11183-17A-17G (STANFORD UNIVERSITY)

Architecture and Site Approval and Grading Approval – Lagunita Dam Diversion Project

Summary: Architecture and Site Approval and Grading Approval for the removal of existing Lagunita Diversion Dam on San Francisquito Creek and associated creek restoration, with project improvements in San Mateo County and Santa Clara County. Estimated grading quantities within Santa Clara County are 2,877 c.y. of cut, and 4,040 c.y. of fill.

Owner: Stanford University
Applicant: Rachel Bajerano, Project Manager
Address: 96 Alta Road, Stanford
APN: 142-12-009

Community Plan Designation: Foothills
Zoning: SCA and OSF (Special Conservation Area and Open Space/Field Research)
Project Area: 3.57 acres
Land Use Classification: University Campus
Supervisorial District: 5

RECOMMENDED ACTIONS

A. Accept that the project is exempt from CEQA per California Code of regulations, Title 14, Section 15333 Class 33.
B. Grant Architecture & Site Approval (ASA) and Grading Approval, subject to conditions of approval.
ATTACHMENTS INCLUDED

Attachment A – Notice of Exemption with Exhibit A
Attachment B – Proposed ASA & Grading Conditions of Approval
Attachment C – Location and Proposed Plans
Attachment D – Historical Evaluation for Lagunita Diversion Dam

PROJECT DESCRIPTION

The project includes the removal of the existing Lagunita Diversion Dam built in 1889 on San Francisquito Creek, a nonoperational 8-foot-high concrete dam, and restoration of the creek via the creation of a pool-riffle bedform along a 480-foot reach of stream, to improve fish passage and sediment transport. The project is located in mapped oak woodland and is in the vicinity of mapped prehistoric artifacts. (See Attachment E).

The dam spans the County boundary line, and crosses over to San Mateo County. The applicant has applied for approvals and permits simultaneously with both jurisdictions to commence removal of the dam in summer of 2018.

As part of the project, 1 to 3 oak trees and 33 non-oak- trees are proposed for removal and will be replaced with 222 non-oak trees. Estimated grading quantities are 2,877 c.y. of cut, and 4,040 c.y. of fill.

REASONS FOR RECOMMENDATION

A. Environmental Review and Determination (CEQA)
   The County has determined that the project is exempt per Section 15333 Class 33 for Small Habitat Restoration Project, because the project is restoring habitat for passage of fish habitat.

   The State of California also approved a Notice of Exemption dated March 20, 2017. stating that the project is exempt per Section 15333 Class 33. (See Exhibit A in Attachment A).

B. Project/Proposal
   1. Stanford Community Plan and GUP. The project conforms to applicable Community Plan goals, strategies and policies. Creek restoration projects that enhance the environment are permitted within the Academic Campus designation, and as conditioned will satisfy the requirements of the GUP. The 2000 Community Plan and GUP governs development projects on the Stanford campus. This project conforms to the criteria set forth by the GUP and provisions identified within the Community Plan, and subject to compliance with the preliminary conditions outlined in Attachment B.

   2. ASA approval:
      ASA approval standards, applicable regulations, and findings: The project substantially conforms to the requirements and guidelines in the SCP and GUP. These requirements meet all of the ASA Guidelines through the ASA approval process approved by the Zoning Administrator.
C. **ASA Findings:**

Pursuant to §5.40.040 of the County Zoning Ordinance, the Zoning Administrator may grant an Architecture & Site Approval contingent upon specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

A. **Adequate traffic safety, on-site circulation, parking and loading areas, and insignificant effect of the development on traffic movement in the area;**

*Long-term traffic*

The project is a natural restoration project and will not result in any new traffic to the area. As such, the traffic would be consistent with that analyzed in the prior 2000 GUP EIR.

*Short-term construction traffic*

The project will result in short-term impacts related to construction activities, however conditions of approval have been added to this project to mitigate these short-term impacts to a less than significant level. All construction trucks will be required to use approved truck routes, for excavating materials and for transporting construction materials to and from the site. Furthermore, the project has been conditioned to restrict construction material deliveries to non-peak hours, as defined the 2000 GUP EIR. Additionally, the applicant is proposing to balance all grading on-site, which will reduce construction-related trips as export of grading materials will not be proposed. Compliance with the conditions of approval (Attachment B) ensures that the short-term construction traffic associated with the project does not have a significant effect on traffic movement in the area.

*Parking*

There are no parking spaces proposed to be built or removed as part of this project. There is adequate parking for maintenance crews and construction crews during the project implementation period.

B. **Appearance of proposed site development and structures, including signs will not be detrimental to the character of the surrounding neighborhood or zoning district;**

The proposed removal of an existing dam and restoring the creek to its natural environment will enhance the character of the area. The project, as proposed, will not be detrimental to the surrounding area or neighborhood. The project is located in the SCA and OSF Zoning Districts, and the natural stream restoration is consistent with the zoning.

