Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21000, et seq.) that the following project will not have a significant effect on the environment.

<table>
<thead>
<tr>
<th>File Number</th>
<th>APN(s)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>10376-12B-12G-12EA</td>
<td>182-34-011</td>
<td>10/29/2013</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khosla Residence</td>
<td>Residential</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owner</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khosla, Trustees of the KFT Trust</td>
<td>Steve Baugher</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 Arastradero Road, Portola Valley, CA 94028</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed project is a Single Building Site and Grading Approval application for a 4,000 square foot single family residence, a 1,000 square foot guest house, 9,800 square feet of private horse barn and includes a 38,000 square foot open arena. Associated site improvements include access road improvements, driveway and turnaround improvements and horse trailer parking area. All proposed uses are for personal use and no commercial, industrial, or institutional uses are proposed. Grading for the project will include approximately 3,000 cubic yards of cut and 4,250 cubic yards of fill (total 7,250 cubic yards). Project entails removal of 16 trees (3 Bay Laurels, 1 Valley Oak, 1 Blue Oak and 11 Coast Live Oaks). Access road improvements include widening of the existing Arastredero Road along Los Trancos Creek to meet the fire safety standards.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Purpose of Notice</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.</td>
</tr>
</tbody>
</table>

A decision on the proposed project is tentatively scheduled for the Land Development Coordinator on November 11, 2013. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the hearing date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the County of Santa Clara Planning Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian County Executive: Jeffrey V. Smith</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770

Oral comments may be made at the hearing. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Mitigated Negative Declaration, please contact Priya Cherukuru at (408) 299-5787.

The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:

(1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
(2) Portola Valley Library, 765 Portola Road, Portola Valley, CA 94028

Responsible Agencies sent a copy of this document

None.

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

**BIOLOGICAL RESOURCES:**

**OAK WOODLAND**

The proposed development entails removal of 16 trees (3 bay laurels, 1 valley oak and 11 coast live oaks) and would result in the permanent loss of approximately 0.18 acres of 6.4 acres of oak woodland canopy loss. In addition, the project has the potential to impact additionally eighteen (18) ordinance sized trees with canopies interfacing with the proposed grading improvements.

Implementation of the following measures to protect and replace oak woodland habitat and avoid disturbance to nesting resident and migratory birds would reduce this impact to a less-than-significant level.

**MITIGATION 1: Tree Replacement**

For trees proposed for removal and impacted during construction, the following replacement ratios shall be required

- For the removal of one small tree (5-18 inches): (3) 15 gallon trees, or (2) 24-inch box trees.
- For the removal of one medium tree (18-24 inches): (4) 15 gallon trees or (3) 24-inch box trees.
- For the removal of a tree larger than 24 inches: (5) 15 gallon trees or (4) 24-inch box trees.

NOTE: Based on the following variability of factors, tree replacement ratios may vary for each project. Tree replacement can be dependent upon the size of the canopy of removed trees, number of trees, size of trees, type of trees, and steepness of slope of trees to be removed; or amount of room available on a parcel in which trees can be planted. On properties where there is limited room to plant replacement trees, fewer replacement trees may be authorized.

**MITIGATION 2: Tree Planting/Maintenance Plan**

Prior to issuance of final grading permit issuance, submit two (2) copies of a tree planting and maintenance plan prepared, and stamped by a certified landscape architect, for approval by Planning. The plan shall show any tree proposed to be removed and all trees that are to be replanted on site. The plan shall include species name (generic and common), size and container size of all proposed plants. The plan shall also include location of all replacement trees, size, type, and tree protection measures for existing trees to remain. Tree replacement type and ratios are specified above in Condition #1 The plan must also describe any relevant details of irrigation and maintenance, including methods for protecting any significant existing trees during construction. Include details of plant pit and staking/guying of trees on slope.
MITIGATION 3: Contract for Installation of Landscaping
Prior to issuance of the final grading permit, submit a copy of a contract with a licensed landscape architect (hired to oversee installation of landscaping and associated irrigation), and any other contractor, to the Planning Office for approval. A report shall be submitted by the consulting landscape architect to the Planning Office for approval summarizing the results of the installation of landscaping and associated irrigation, prior to final inspection or release of the construction bond, whichever occurs first.

NOTE: Original invoices and receipts from landscape contractor and tree nursery must be kept on hand for one year following installation. Such invoices shall be made available to the Planning Office upon request.

MITIGATION 4: Existing Trees Protection
Prior to construction, fencing or other barriers shall be placed to protect existing trees within 15 ft. of construction/grading activities not proposed for removal. No work is allowed within the dripline of existing trees to remain on-site.

Best Management Practices (BMP) shall be implemented by the contractor to ensure that sediment and other contaminants are not discharged into existing trees during the construction process including erosion and sediment control measures. Final grading and building plans shall identify the BMPs.

MITIGATION 5: Nesting Raptors
To mitigate impacts to nesting birds, Pallid bat, and tree loss, the following mitigation measures shall be implemented as follows:

Non Breeding Season: If possible, tree removal and construction shall be limited between September 1 and February 14 to avoid the nesting season for both special status birds and pallid bats. However some species have the potential to breed year round. If nesting birds are encountered during construction activities in the non-breeding season, disturbance activities should be ceased until a qualified biologist is notified and corrective measures are completed.

Breeding Season: If initiation of construction must occur within the nesting season (February 15-August 31), a pre-construction survey for raptors and birds shall be conducted by a qualified biologist or ornithologist to identify any nests that may be disturbed during project construction. The pre-construction survey shall occur prior to or within 10 days of initiation of construction such as grading, tree or vegetation removal or other disturbance that could potentially impact the nesting habitats. In addition the survey should focus on trees to be removed and trees within 15 feet of proposed construction.

For evidence of compliance with this condition, the following documentation shall be submitted as follows:

- A copy of the contract established for work by a qualified ornithologist / biologist to conduct the preconstruction surveys shall be submitted prior to issuance of final grading permit.
- A copy of the pre-construction survey shall be submitted to the County Planning Office, prior to final inspection.
MITIGATION 6: San Francisco Dusky-footed Woodrat
To mitigate impacts to the San Francisco Dusky-footed Woodrat, the following mitigation measures shall be implemented as follows:

- Prior to tree and shrub removal or ground disturbance within the mixed oak woodland, active woodrat middens should be flagged and avoided if possible.

- If avoidance is not feasible, the middens should 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 house, a buffer of 15 feet will be placed surrounding the house in which no project activities shall occur, and the house will remain undisturbed for two to three weeks in order to give the young enough time to mature and leave the house on their own accord. After two to three weeks, the empty nest can be dismantled. Nest material will be moved to suitable adjacent areas within the mixed oak woodland that will not be disturbed.

CULTURAL RESOURCES:

MITIGATION 7: Archeological Resources
In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator Of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

GEOLOGY AND SOILS

MITIGATION 8: Geotechnical Evaluation
Submit a Geotechnical Engineer's Plan Review Letter that verified the plans conform with the intent of the recommendations presented in the Engineering Geologic & Geotechnical Investigation (dated 12-17-2012). In addition, prior to Final Inspection, submit a Construction Observations Letter that verifies the work was completed in conformance with the plans.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Mitigated Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:
Priya Cherukuru, Planner III

Approved by:
Rob Eastwood, Principal Planner, AICP