

County of Santa Clara, California *Parks and Recreation Department
Planning & Development Section

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 21,000, et sec.) that the following project when implemented will not have a significant impact on the environment.

File None	APN(s) 729-57-002	Date 07/02/2025
Project Name Metcalf Motorcycle County Park - Site Plan	Project Type Park Improvement Project	
Owner County of Santa Clara	Applicant County of Santa Clara, Parks and Recreation Department	

Project Location

The proposed project site is within the existing Metcalf Motorcycle County Park (Park). The Park is an existing 459-acre off-highway vehicle (OHV) park that serves Bay Area residents’ recreational needs. The Park is located at 300 Metcalf Road in the hillsides of unincorporated Santa Clara County (Assessor’s Parcel Number [APN] 729-57-002). The project site includes the main visitor area of the Park. The project site is approximately 1.5 miles northeast of United States Route 101, and direct access to the project site is provided via Metcalf Road.

Project Description (attach additional pages as necessary)

The Metcalf Motorcycle County Park Site Plan Report proposes various improvements within the core-use area of the Park, including installation of a new visitor center, a vehicle wash, a restroom building, an unloading ramp, shade structures; construction of ADA improvements; creation of additional pathways; reconfiguration of parking areas; and improved connectivity between the main visitor area and OHV trails. Specifically, the project would include:

- Demolition of the existing administration building and construction of a new, 2,865-square-foot visitor center west of the main park entry and exit driveway, which would include staff offices, a break room, restrooms, showers, lockers, a mud room, a porch, first aid, and storage.
- Demolition of the existing restroom building and construction of a new restroom building in the southwest corner of the parking lot.
- Installation of one additional pedestrian shade shelter and a solar photovoltaic system shade structure along the perimeter of the parking lot and along the trail and pedestrian paths.
- Construction of a vehicle wash southwest of the visitor center for County Parks vehicles only
- Installation of a new trash enclosure at the southeast corner of the parking lot
- Installation of an unloading ramp at the northwest corner of the parking lot
- Reconfiguration of the parking area to improve vehicular circulation and meet ADA requirements
- Provision of pedestrian paths throughout the project site, including along the restroom building and visitor center, to provide enhanced access to the proposed buildings, trail entries, and gazebo. Dirt paths that separate pedestrians from OHV would provide access to the Beginner Oval and Novice motocross track.
- Installation of a new bioswale between the parking lot and the Beginner Oval to manage stormwater flows on the project site.

Purpose of Notice

The purpose of this notice is to inform you that the County of Santa Clara, Parks & Recreation Department has recommended that a Mitigated Negative Declaration be adopted for this project. Action is **tentatively** scheduled on this proposed Mitigated Negative Declaration before the County of Santa Clara Board of Supervisors on **November 4, 2025**, in the Board Chambers, 70 W. Hedding St., San Jose. It should be noted that the adoption 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. Meeting information will be posted on the County of Santa Clara’s website at www.sccgov.org under Board Agendas or contact the Office of the Clerk of the Board at (408) 299-5001.

Review Period

The public review period for this document **begins 07/01/2025** and **ends 07/31/2025**. Public comments regarding the correctness, completeness, or adequacy of this Mitigated Negative Declaration are invited. Such comments should be

based on specific environmental concerns. Written comments must be received on or before the close of the public review period and should be addressed to the **County of Santa Clara, Department of Parks and Recreation, Planning and Development Section, 5965 Silver Creek Valley Road, San Jose, CA, 95138, Tel (408) 355-2200,** attention Andy McClellan (*Associate Planner*). Oral comments may be made at the meeting. A file containing additional information on this project may be reviewed at the Department of Parks and Recreation. When requesting to view this file, please refer to the project title appearing at the top of this form.

Responsible Agencies sent copy of this document

Santa Clara Valley Habitat Agency
State Fire Marshal
United States Fish and Wildlife Service
California Department of Fish and Wildlife

This document has also been distributed to various public agencies through the State Clearinghouse.

The full text of the Initial Study may be viewed at the County of Santa Clara Parks and Recreation Department website:
www.parkhere.org

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Basis for Negative Declaration Recommendation

The Planning and Development Section of the Department of Parks and Recreation has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that the proposed project could not have a significant effect on the environment, or although the proposed project could initially have a significant effect on the environment, there will not be a significant effect on the environment because of mitigation measures that have been incorporated into the project.