C. **Appearance and continued maintenance of proposed landscaping will not be detrimental to the character of the surrounding neighborhood or zoning district;**

The GUP and the Stanford Community Plan require that replacement trees for those removed that are 12 inches or greater in diameter at 4.5 feet from grade level be planted at a 1:1 ratio for all non-oak trees and all protected oak trees be replaced at a 1:3 ratio.
One to three oak tree and 33 non-oak trees are proposed for removal and be replaced by 222 trees per the attached landscape plans.

Staff has added a condition of approval requiring that the landscaping meet the requirements of the SCP and GUP, as well as be similar to the existing site landscaping in the immediate area. The final landscape plan is also subject to the requirements of the County Sustainable Landscape Ordinance. As such, the final landscape plan will not be detrimental to the character of the surrounding area.

D. No significant, unmitigated adverse public health, safety and environmental effects of proposed development;

The project would not result in any significant impacts as it relates to public health, safety, or environmental effects. The project has been reviewed with respect to all applicable regulations relating to public health and safety. Staff has added conditions of approval to the project to ensure no impacts occur as a result of the proposed grading and site restoration. Furthermore, a Notice of Exemption by CDFW was filed for the project on March 20, 2017.

E. No adverse effect of the development on flood control, storm drainage, and surface water drainage;

The project site is located at the San Francisquito Creek. The project site is located within a 100-year flood zone. The project has been reviewed by County Staff with respect to all applicable regulations relating to drainage and flood control. The project has been conditioned (Attachment B) to comply with the C3 requirements of the NPDES permit.

F. Adequate existing and proposed fire protection improvements to serve the development;

The Fire Marshal’s Division has reviewed the project plans to ensure the parking lot meets fire protection access regulations.

G. No significant increase in noise levels;

Due to the nature of the proposed use, and its location within the Stanford Campus area, the project is not anticipated to cause any significant increases in noise levels to surrounding neighborhoods. The project may create short-term/temporary construction noise impacts due to construction activities and construction traffic. The project has been conditioned to require submittal of a Traffic and Construction Management Plan. Furthermore, construction activities shall be limited to the hours of 7AM and 7PM, Monday through Saturday, with no construction activity occurring after 7PM or on Sundays.
H. Conformance with zoning standards, unless such standards are expressly eligible for modification by the Zoning Administrator as specified in the Zoning Ordinance.

The property is zoned Special Conservation Area and Open Space and Field Research base zoning districts that provides for preserving the natural habitat and environment. The standards applicable to development within this zoning district are listed in Table 2.50-2 of the County Zoning Ordinance.

I. Substantial conformance with the adopted “Guidelines for Architecture and Site Approval” and other applicable guidelines adopted by the County.

Suggested regulations that are addressed in the ASA Guidelines are superseded by the requirements and guidelines of the SCP and GUP. Nonetheless, conformance with the SCP and GUP are consistent with the ASA Guidelines.

Grading Findings:
Pursuant to Section C12-433, all Grading Approvals are subject to specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

A. The amount, design, location, and the nature of any proposed grading is necessary to establish or maintain a use presently permitted by law on the property.

A total of 6,917 cubic yards of total grading is associated with the proposed project within the County’s jurisdiction, which includes no cut and only fill to restore the creek bed. This grading is primarily used to ensure proper drainage on the site as required by the Stormwater Management Plan, and are proposed to be balanced on-site to reduce export quantities and construction trips. The amount, design, location and the nature of proposed grading is necessary to establish the improvements, which are a permissible use in the zoning district.

B. The grading will not endanger public and/or private property, endanger public health and safety, will not result in excessive deposition of debris or soil in the watercourse.

The applicant will be required to obtain a Grading Permit through the County’s Land Development Engineering, which will ensure that that the project adequately drains to an approved location. Adequate precautions and best management practices will be required to protect the stream and the natural habitat.

C. Grading will minimize impacts to the natural landscape, scenic, biological and aquatic resources, and minimize erosion impacts.

The proposed project is a stream restoration project and grading has been designed to minimize impacts to existing landscaping, and will not result in any scenic, biological, or...
aquatic resource impacts. Furthermore, 222 trees will be planted to enhance the environment and scenic resources in the area.

D. **For grading associated with a new building or development site, the subject site shall be one that minimizes grading in comparison with other available development sites, taking into consideration other development constraints and regulations applicable to the project.**

The proposed project is a stream restoration project and grading has been designed to minimize impacts to existing landscaping, and will not result in any scenic, biological, or aquatic resource impacts. The proposed grading, with compliance with conditions of approval in Attachment B, will be in conformance with all applicable regulations.

E. **Grading and associated improvements will conform with the natural terrain and existing topography of the site as much as possible, and should not create a significant visual scar.**

As noted in Finding D above, the project site is a stream restoration project. The proposed grading is designed to conform with existing topography, and will therefore not result in any visual impacts. The project proposes to maintain similar elevations. In addition, new landscaping is proposed to keep the site aesthetically pleasing.

