 2018: Advancement of eight alternatives to the Caltrans PSR-PDS phase and approval of a contract amendment with Trail People ([R-18-66](#), [meeting minutes](#))
- October 24, 2018: FYI noticing the Board of an upcoming public meeting for feedback on crossing alternatives ([FYI memo](#), [meeting minutes](#))
- February 13, 2019: FYI Final Revised Alternatives Report ([FYI memo](#), [meeting minutes](#))
- September 17, 2019: Planning & Natural Resources Committee, Crossing alternatives, Caltrans Project Study Report, environmental review, public outreach and funding ([R-19-124](#), [meeting minutes](#))
- October 23, 2019: Approval of the Caltrans PSR-PDS document and Cooperative Agreement to begin the PA&ED phase ([R-19-136](#), [meeting minutes](#))
- May 27, 2020: Award of Contract to AECOM for the PA&ED phase, CEQA/NEPA ([R-20-53](#), [meeting minutes](#))
- December 9, 2020: Application for Grant Funding from the Wildlife Conservation Board ([R-20-144](#), [meeting minutes](#))
- August 25, 2021: Contract Amendment with AECOM ([R-21-113](#), [meeting minutes](#))
- February 9, 2022: FYI Highway 17 Wildlife and Regional Trail Crossings Project Status Update ([FYI memo](#), [meeting meetings](#))
- May 25, 2022: FYI Highway 17 Crossings Design Aesthetics ([FYI Memo](#), [meeting minutes](#))
- September 13, 2022: Legislative, Funding, and Public Affairs Committee, Guiding Principles for the Design Enhancements of the Highway 17 Crossings (R-22-91, [meeting minutes](#))
- October 26, 2022: Guiding Principles for Highway 17 Crossings Design Enhancements ([R-22-118](#), [meeting minutes](#))
- May 24, 2023: Highway 17 Wildlife and Trail Crossings Cooperative Agreement with the Santa Clara Valley Transportation Authority ([R-23-56](#), [meeting minutes](#))
- October 25, 2023: Highway 17 Wildlife and Trail Crossings Funding Exchange Agreement with the Metropolitan Transportation Commission and Santa Clara Valley Transportation Authority ([R-23-126](#), [meeting minutes](#))
- May 22, 2024: Selection of a Preferred Overcrossing Alternative for the Highway 17 Wildlife and Regional Trail Crossings and Trail Connections Project ([R-24-62](#), [meeting minutes](#))

## PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

Prior to the start of the IS-MND/EA public comment period (February 20, 2024, and March 22, 2024), notice was provided pursuant to State CEQA Guidelines Section 15072. A copy of the Draft IS-MND/EA was provided to all responsible and trustee agencies, selected interested parties, as well as posted on the District's website, and at the Los Gatos public library. Additional notice was provided to neighbors and other interested parties. Notices were also posted at trailheads in Sierra Azul, St. Joseph's Hill, and El Sereno Open Space Preserves, and at the Lexington Reservoir County Park.

## **CEQA COMPLIANCE**

Acceptance of grant funding is not a project subject to the California Environmental Quality Act (CEQA). USDOT funding requires compliance with CEQA and National Environmental Policy Act (NEPA). Caltrans was the lead agency for the CEQA and NEPA process, with delegated authority from FHWA. All activities receiving compensatory USDOT funding are required to fulfill environmental review requirements.

## **NEXT STEPS**

If approved by the Board, the General Manager will execute a funding agreement with Caltrans via the Santa Clara Valley Transportation Authority.

### **Attachment(s)**

1. United States Department of Transportation Funding Resolution.
2. Project Area Maps.

### **Responsible Department Head:**

Stefan Jaskulak, Chief Financial Officer, Administrative Services

### **Prepared by:**

Daniel Morrison, Grants Management Analyst II, Administrative Services  
Carol Schimke, Grants Program Manager, Administrative Services

### **Contact person:**

Daniel Morrison, Grants Management Analyst II, Administrative Services

RESOLUTION NO. 25-\_\_\_\_\_

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AN AGREEMENT FOR UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION HIGHWAY INFRASTRUCTURE PROGRAMS FUNDING FOR THE SPOOKY KNOLL TRAIL**

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**WHEREAS**, funds were made available to the United States Department of Transportation (USDOT) Federal Highway Administration (FHWA) Highway Infrastructure Program (HIP) through the Congressional Community Project Funding Program; and

**WHEREAS**, HIP funds will be administered by the California Department of Transportation (“Caltrans”) for the Midpeninsula Regional Open Space District (“District”); and

**WHEREAS**, the District intends that the Spooky Knoll Trail Project (“Project”) will construct the approximately 1.0-mile Spooky Knoll Trail in El Sereno Open Space Preserve.

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT HEREBY:**

1. Authorizes the General Manager to enter into an agreement for funding requested through the Congressional Community Project Funding Program, appropriated to USDOT FHWA HIP and administered by Caltrans for the Project.
2. Certifies the District will comply with all federal, state and local environmental, public health, and other appropriate laws and regulations applicable to the project and will obtain or will ensure that the other project partners obtain all appropriate permits applicable to the project.
3. Authorizes the General Manager or designee as a representative of the District to conduct negotiations, execute, submit and sign all documents, including but not limited to applications, agreements, amendments, payment requests, and other documents, which may be necessary to administer grant funding for the proposed project, except as such authority is limited by state law and the policies of the District.