This finding is based on the following considerations (See Note below):

The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole that the project, with mitigation measures incorporated, may have a significant effect on the environment.

See the following project-specific conditions (mitigation and avoidance) measures:

C. Air Quality

Mitigation Measure AQ-1

Basic Best Management Practices. Consistent with the Bay Area Air District (Air District) Basic Best Management Practices, the following controls are required to be included as specifications for the proposed project and implemented at the construction site:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or farther from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact the County of Santa Clara regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

D. Biological Resources

Mitigation Measure BIO-1:

California Tiger Salamander and California Red-Legged Frog. Due to the potential for California tiger salamander and California red-legged frog to occur in the project area, the following mitigation measure shall be implemented:

- Prior to the initiation of construction activities (including staging of equipment and clearing of vegetation) all personnel associated with project construction shall attend an Environmental Awareness Training. The training shall be prepared and conducted by a qualified biologist, to aid workers in recognizing special-status species and sensitive habitat that may occur in the project area. The specifics of

this program shall include identification of the special-status species and habitats, a description of the regulatory status, and review of the measures required to reduce impacts to biological resources on the project site. At the end of the training, all workers shall sign an attendance sheet to document their participation in the program and understanding of the measures.

- A qualified biologist shall survey the work site for special-status wildlife species within 24 hours before the beginning of construction. If special-status species are found in the construction area, they shall be afforded the opportunity to leave the construction area on their own. If relocation is necessary, the biologist shall contact CDFW and/or USFWS to determine if moving any of these species would be appropriate. If CDFW and/or USFWS approves moving these species, the approved biologist shall be allowed sufficient time to move the species from the work site before work activities begin. Otherwise, the individual species shall be allowed to move out of the project area on their own. Only CDFW- and/or USFWS-approved biologists shall participate in activities associated with the capture, handling, and monitoring of special-status species.
- In the unlikely event a special-status species is inadvertently killed or injured or if a special-status species is observed to be injured, dead, or entrapped, the construction crew shall stop work and notify the biologist who shall then notify the County, USFWS and/or CDFW.
- In order to avoid potential impacts to these species, grading activities shall not take place during or immediately following rain events.
- The County shall include in the contract specifications a requirement to use tightly woven fiber of natural materials (e.g., coir rolls or mats) or similar material for erosion control to ensure that special-status species do not get trapped. Plastic monofilament netting (erosion control matting) or similar material shall be prohibited on site.
- Construction personnel shall not feed or otherwise attract wildlife in the project area. All food-related trash and garbage shall be placed in animal-proof containers that shall be emptied or removed from the construction site on a regular basis.
- To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches with a greater than 1:1 (45 degree) slope of any depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks with a slope of 2:1. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals.

Mitigation Measure BIO-2:

Pre-Construction Nesting Bird Survey. The County shall schedule construction between September 1 and January 31 (inclusive) to avoid the nesting season for raptors and other migratory birds. If this is not possible, pre-construction surveys for nesting birds shall be conducted by a qualified biologist or ornithologist to identify active nests that may be disturbed during project implementation. Surveys shall be conducted no more than seven days prior to the initiation of construction activities. During this survey, the biologist shall inspect all trees and other potential nesting habitats (e.g., shrubs, ground and structures) in the impact area plus a surrounding 300-foot buffer for nests. If removal of potential nesting substrate or project grading will take place during more than one nesting season, or in different parts of the site in phases over the course of a single season, then additional preactivity surveys must be performed within 7 days prior to initiation of work in any particular area. If the preconstruction activity survey does not identify the presence of any active nests on or within 300 feet of the site, construction activities may proceed.

If nests known to have eggs or young, or that cannot be confirmed to be inactive or to lack eggs or young, are found, or adults are demonstrating nesting behavior, a qualified biologist shall establish an appropriate construction-free buffer around each nest. Generally, a buffer of 300 feet for raptors and 100 feet for songbirds are adequate to avoid causing nest abandonment. The buffer shall remain in place until the qualified biologist has confirmed that the nest is no longer active.