F. **Grading conforms with any applicable general plan or specific plan policies; and**

The proposed grading is in conformance with specific findings and policies identified in the County General Plan. The proposed grading is designed to minimize grading and to reduce visual impacts from surrounding uses in keeping with General Plan policies. The proposed grading is compatible with the surrounding natural areas.

G. **Grading substantially conforms with the adopted "Guidelines for Grading and Hillside Development" and other applicable guidelines adopted by the County.**

The project site is in the SCA/OSF Zoning on Stanford University. This finding does not apply to the site.

**BACKGROUND**

On December 12, 2000, the County of Santa Clara ("County") approved the 2000 Stanford University Community Plan and General Use Permit (GUP), governing development projects on the Stanford campus. The GUP allows Stanford to construct up to 2,035,000 net square feet of academic and academic support uses, 3,018 new housing units, and 2,300 net new parking spaces on Stanford lands.

The application for Architecture and Site Approval, and Grading Approval was submitted on December 21, 2017, and was subsequently deemed complete on February 5, 2018. A public notice was mailed to all property owners within a 300 foot radius in Santa Clara County and Sam
Matco County on February 15, 2018, and was also published in the San Jose Post Records on the same date.

**STAFF REPORT REVIEW**

Prepared by: Kavitha Kumar, Senior Planner
Reviewed by: Leza Mikhail, Principal Planner
Notice of Exemption from CEQA

To: County Clerk-Recorder  
County of Santa Clara

Office of Planning & Research  
PO Box 3044, Room 222  
Sacramento, CA 95812-3044

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<th>Person or Agency Carrying Out Project</th>
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<td>Stanford University</td>
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<td>☐ Declared Emergency [15269(a)]:</td>
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<td>☐ General Rule [CEQA Guidelines 15061(b)(3)]:</td>
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Reasons the project is exempt:
The County has determined that the project is exempt per Section 15333 Class 33 for Small Habitat Restoration Project, because the project is restoring habitat for passage of fish habitat.

The State of California also approved a Notice of Exemption dated March 20, 2017, stating that the project is exempt per Section 15333 Class 33. (See Exhibit A).

<table>
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<tr>
<th>County Contact Person</th>
<th>Title</th>
<th>Telephone Number</th>
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<tr>
<td>Kavitha Kumar</td>
<td>Senior Planner</td>
<td>(408) 299-3</td>
</tr>
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</table>

Date: 2/22/18  
Signature: [Signature]

Name/Title: Kavitha Kumar / (408) 299-5783

Exhibit A: CDFW Notice of Exemption dated 3/20/2017
Notice of Exemption

To: Office of Planning and Research
For U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044

Street Address: 1400 Tenth Street
Sacramento, CA 95814

From: Department of Fish and Wildlife
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558

Project Title: Lagunita Diversion Dam Removal Project, (Request No. 1652-2016-010-001-R3)

Project Applicant: Rachel Bejerano, Leland Stanford Jr. University

Project Location (include county): The Project is located on San Francisquito Creek just north of the east end of Happy Hollow Lane approximately one mile southwest of Stanford University in the unincorporated area south of Menlo Park, in San Mateo County.

Project Description: Pursuant to Fish and Game Code section 1652, the California Department of Fish and Wildlife has approved the Lagunita Diversion Dam Removal Project submitted by Leland Stanford Jr. University.

The Project includes removal of the existing Lagunita Diversion Dam on San Francisquito Creek, a nonoperational 8-foot-high concrete dam, and restoration of the stream bed to improve fish passage and sediment transport. Habitat complexity will be increased by removing the dam, headwalls and gate valves, and by creation of a pool-riffle bedform along a 400-foot reach of stream. Specifically, the Project will provide a net benefit to steelhead by increasing the length and depth of pools, improving spawning gravel retention and deposition downstream of scour areas, and providing additional pool shelter.

Public Agency Approving Project: California Department of Fish and Wildlife

Person or Public Agency Carrying Out Project: Leland Stanford Jr. University

Exempt Status: ☑ Categorical Exemption. Type – Class 33 California Code of Regulations, title 14, section 15333

Reasons why project is exempt: Class 33 consists of small projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife.

CDFW Contact Person: Randi Adair, Senior Environmental Scientist Supervisor, (707) 576-2786

Signature: [Signature]
Sandra Morey, Deputy Director

Date received for filing at OPR: ____________________

Governor's Office of Planning & Research
MAR 23 2017
STATE CLEARINGHOUSE
Architectural & Site Approval and Grading Approval
Preliminary Conditions of Approval
ATTACHMENT B

FILE NUMBER: 11183-17A-17G

NAME (Applicant): Stanford University

MEETING DATE: March 1, 2018

PROJECT DESCRIPTION: Architecture and Site Approval and Grading Approval for the removal of existing Lagunita Diversion Dam on San Francisquito Creek and associated creek restoration, with project improvements in San Mateo County and Santa Clara County. Estimated grading quantities within Santa Clara County are 2,877 c.y. of cut, and 4,040 c.y. of fill.

