



**SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET**

County of Santa Clara - Clerk-Recorder's Office
State of California

File Number: ENV25956

ENVIRONMENTAL FILING

No. of Pages: 7

Total Fees: \$0.00

File Date: 01/07/2026

Expires: 02/06/2026

LOUIS CHIARAMONTE, Clerk-Recorder

By: Mike Louie, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
- ☐ Filing Fee (new project)
- ☐ Previously Paid F&W (must attach F&W receipt and project titles must match)
- ☐ No Effect Determination (F&W letter must be attached)
- ☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- ☐ Filing Fee (new project)
- ☐ Previously Paid F&W (must attach F&W receipt and project titles must match)
- ☐ No Effect Determination (F&W letter must be attached)
- ☐ Notice of Exemption (NOE)
- ☒ Other (Please fill in type):
Notice of Intent

1. LEAD AGENCY: Santa Clara County Parks & Recreation Department
2. LEAD AGENCY EMAIL: parkinfo@prk.sccgov.org
3. PROJECT TITLE: Fortini Property Site Plan
4. APPLICANT NAME: Santa Clara County Parks & Recreation Department PHONE: 408-355-2200
5. APPLICANT EMAIL: kelly.gibson@prk.sccgov.org
6. APPLICANT ADDRESS: 5965 Silver Creek Valley Road, San Jose, CA 95138
7. PROJECT APPLICANT IS A: ☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

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		APN(s)	Date
None		70135015, 70135022, 70135014, 70135016	1/7/2026
Project Name		Project Type	
Fortini Property Site Plan Project		New recreational multi-use trail connection	
Owner		Applicant	
County of Santa Clara		County of Santa Clara, Parks and Recreation Department	
Project Location			
The Fortini Property Site Plan Project (project) is located in unincorporated Santa Clara County between the Santa Teresa Hills to the east and the Sierra Azul areas of the Santa Cruz Mountains to the west. The project site is bounded by Santa Teresa County Park to the north, Calero County Park to the south, and private residential parcels to the east and west. Roadways in the vicinity include San Vicente Avenue to the north, Fortini Road to the east, and McKean Road to the south of the project site.			
Project Description (attach additional pages as necessary)			
The proposed trails would be constructed on an existing 47-acre property and would connect to the existing trail systems of Santa Teresa County Park and Calero County Park. The project involves the construction of a new recreational multi-use trail connection between two Santa Clara County parks for use by hikers, bikers, and equestrians and additional parking lots. The proposed project would include a main trail with connected seasonal trails that would provide visitors with access to rest areas, a vista point, and picnic areas. Two steel truss bridges (up to 55 feet long) with concrete headwalls would be installed along the main multi-use trail where it would cross over Santa Teresa Creek and Arroyo Calero. Trail user access to the trail alignment would be available at the two primary trailhead entry points on the northern and southern end of the project site. A new parking area is proposed directly east of the existing Rancho San Vicente Parking area to the south of McKean Road. A new parking area is proposed along San Vicente Avenue adjacent to the northern trailhead to replace existing, unimproved roadside parking. A signalized crossing would be installed at the intersection of Fortini Road and McKean Road. A raised multi-use crossing would be installed across San Vicente Avenue to allow trail users to cross between Santa Teresa County Park and the proposed project. Existing barbed wire fencing along the project site perimeter would remain in place or would be replaced with wildlife-friendly fencing. Existing fencing within the interior of the project site would be removed.			
Purpose of Notice			
The purpose of this notice is to inform you that the County of Santa Clara Parks & Recreation Department Staff have 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 August 11, 2026 in the Board Chambers, 70 W. Hedding, 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 January 7, 2026 and ends February 6, 2026. 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, attn: Kelly Gibson, 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			
United States Fish and Wildlife Service, Pacific Southwest California Department of Fish and Wildlife, Region 3 Regional Water Quality Control Board, Region 2 U.S. Army Corps of Engineers, South Pacific Division Santa Clara Valley Water District			

Santa Clara Valley Habitat Agency

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.