If less than a 100-foot nest buffer is necessary and determined to be appropriate for a particular nest or nests, a qualified biologist shall monitor the nest(s) before construction to document baseline nesting behavior and monitor the nest during construction to ensure nesting birds are not exhibiting signs of stress and territorial behavior. If signs of stress are observed during the monitoring, construction activities

shall cease or buffer shall increase, as determined by a qualified biologist, to a sufficient distance where the nesting birds are no longer exhibiting signs of stress.

To prevent encroachment, the buffer shall be clearly marked for avoidance. The established buffer shall remain in effect until the young have fledged or the nest is no longer active as confirmed by the biologist.

Mitigation Measure BIO-3

Pre-Construction Burrowing Owl Survey. The County shall implement the following measures to avoid impacts to nesting or non-nesting burrowing owls on or immediately adjacent to the site.

- Prior to any site disturbance, staging, or construction-related activities, a qualified biologist shall conduct burrowing owl preconstruction surveys in all suitable habitat areas on the project site and within 250 feet of all construction activity. The purpose of the preconstruction surveys is to document the presence or absence of burrowing owls on the project site and within 250 feet of construction activity in order to avoid direct impacts to burrowing owls. To maximize the likelihood of detecting owls, the preconstruction survey shall last a minimum of three hours. The survey shall begin one hour before sunrise and continue until two hours after sunrise (three hours total) or begin two hours before sunset and continue until one hour after sunset. A minimum of two surveys shall be conducted (if owls are detected on the first survey, a second survey is not needed). All owls observed shall be counted and their locations mapped.
- Surveys shall conclude no more than two calendar days prior to site disturbance, staging, or construction-related activities. Therefore, surveys shall begin no more than four days prior to construction (two days of surveying plus up to two days between surveys and construction). To avoid last-minute changes in schedule or contracting that may occur if burrowing owls are found, a preliminary survey may be conducted up to 14 days before construction. This preliminary survey may count as the first of the two required surveys as long as the second survey concludes no more than two calendar days in advance of construction.
- If burrowing owls are present during the nonbreeding season (September 1 to January 31), a 250-foot buffer zone shall be maintained around the occupied burrow(s) as determined by a qualified biologist, if feasible. If maintaining such a buffer is not feasible, then the buffer must be great enough to avoid injury or mortality of individual owls based on monitoring results. During the breeding season (generally February 1st to August 31st), a 250-foot buffer, within which no newly initiated project-related activities shall be permissible, shall be maintained between project activities and occupied burrows. Owls present between February 1 and August 31 shall be assumed to be nesting, and the 250-foot protected area shall remain in effect until August 31. If monitoring evidence indicates that the owls are no longer nesting or the young owls are foraging independently, the buffer may be reduced based on monitoring results, in consultation with the County and CDFW.
- If nesting owls are determined to be present on the site, and project activities cannot feasibly avoid disturbance of the area within 250 feet of the occupied burrow during the nesting season (i.e., February 1 through August 31) due to other seasonal constraints, a qualified biologist shall be present during all activities within 250 feet of the nest to monitor the owls' behavior. If, in the opinion of the qualified biologist, the owls are unduly disturbed (i.e., disturbed to the point of harm or reduced reproductive success), all work within 250 feet of the occupied burrow will cease until the nest is determined to no longer be active by a qualified biologist.

Mitigation Measure BIO-4

Special-Status Bats. The County shall implement the following measures to minimize impacts to bat species, some of which were adapted from Townsend's big-eared bat measures within the SCVHP:

- A qualified biologist shall conduct a pre-construction survey for roosting pallid bats and other bat species at all suitable bat roosting habitat at the trees proposed for removal and adjacent to the project site that would be subject to noise disturbance. The survey shall be conducted within 14 days prior to the beginning of construction.
- If active bat roosts are discovered or if evidence of recent occupation is established, then the biologist needs to determine if activities occurring near the roost are likely to disturb the roost, considering the type of roost (day, night, maternity, hibernation), types of construction activities, and sensitivity of the bat species. If the roost is

located within an adjacent tree that can be avoided, a buffer to be determined by the biologist, based on the location and sensitivity of the roost, shall be established around the roost site and maintained until the roost site is no longer active. If an active maternity roost is found in a tree slated for removal, active maternity roosts shall not be removed until the young have left the roost and are foraging independently or until the roost is no longer active. If the roost is occupied by a special-status bat species and the roost needs to be removed, CDFW shall be contacted regarding removal of the roost. If the roost is not a maternity roost and is not occupied by a special-status bat species, the roost may be removed by excluding bats from the roost. Roosts may only be removed once the bats are no longer occupying the roost, at which time, a plan approved by CDFW may be implemented for removal of the roost. The plan shall describe appropriate methods for the removal of the roost. As part of CDFW's approval, a new roost site may be required to be created on the project site. Active day roosts of tree-foliage bats may be removed upon permission of CDFW.