APPLICATION APPROVED SUBJECT TO CONDITIONS STATED BELOW IN ACCORDANCE WITH PLANS AS SUBMITTED.

Items marked with one asterisk (*) must be completed prior to grading permit issuance.
Items marked with three asterisks (**) must be completed prior to completion of grading.
Items marked with four asterisks (****) must be completed prior to final inspection.

Planning
For more information regarding the following conditions, contact Kavitha Kumar at (408) 299-5783 or kavitha.kumar@pin.sccgov.org.

1. Development and maintenance of the project site shall take place in accordance with approved plans, received by the Planning Department on December 21, 2017. The project is the removal of existing Lagunita Diversion Dam on San Francisquito Creek and associated creek restoration.

2.* Provide written copies of permits obtained by the California State Department of Fish and Wildlife, the San Francisco Bay Regional Water Quality Control Board, and the US Army Corps of Engineers demonstrating approval of the project design. This is required because the regulatory agencies' permits may have required design changes, or the conditions of approval/mitigations may require design changes.

3.* Provide written copies of approval and associated permits from San Mateo County to coordinate design and implementation.

4.* The project shall comply with all applicable Stanford University 2000 General Use Permit Conditions of Approval, and the approvals from California State Department of Fish and Wildlife, the San Francisco Bay Regional Water Quality Control Board, and the US Army Corps of Engineers.
5. Stanford shall be responsible for paying all reasonable costs associated with work by the County Planning Department, or with work conducted under the supervision of the County Planning Office, in conjunction with, or in any way related to the conditions of approval identified in this project. This includes but is not limited to costs for staff time, consultant fees, and direct costs associated with report production and distribution.

6* Place a construction note on the site plan that states the following: “The Bay Area Air Quality Management District (BAAQMD) has identified a set of feasible PM10 control measures for all construction activities. These control measures, as previously required in the Program EIR, shall be adhered to during all construction activities.
A. Water all active construction areas at least twice daily;
B. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
C. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
D. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
E. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
F. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
G. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand,);
H. Limit traffic speeds on unpaved roads to 15 mph;
I. Install fiber rolls, sandbags or other erosion control measures to prevent silt runoff to public roadways;
J. Replant vegetation in disturbed areas as quickly as possible;
K. Install wheel washers for all existing trucks, or wash off the tires of tracks of all trucks and equipment leaving the site; and
L. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.”

7.* Place a construction note on the site plan that states the following: “All construction contractors shall properly maintain the equipment and where feasible, use “clean fuel” equipment and emissions control technology (eg., CNG fired engines, catalytic converters, particulate traps, etc.). Measures to reduce diesel emission would be considered feasible when they are capable of being used on equipment without interfering substantially with equipment performance.”

8.* Final grading permit plans shall include the following construction notes:
A. Construction materials delivered from off campus shall not be delivered between the hours of 7:00 AM to 9:00 AM and 4:00 to 6:00 PM on weekdays. No export of fill is allowed as grading is balanced.

9.* Submit a Construction Management and Logistics Plan prior to issuance of any demolition, grading permits that clearly identifies the elements listed below (G.12):
A. Provide off-street construction related parking. Identify off-street parking location(s) on site plan for all construction related vehicles (employee parking and construction equipment) throughout the construction period. If adequate parking cannot be provided on the construction sites, identify on the site plan or vicinity map the satellite parking location(s) that will be used.

B. Prohibit impacts to accessing public transit access and movement of public transit vehicles. Identify on site plan all temporary or permanent access limitations, re-routes, lane closures, or limits to public transit movements or place a note on the site plan stating “No temporary or permanent access limitations, re-routes, lane closures, or limits to public transit movement are permitted.”

C. Prohibit roadway construction activities from reducing roadway capacity during Stanford major athletic and special events. Stanford shall not limit roadway capacity during special events or during major athletic events, which attract a large number of visitors to the campus.

D. Provide written notification to Stanford Police and Palo Alto Fire Department regarding construction location and construction dates. Include in the notices alternate evacuation and emergency route designations to maintain response times during construction periods, if applicable. Provide one copy of the notices to the County.

E. Provide written notification to all contractors and subcontractors regarding appropriate routes and weight limits and speed limits for local roads used to access construction sites. Provide one copy of the notices to the County Planning Office.

F. Provide notification to the Cities of Palo Alto and Menlo Park of the construction schedule and include a copy of the Santa Clara County approved Construction and Traffic Management Plan. Provide one copy of the notices to the County Planning Office.

10.** Incorporate any applicable water conservation and recycling measures into the project building plans, which may include but not be limited to: water efficient landscape, landscape water management, and public outreach.