\* \* \* \* \*

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_\_, 2025, at a regular meeting thereof, by the following roll call vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:**

**APPROVED:**

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Zoe Kersteen-Tucker, Secretary  
Board of Directors

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Jed Cyr, President  
Board of Directors

**APPROVED AS TO FORM:**

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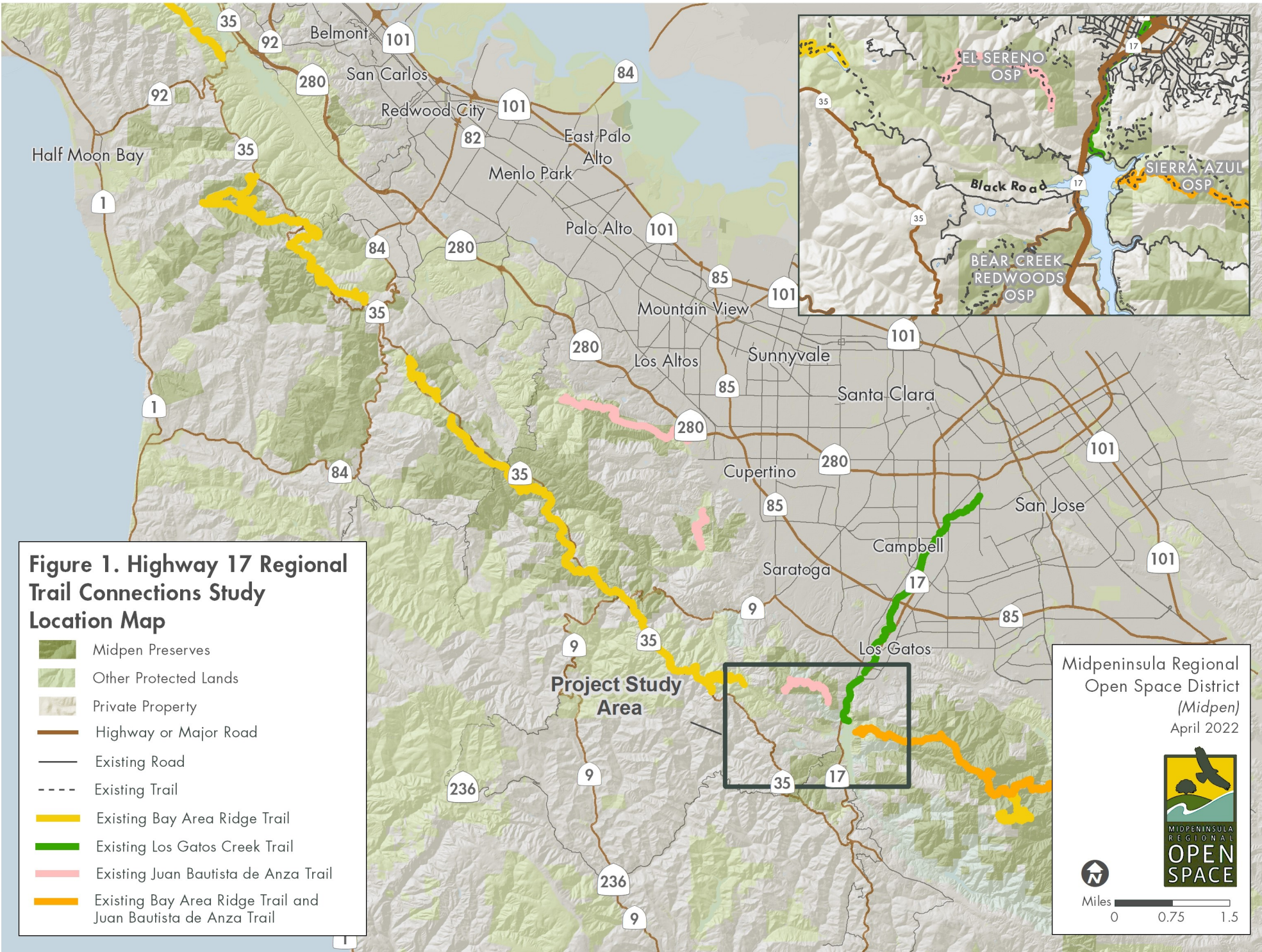
Hilary Stevenson, General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

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Maria Soria, District Clerk

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**Figure 1. Highway 17 Regional Trail Connections Study Location Map**

- Midpen Preserves
- Other Protected Lands
- Private Property
- Highway or Major Road
- Existing Road
- Existing Trail
- Existing Bay Area Ridge Trail
- Existing Los Gatos Creek Trail
- Existing Juan Bautista de Anza Trail
- Existing Bay Area Ridge Trail and Juan Bautista de Anza Trail

Midpeninsula Regional  
Open Space District  
(Midpen)  
April 2022



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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.

Created By: ngreig

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Created By: apeth



### "Spooky Knoll" Trail Connection

- Spooky Knoll Trail (New Trail)
- Existing Trail Forming the Loop with the Spooky Knoll Trail
- MROSD Preserves
- Other Protected Lands

Midpeninsula Regional  
Open Space District  
(Midpen)  
4/4/2022