- If Townsend's big-eared bat is discovered or if evidence of recent prior occupation is established, construction shall be scheduled such that it minimizes impacts on this species. Hibernation sites with evidence of prior occupation shall be sealed before the hibernation season (November-March), and nursery sites shall be sealed before the nursery season (April-August). If the site is occupied, then construction activities shall take place either prior to or after the hibernation season for hibernacula and after August 15 for nursery colonies. Construction shall not take place as long as the roost site is occupied.
- If feasible, trees planned for pruning or removal as a part of the project, should be pruned or removed during the fall to avoid the maternity roosting period of resident bats (mid-April to August season). Western red bats are less likely to be present and roosting in the trees and shrubs on and adjacent to the project site during the spring and summer, but other bats may be roosting during this period. Because bats may be present at any time, a pre-construction survey by a qualified biologist shall be required as outlined above regardless of timing of tree removal and a suitable buffer zone established around the roost. Pruned limbs or cut trees must be left on the ground in place for at least 24 hours after cutting to allow any bats that may be roosting in the trees to leave the roosts prior to chipping the branches or removing the cut material from the site.
- Before any construction activities begin in the vicinity of the identified bat roosts on the project site, an approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the bats and their habitat, the specific measures that are being implemented to conserve the bat roosts for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session. A qualified biologist shall conduct the training session.

Mitigation Measure BIO-5

American Badger. The County shall implement the following measures to minimize impacts to American badger:

- A qualified biologist shall conduct a survey of the grassland habitat on and within 300 feet of the site to identify any American badger burrows on the site. The survey shall be conducted no sooner than two weeks prior to the start of construction.
- Impacts to active badger dens shall be avoided by establishing exclusion zones around all active dens, within which construction related activities shall be prohibited until denning is complete or the den is abandoned.
- A qualified biologist shall monitor each den once per week in order to track its status and inform the County of when a den area has been cleared for construction.
- If the biologist determines that the burrow is not being used for breeding, then a one-way door shall be installed on the burrow (upon approval by the California Department of Fish and Wildlife) to passively exclude the badger from the burrow. Once the badger has been excluded, the burrow shall be collapsed.

E. Cultural/Historical/Archaeological Resources

Mitigation Measure CUL-1

Unanticipated Archaeological Deposits. Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology

contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the project applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recording the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared by the qualified archaeologist and submitted to the County of Santa Clara for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate local curation facility and used for future research and public interpretive displays, as appropriate.

G. Geology and Soils

Mitigation Measure GEO-1

California Building Code. Prior to the approval of any construction or grading permit, the County of Santa Clara Parks and Recreation Department shall demonstrate that new structures have been designed in accordance with the provisions of the most recent edition of the California Building Code (CBC) and the recommendations cited in the Geotechnical Investigation prepared for the project site.

Mitigation Measure GEO-2

Foundation System. Prior to the approval of any construction or grading permit, the County of Santa Clara Parks and Recreation Department shall demonstrate that new structures are supported on a foundation system that derives its support from bedrock or beneath the surficial zone of seasonal moisture variation. Alternatively, expansive soils could be removed and replaced with non-expansive materials, or treated with lime or cement, in order to reduce expansive behavior, reduce the risk of damage to exterior flatwork and other lightly-loaded improvements, and permit the use of "traditional" shallow foundations.

Mitigation Measure GEO-3

Paleontological Resources. Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and an agency approved-qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the paleontological resources are found to be significant and project activities cannot avoid them, measures shall be implemented to ensure that the project does not cause a substantial adverse change in the significance of the paleontological resource. Measures may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to Santa Clara County for review. If paleontological materials are recovered, this report also shall be submitted to a paleontological repository such as the University of California Museum of Paleontology, along with significant paleontological materials. Public educational outreach may also be appropriate.

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

Prepared by:

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