11.* Landscape Plan: The requirements of Division B33 of the County Ordinance Code (Sustainable Landscape Ordinance) shall apply. As proposed, the total landscape area exceeds 2,500 sq. ft., and therefore a landscape documentation package shall be submitted prior to grading permit issuance for review and approval. New landscaping shall be similar to existing landscaping on-site and meet all Stanford Community Plan and General Use Permit requirements. The submittal shall include a landscaping plan and irrigation plan, stamped and signed by a licensed landscape architect. Submit two (2) copies of the final landscape plan and associated irrigation systems, prepared and stamped by a licensed landscape architect.

The landscape ordinance and supporting information can be found on the Planning Department web site:

https://www.sccgov.org/sites/dpd/PlansOrdinances/Landscape/Pages/weloapply.aspx
12. ** Following completion of construction, contact Kavitha Kumar at (408) 299-5783 to schedule a site visit to verify the approved improvements. Contact the Planning Department at least two weeks in advance to set up an appointment.

13. In the event that previously unidentified historic or prehistoric archaeological resources are discovered during construction, the contractor shall cease work in the immediate area and the County Planning Office and Campus Archaeologist shall be contacted. An independent qualified archaeologist retained by the County at the expense of Stanford shall assess the significance of the find and make mitigation recommendations.

14. If archeological resources are discovered as described above, construction monitoring shall be conducted at any time ground-disturbing activities (greater than 12 inches in depth) are taking place in the immediate vicinity of the identified resources. If monitoring does not produce evidence of significant cultural resources within the project area, further mitigation shall be limited to construction monitoring, unless additional testing or other specific mitigation measures are determined by a qualified archaeologist to be necessary to ensure avoidance of damage to significant archaeological resources. A technical report of findings describing the results of all monitoring shall be prepared in accordance with professional standards. The archaeological monitoring program shall be implemented by an individual meeting the Secretary of Interior Professional Qualifications Standards in Archaeology (36 CFR 61); individual field monitors shall be qualified in the recognition of cultural resources and possess sufficient academic and field training as required to conduct the work effectively and without undue delay.

15. 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.

16. In the event that fossilized shell or bone is uncovered during any earth-disturbing operation, contractors shall stop work in the immediate area of the find and notify the Campus Archaeologist and the County Building Inspector assigned to the project. The Campus Archaeologist shall visit the site and make recommendations for treatment of the find (including but not limited to consultation with a paleontologist and excavation, if warranted), which would be sent to the County Building Inspection Office and the County Planning Office. If a fossil find is confirmed, it will be recorded with the United States Geological Survey and curated in an appropriate repository.

17.* Adequate signs shall be posted along the street frontages or in front of the project site, no smaller than 1,296 square inches in size, containing the name, telephone number, and email
address of the appropriate Stanford person the public may contact to register a complaint about construction noise. Additionally, Stanford shall create an outreach and information portal to facilitate information and alerts to be delivered to the immediate neighborhoods on construction activities. Stanford shall keep a written record of all such complaints and shall provide copies of these records to the County Planning Office.

18.* Preconstruction surveys for nesting raptors and migratory birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between January 1 and April 30, preconstruction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree removal. Between May 1 and August 31, preconstruction surveys no more than 30 days prior to the initiation of these activities. Stanford University shall conduct an additional preconstruction survey within 24 hours of initiation of construction activities, by the Campus Biologist, to verify no new nesting has occurred. If an active nest is found near, or in close proximity to, the construction area where the nest could be disturbed by these activities, the ornithologist or Campus Biologist, shall, in consultation with the California Department of Fish and Game, designate a construction free buffer zone (typically 250 feet) around the nest.

19.***Following completion of construction, contact Kavitha Kumar at (408) 299-5783 to schedule a site visit to verify that the approved landscaping has been installed. Contact the Planning Office at least two weeks in advance to set up an appointment.

**Land Development Engineering**

For more information regarding the following conditions, contact Ed Duazo at (408) 299-5733 or ed.duazo@pln.sccgov.org.

Plan Review and Process:

20.* Obtain a Grading Permit from Land Development Engineering (LDE) prior to beginning any construction activities. The process for obtaining a Grading Permit and the forms that are required can be found at the following web page:

www.sccplanning.org > I Want to... > Apply for a Permit > Grading Permit

Expect four to six weeks for plan review and plan check comments. Please contact LDE at (299-5734) for additional information and timelines.

21.* Final plans shall include a single sheet which contains the County standard notes and certificates as shown on County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.

Improvement Plans:

22.* Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading, and details as appropriate for construction. The
The final design shall be in conformance with all currently adopted standards and ordinances. The following standards (Land Development Engineering Standards and Policies Manual, Volume 1, and 2007 Santa Clara County Drainage Manual) are available on-line:

- www.sccplanning.org > Plans & Ordinances > Land Development Standards and Policies
- www.sccplanning.org > Plans & Ordinances > Grading and Drainage Ordinance

23.* Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed prior to construction and new monuments shall be set prior to final acceptance of the improvements. The permanent survey monuments shall be set pursuant to the State Land Surveyor’s Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

24.** Existing and set permanent survey monuments shall be verified by inspectors prior to final acceptance of the improvements by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.