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:

Air Quality:

Mitigation Measure AQ-1: Fugitive Dust Control

The contractor shall implement the following fugitive dust control measures during construction:

- 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 track-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 mph.
- 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 further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district phone number shall also be visible to ensure compliance with applicable regulations.

Biological resources:

Mitigation Measure BIO-1: 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 pre-activity 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-2: California Tiger Salamander, California Red-Legged Frog, Northwestern Pond Turtle, White-Tailed Kite, and San Francisco Dusky-Footed Woodrat

Due to the potential for California tiger salamander, California red-legged frog, northwestern pond turtle, white-tailed kite, and San Francisco dusky-footed woodrat 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 be notified and 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 will 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-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 construction 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 31st will 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.

Cultural & Tribal Cultural:

Mitigation Measure CUL-1: Cultural Resource Monitoring

Archaeological Monitoring Plan: A Native American representative from a tribe traditionally and culturally affiliated with the project area and which was consulted with during project planning shall be on site to monitor all initial ground disturbing of native soils during construction. Before beginning construction, the Native American monitor shall prepare an archaeological monitoring plan, for approval by Santa Clara County Parks. If evidence of any archaeological features or deposits is discovered during construction-related earth-moving activities, all ground-disturbing activity in the area of the discovery shall be halted within 50-feet of the find, and the finds shall be protected until they are examined by a County archaeologist and evaluated for listing in the CRHR and NRHP, in consultation with tribal representatives. Monitoring may be reduced or halted at the discretion of the tribal monitor, in consultation with the lead agency, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 50 percent of the entire area of ground disturbance. If monitoring is reduced to spot checking, spot checking shall occur when ground-disturbing activities move to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).

Discovery and Treatment. If archaeological deposits are found, the County archaeologist shall assess the significance of the find and make recommendations for further evaluation and treatment as necessary. The Native American monitor shall also assess the find if the artifacts are of Native American origin and determined to be more than an isolated find. The County archaeologist shall stake the area of discovery, placing stakes no more than 10-feet apart, forming a circle having a radius of no less than 50-feet from the point of discovery. If, after evaluation, a resource is determined to be a historical resource or unique archaeological resource (as defined in PRC section 21083.2 and CEQA Guidelines section 15064.5) or a tribal cultural resource (as defined in PRC section 21074), all preservation options shall be considered as required by CEQA (see CEQA Guidelines section 15126.4 and PRC 21084.3), including possible capping, data recovery, mapping, or avoidance of the resource, and a mitigation plan shall be prepared. The mitigation plan shall be implemented by Santa Clara County Parks in accordance with state guidelines and in consultation with the consulting Native American tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Native American tribe and the County archaeologist. Examples of appropriate treatment for the resource may include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, data recovery excavations, or development of an interpretive program. Treatment that preserves or restores the cultural character and integrity of a tribal cultural resource may include tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work in the area may resume upon completion of treatment. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a confidential professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, and analyzes and interprets the results. Non-confidential report information may be distributed to the public at the joint discretion of the County archaeologist and the involved Native American tribe. If the resource is of Native American origin, the consulting Native American tribe or Native American monitor may submit or contribute to an

archaeological or ethnohistoric report on the resource discovery and contribute to appropriate interpretive materials reflecting these discoveries to be displayed at the County Park.

Mitigation Measure CUL-2: Impact to Previously Undiscovered Human Remains

If human remains are encountered during construction and ground-disturbing activities, all work within 50-feet of the remains should be redirected and the County Coroner notified immediately. At the same time, a County archaeologist shall be contacted to complete an assessment of the finding(s). If the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated funerary objects. The County archaeologist shall recover scientifically valuable information, as appropriate and in accordance with the agreement between the MLD and Santa Clara County Parks. Upon completion of the archaeologist's assessment, a report should be prepared documenting methods and results of the assessment of human remains, as well as recommendations regarding the treatment of the human remains and any associated archaeological materials. The report should be submitted to Santa Clara County Parks, the NWIC, and the MLD. Reburial of the Native American human remains and associated funerary objects will be agreed upon the MLD and Santa Clara County Parks. If agreement cannot be reached between the MLD and the County, the human remains will be respectfully reburied on the project parcel in a location that will never be disturbed by future projects, in accord with state regulations. The discovery and reburial shall be kept confidential and secure to prevent any further disturbance.