25.* The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period. Include the County’s Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.

26.* Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB website is at:
www.waterboards.ca.gov > Water Issues > Programs > Stormwater

Other Conditions:

27.** Construct all of the aforementioned improvements. Construction staking is required and shall be the responsibility of the developer.
Fire Marshal’s Office
For more information regarding the following conditions, contact Alex Goff at (408) 299-5763 or alex.goff@sccfd.org.

FIRE DEPARTMENT ACCESS
IMPORTANT: All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation and shall be maintained throughout construction. A Stop-Work order may be placed on the project if required driving surfaces are not installed, accessible, and/or maintained.

28.* Submit a construction site fire safety plan.

Geology
For more information regarding the following conditions, contact Jim Baker at (408) 299-5774.

29.* Submit a Construction Observations Letter that verifies the work was completed in accordance with the approved plans.
December 28, 2017

In reply refer to: COE_2017_1211_001

Greg Brown
Senior Project Manager, Regulatory Division
San Francisco District
U.S. Army Corps of Engineers
1455 Market Street
San Francisco, CA 94103-1398

Subject: Section 106 Consultation for the Lagunita Diversion Dam Removal Project on the border between Santa Clara and San Mateo County, California (SPK-2014-004285)

Dear Mr. Brown:

The California State Historic Preservation Officer (SHPO) received your letter on December 11, 2017, requesting review and comment with regard to the proposed Lagunita Diversion Dam Removal Project on the border between Santa Clara and San Mateo County, California. The Army Corps of Engineers (COE) is consulting with me pursuant to the 36 CFR Part 800 (as amended 8-05-04), the regulations implementing Section 106 of the National Historic Preservation Act (NHPA). Along with your consultation letter, you also provided the following documents:

- Cultural Resources Inventory Report for the Lagunita Diversion Dam Removal Project (AECOM 2017)
- San Francisquito Creek Weir Description & Evaluation (Anthony Kirk, Ph.D. 2015)

The COE may issue a permit for the proposed undertaking’s activities that fall under Section 404 of the Clean Water Act to allow Stanford University (Applicant) to remove the Lagunita Diversion Dam Facility on San Francisquito Creek in order to enhance habitat and passage for steelhead and other native aquatic species. The overall project area is 3.6 acres and is situated on an undeveloped area of Stanford University. The COE has defined the Area of Potential Effects (APE) as their permit area, including 480 linear feet of San Francisquito Creek surrounding the dam, its associated headwalls and gate valves, and the area of excavation upstream of the dam to remove accumulated sediment and to construct a pool-riffle channel bedform. The APE also includes the existing access routes on Piers Lane and two staging areas.
Historic property identification efforts for this undertaking included a records search and pedestrian survey of the APE conducted in 2017 by AECOM. The records search did not identify any previously recorded resources; however, Stanford University provided site records for three cultural resources that are located within the APE. These include the Piers Lane prehistoric archaeological site, the historic-era Lagunita Diversion Dam (also known as the San Francisquito Creek Weir) and the historic-era Coon/Piers Ranch Property. Additionally, the historic-era Isolation Hospital is located immediately adjacent to the APE. None of these resources are on file with the California Historical Resources Information System. The pedestrian survey covered the access routes and staging areas in addition to the area surrounding the dam. The survey did not identify any additional cultural resources within the APE. The area surrounding the Piers Lane haul road was closely inspected for signs of the Piers Lane archaeological site that is bisected by the road. It was determined that the road sufficiently caps the site and use of the road would not present any new effect to the site. Stanford University had previously conducted subsurface testing to support this fact and to delineate the boundaries of the site. The field survey also determined that the shed and former dairy barn that are the only standing structures of the Coon/Piers Ranch are both located outside of the APE. Furthermore, the field survey confirmed that the nearby Isolation Hospital is sufficiently set back from Piers Lane to warrant its exclusion from the APE. The COE has determined that of the three cultural resources located within the APE, the Piers Road Archaeological site is the only one that is eligible for listing on the National Register of Historic Places (NRHP). This site was determined eligible for listing under criterion D for its potential to yield important scientific information. The Lagunita Diversion Dam was evaluated by an architectural historian who determined that it did not retain sufficient integrity to be eligible for listing on the NRHP due to significant alterations and damage. The Coons/Pier Ranch was also determined not eligible for listing on the NRHP.

The COE contacted the Native American Heritage Commission (NAHC) in July 2016. The NAHC responded indicating that no sacred lands were identified within the project area and provided a list of Native American contacts for the area. The COE sent coordination letters to the contacts listed by the NAHC on October 6, 2016 and sent e-mails on October 19, 2016. One general response letter was received from the Ohlone/Costanoan-Esellen Nation but no comments specific to the proposed project location were received.

The COE has determined that the project would sufficiently avoid the Piers Road Prehistoric Archaeological site and is therefore requesting my concurrence on their finding of no adverse effect. After reviewing the submitted materials, I have the following comments:

- I concur that the Lagunita Diversion Dam and the Coon/Piers Ranch Property are not eligible for listing on the NRHP.
I concur that the Piers Lane Archaeological site is eligible for listing on the NRHP under Criterion D.

Pursuant to 36 CFR 800.5(d)(1), I do not object to a finding of no adverse effect for this undertaking.

Please ensure that all cultural resources located within the project area are filed with the appropriate CHRIS Information Center along with a copy of this letter so that they can be assigned a Primary Number and Trinomial.

Please be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the COE may have additional future responsibilities for this undertaking under 36 CFR Part 800.

If you have any questions, please contact Jessica Tudor of my staff at (916) 445-7016 or jessica.tudor@parks.ca.gov.

Sincerely,

[Signature]

Julianne Polanco
State Historic Preservation Officer
Dear Kavitha,

Stanford is applying for a grading permit and ASA approval for the Lagunita Diversion Dam Removal and Creek Restoration Project. I have reviewed the proposed project many times over the course of design development and I am confident that the proposed project will not result in significant adverse impacts to cultural resources.

My team of qualified archaeologists has surveyed the project area, including the access roads and staging areas. In addition, a Record Search was conducted at the NWIC and Heritage Services reviewed university archival sources as well. The table below summarizes the findings of these reviews:

<table>
<thead>
<tr>
<th>Resource name</th>
<th>Resource Type</th>
<th>Eligible?</th>
<th>Potential Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Piers Lane Bridge #1</td>
<td>Structure</td>
<td>No (Calif. Div. of Dams Survey)</td>
<td>No</td>
</tr>
<tr>
<td>Coon Estate</td>
<td>Archaeological site</td>
<td>Yes (DPR on file at NWIC)</td>
<td>No</td>
</tr>
<tr>
<td>Isolation Hospital</td>
<td>Building</td>
<td>Yes (Draft DPR)</td>
<td>No</td>
</tr>
<tr>
<td>Piers Cottage</td>
<td>Building</td>
<td>No – demolished 2015</td>
<td>No</td>
</tr>
<tr>
<td>Rock Quarry</td>
<td>Site</td>
<td>Not evaluated</td>
<td>No</td>
</tr>
<tr>
<td>Lagunita Diversion Dam</td>
<td>Structure</td>
<td>No (DPR attached)</td>
<td>No (not eligible)</td>
</tr>
<tr>
<td>Piers Lane Site</td>
<td>Archaeological site</td>
<td>Yes (Draft DPR)</td>
<td>Less Than Significant</td>
</tr>
<tr>
<td>Reburial Site</td>
<td>Reburial Site</td>
<td>Yes (Sacred Lands Inventory)</td>
<td>No</td>
</tr>
</tbody>
</table>

Stanford GUP Conditions of Approval include specific conditions that address cultural resources. The first cultural resources condition is relevant to the demolition of the Lagunita Diversion Dam:

*O.1. For any building project that involves demolition of a structure that is 50 years old or more, Stanford shall submit an assessment of the structure regarding its eligibility for listing to the County Planning Office. If the County Planning Office determines that the structure is listed or potentially eligible for listing on a federal, state, or local list of historic resources, or is a potential historic resource,
then a site-specific analysis of the impact and any feasible mitigation measures shall be prepared as part of the environmental review of the project and the demolition will be referred to the Santa Clara County Historic Heritage Commission for its recommendation prior to County consideration of approval of a demolition permit.

The Lagunita Diversion Dam was initially constructed in 1889 and modified in 1908, 1920, 1922, 1927, 1930, and 1956. The attached historical assessment by Dr. Anthony Kirk finds that the structure does not meet the criteria for listing on the California Register and is not a potential historic resource.

A second set of cultural resources conditions applies to the archaeological site (Piers Lane Archaeological Site) adjacent to the project area:

O.3. Stanford shall provide a map to the County Planning Office, to be maintained as a confidential record, that shows the location of all known prehistoric and historic archaeological resources in the unincorporated Santa Clara County portion of Stanford lands. All site assessments and monitoring shall be conducted and mitigation measures identified by either the Stanford Campus Archaeologist or an independent archaeologist retained by the County at Stanford’s expense, at the discretion of the County Planning Office; if such work is performed by Stanford’s archaeologist, the assessment, mitigations, and/or monitoring reports shall be forwarded to the County Planning Office for review at Stanford’s expense. Impacts from individual projects on prehistoric and historic archaeological resources shall be addressed as specified below:

a. If a proposed building project is sited on a mapped prehistoric archaeological site, an independent qualified archaeologist retained by the County at the expense of Stanford shall conduct further site-specific analysis to determine whether a significant impact would occur and to identify appropriate mitigation. Site-specific mitigation shall be identified in accordance with the provisions of Section 21083.2 of the Public Resources Code.