Geology:

Mitigation Measure GEO-1: Paleontological Unanticipated Discovery and Monitoring

Training

Prior to the start of any ground-disturbing activity (e.g., vegetation removal, grading) a qualified paleontologist (meeting Society of Vertebrate Paleontology [SVP] standards) shall be retained to prepare and administer a work awareness training (or equivalent). The training shall focus on the recognition of the types of paleontological resources that could be encountered within the work area and the procedures that shall be followed if fossils are encountered during construction.

Unanticipated Discovery

If paleontological resources (e.g., bones, teeth, fossilized wood, or trace fossils) are encountered during ground-disturbing activities within the defined depth and geologic contexts, all work within 25 feet of the discovery shall cease and the construction supervisor shall be immediately notified. A qualified professional paleontologist, as defined by the SVP, shall be retained to evaluate the discovery and recommend an appropriate treatment plan. Treatment may include (but would not be limited to) in-situ avoidance, fossil recovery, or monitoring. Requirements for treatment and evaluation are described under "Paleontological Monitoring," below. Work in the affected area shall not resume until the qualified paleontologist has completed the evaluation and provided written clearance.

Paleontological Monitoring

A qualified paleontological resource monitor(s) (meeting SVP standards), under the direction of the qualified paleontologist, shall conduct full-time paleontological resource monitoring for all ground-disturbing activities in previously undisturbed areas mapped as Pleistocene-age alluvial fan deposits and for all excavation that occurs below 5 feet below ground surface in areas mapped as Holocene-age alluvial fan deposits. These areas shall be clearly mapped in relation to the proposed project and presented in a Paleontological Resources Mitigation Monitoring Plan (PRMMP). If ground disturbance occurs simultaneously in different locations, each location shall be monitored individually. If fossils are encountered, monitors shall have the authority to temporarily halt or divert work away (establishing a 25-foot buffer) from the discovery in order to evaluate the find and recommend an appropriate treatment plan. The qualified paleontologist shall 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 diverting construction activities or fossil recovery. The results of monitoring (including daily monitoring logs) and any recovered fossils shall be documented. 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.

Hazards:

Mitigation Measure HAZ-1: Hazardous Materials Best Practices

The County and/or construction contractor shall implement the following measures prior to and during construction:

- All excavated soil will be tested prior to disposal or reuse on site.

- Contaminated soil shall not be stored on site and would be loaded directly into haul trucks for disposal at the appropriate landfill.
- The construction contractor to prepare, through coordination with Santa Clara County Parks and the County Environmental Health Department, a site-specific health and safety plan in accordance with OSHA and CalOSHA requirements and to implement adequate engineering and administrative controls (e.g., appropriate training, hygiene and decontamination procedures, dust control, and soil handling protocols) to protect worker health and safety.

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:

Kelly Gibson, Associate Planner
Santa Clara County Parks

DocuSigned by:

Kelly Gibson

ED766F72016646B...

signature

12/31/2025

date

Approved by:

Jeremy Farr, Principal Planner
Santa Clara County Parks

DocuSigned by:

Jeremy Farr

8285A1589C6044D...

signature

1/2/2026

date



Santa Clara County
Clerk-Recorder
(408) 299-5688
<https://www.clerkrecorder.org>

Receipt: 26-2741

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$0.00
	#Pages	7
	Document #	ENV25956
	Document Info:	SANTA CLARA COUNTY PARKS & RECREATION DEPARTMENT
	Filing Type	F
Total		\$0.00
Change (Cash)		\$0.00

PLEASE KEEP FOR REFERENCE