b. In the event that previously unidentified historic or prehistoric archaeological resources be discovered during building construction, the contractor shall cease work in the immediate area and the County Planning Office and Campus Archaeologist shall be contacted. An independent qualified archaeologist retained by the County at the expense of Stanford shall assess the significance of the find and make mitigation recommendations.

c. Construction monitoring for historic or prehistoric archaeological resources shall be conducted at any time ground-disturbing activities (greater than 12 inches in depth) are taking place in the immediate vicinity of cultural resources. If monitoring does not produce evidence of significant cultural resources within the project area, further mitigation shall be limited to construction monitoring, unless additional testing or other specific mitigation measures are determined by a qualified archaeologist to be necessary to ensure avoidance of damage to significant archaeological resources. A technical report of findings describing the results of all monitoring shall be prepared in accordance with professional standards. The archaeological monitoring program shall be implemented by an individual meeting the Secretary of Interior Professional Qualifications Standards in Archaeology (36 CFR 61); individual field monitors shall be qualified in the recognition of cultural resources and possess sufficient academic and field training as required to conduct the work effectively and without undue delay.

d. 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
The Piers Lane Archaeological Site, a Native American cultural site, was discovered during a survey conducted to assist in planning for the proposed removal of the Lagunita Diversion Dam. The site boundaries were mapped based on surface distribution of Native American artifacts. Stanford archaeologists hand-excavated eighteen test pits in 2015 and 2016 to obtain information to address eligibility of the site for listing on the California Register. Based on the results of that testing, Stanford archaeologists concluded that the site appears to meet the criteria for listing and should be considered a potential historic resource. A draft DPR for the archaeological site has been completed.

The Piers Lane Archaeological Site is known to contain Native American graves. In 2000, a pipeline project encountered fragments of human bone which, after consultation with the Most Likely Descendant appointed by the Native American Heritage Commission, were reburied on site. A Native American observer, Ms. Rosemary Cambra (Chairperson of the Muwekma Ohlone Tribe) advised Stanford archaeologists during the testing process at the site. In 2016, fourteen small fragments of human bone were identified by a professional osteologist during cleaning of materials recovered from the test excavations. These finds were reported to the Santa Clara County Coroner on September 28, 2016 (Case 16-03339). Despite repeated contacts with the Native American Heritage Commission, the appointed Most Likely Descendant declined to contact Stanford University to discuss treatment and disposition of the remains. Therefore, pursuant to State law, the remains will be reburied on the property and no further scientific investigation will be performed on these remains.

The proposed Lagunita Diversion Dam Removal and Creek Restoration Project has been designed to avoid impacts to the Piers Lane Archaeological Site and Reburial Site. The proposed temporary access routes have been located outside of the site boundaries. The boundary of the archaeological site along the creek bank is somewhat uncertain – this area was not entirely surveyable or testable given its steep slope, extensive cover of poison oak, and the instability of portions of the collapsed flume. Stanford archaeologists’ best judgment, based on visual survey of accessible portions of the flume, is that the site deposit does not extend down the slope to the flume. Nevertheless, the project should be considered to be in the “immediate vicinity” of a cultural resource and GUP Conditions O.3.c and O.3.d will be implemented.

Compliance with GUP Conditions O.3.c and O.3.d will ensure that potential finds are identified and reported as required. A qualified archaeologist will monitor all excavation activities associated with the project, a technical report will be prepared summarizing the observations of the monitor and any human remains will be reported to the County Coroner initiating compliance with section 7050.5 of the State of California Health and Safety Code. Consistent with the findings that the County adopted when it approved the 2000 GUP, implementation of these measure will ensure that impacts are less than significant.
In addition, consultation with representatives of the Native American community will be initiated by the Army Corps of Engineers as part of the Section 106 compliance process. Stanford University will assist in and participate in the consultation process.

Summary

The proposed Lagunita Diversion Dam Removal and Creek Restoration Project does not result in demolition or removal of a significant cultural resource; however, the project site is located in the vicinity of a cultural resource. Stanford University archaeologists have conducted intensive survey activities in the area and these resources have been mapped and documented. The project has been designed to avoid impacts to cultural resources.

There is a potential for discovery of unknown cultural resources during project construction due to the proximity of the Piers Lane Archaeological Site to the Lagunita Diversion Dam and flume. An archaeological monitoring program in compliance with GUP Conditions O.3.c and O.3.d will ensure that finds are appropriately treated, reported and recorded such that no significant impact will occur. Stanford University understands and respects the cultural sensitivity of the Piers Lane Archaeological Site and Reburial Site and will continue to consult with Native American representatives throughout the implementation of the project.

Please let me know if you have any questions or concerns.

Sincerely,

Laura Jones, Ph.D.

University Archaeologist and Director, Heritage Services