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AGENDA

Peninsula Corridor Joint Powers Board Technology, Operations, Planning, and Safety (TOPS) Committee Meeting

July 29, 2026, 1:30 pm

Public Hearing Room, 5th Floor
166 North Rollins Road, Millbrae, CA 94030

Committee Members: Rico E. Medina (Chair), Pat Burt (Vice Chair), Shamann Walton

Members of the public may attend in-person at the noticed location(s) or participate remotely via Zoom at <https://us02web.zoom.us/j/84462610112?pwd=YaW74NDN3spJtMYdJhflBBuleQXkqA.1> or by entering Webinar ID: **844 6261 0112**, Passcode: **870725**, in the Zoom app for audio/visual capability or by calling 1-669-219-2599 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <https://www.caltrain.com/video-board-directors>.

Public Comments: Written public comments may be emailed to publiccomment@caltrain.com or mailed to 166 North Rollins Road, Millbrae, CA 94030, and will be compiled and posted weekly along with any TOPS Committee correspondence. Any written public comments received within two hours prior to the start of the meeting will be included in the weekly TOPS Committee correspondence reading file, posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting in person and through Zoom* or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Participants using Zoom over the Internet should use the Raise Hand feature to request to speak. For participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise Hand feature for public comment. Each commenter will be recognized to speak, and callers should dial *6 to unmute themselves when recognized to speak.

Each public comment is limited to one minute. The Committee Chair has the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Note: All items appearing on the agenda are subject to action by the Committee. Staff recommendations are subject to change by the Committee.

July 29, 2026 - Wednesday

1:30 pm

All items to which [Government Code section 84308](#) applies have been marked with an asterisk.

A double asterisk indicates that one or more Directors of the JPB serve on the governing board of a public agency with which the JPB proposes to contract. Under Government code section 1091(a)(9), this relationship is considered to be a noninterest but it must be disclosed.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance / Safety Briefing
4. Public Comment on Items Not on the Agenda
Comments by each individual speaker shall be limited to one (1) minute. Items raised that require a response will be deferred for staff to reply.
5. Approval of Meeting Minutes for May 27, 2026 Motion
6. Approve Hick's Creek Mitigation Project Cooperative Agreement with Midpeninsula Regional Open Space District and Adopt the Third Addendum to the Mitigated Negative Declaration for the Guadalupe River Bridge Replacement Project Motion
7. Authorize Amendment to the RSE Corporation Contract for the South Linden Avenue and Scott Street Grade Separation Project* Motion
8. Committee Member Requests
9. Date/Time of Next Regular TOPS Committee Meeting: Wednesday, August 26, 2026 at 1:30 pm.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Public Hearing Room, 5th Floor, 166 North Rollins Road, Millbrae, CA 94030.
10. Adjourn

Information for the Public

All items appearing on the agenda are subject to action by the Committee. Staff recommendations are subject to change by the Committee. If you have questions on the agenda, please contact the JPB Secretary at 650.551.6108. Agendas are available on the Caltrain website at <https://www.caltrain.com>. Communications to the Board of Directors can be e-mailed to board@caltrain.com.

Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电 1.800.660.4287

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB Finance Committee: Two Mondays before the Board Meeting, 2:30 pm; JPB Technology, Operations, Planning, and Safety (TOPS) Committee: Two Wednesdays before the Board meeting, 1:30 pm. JPB Advocacy and Major Projects (AMP) Committee: Two Wednesdays before the Board meeting, 3:30 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and Committees are available on the website.

Location of Meeting

Members of the Public may attend this meeting in-person or remotely via Zoom as per the information provided at the top of the agenda. Should Zoom not be operational, please check online at <https://www.caltrain.com/about-caltrain/meetings> for any updates or further instruction.

Public Comment

Members of the public are encouraged to participate remotely or in person. Public comments may be submitted by comment card in person and given to the JPB Secretary. Written public comments may be emailed to publiccomment@caltrain.com or mailed to 166 North Rollins Road, Millbrae, CA 94030, and will be compiled and posted weekly along with any TOPS Committee correspondence. Any written public comments received within two hours prior to the start of the meeting will be included in the weekly TOPS Committee correspondence reading file, posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting in person or through Zoom or the teleconference number listed above. Online commenters will be automatically notified when they are unmuted to speak. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Each public comment is limited to one minute. The Committee Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Accessible Public Meetings/Translation

Upon request, the JPB will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 166 North Rollins Road, Millbrae, CA 94030; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

Availability of Public Records

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that is distributed to a majority of the legislative body, will be available for public inspection at 166 North Rollins Road, Millbrae, CA 94030, at the same time that the public records are distributed or made available to the legislative body.

**Peninsula Corridor Joint Powers Board
Technology, Operations, Planning, and Safety (TOPS) Committee**

**1250 San Carlos Avenue, San Carlos, CA 94070
375 Beale Street, Suite 800, San Francisco, CA 94105**

DRAFT Minutes of May 27, 2026

Members Present: Shamann Walton, Rico E. Medina (Chair)

Members Present Pat Burt (Vice Chair)
via Teleconference:

Staff Present: M. Bouchard, G. Buckley, S. Bullock, C. Fromson, Z. Guan, J. Guaracino,
J. Harrison, M. Jones, L. Ko, L. Lumina-Hsu

1. Call to Order

Chair Medina called the meeting to order at 1:30 pm.

2. Roll Call

Loana Lumina-Hsu, Deputy JPB Secretary, called the roll and confirmed a quorum was present.

3. Pledge of Allegiance / Safety Briefing

Chair Medina led the Pledge of Allegiance and delivered the safety briefing.

4. Public Comment on Items not on the Agenda

Adrian Brandt commented on onboard restroom availability and associated vandalism.

Roland commented on onboard restroom availability, car capacity, and meeting material availability.

5. Approval of Meeting Minutes for April 29, 2026

Motion/Second: Walton/Medina

Ayes: Walton, Burt, Medina

Noes: None

Item 10 was heard before Item 6.

6. Authorize the Executive Director to Execute the First Amendment to the Memorandum of Understanding (MOU) with the City of Menlo Park for Activities Undertaken in Support of the Middle Avenue Undercrossing Project

Sherry Bullock, Interim Chief, Design and Construction, and CalMod Program Director, and Zhenlin Guan, Director, Infrastructure Delivery, provided the presentation that included the

project scope guidelines for activities carried out through August 2027 and the total project costs between \$47 and \$56 million, with available funding total of \$22.8 million.

Staff provided further clarification in response to the Committee comments and questions, which included the following:

- Aerial schematic availability
- Ramp on right-of-way (ROW) and design requirement; corridor crossing strategy reconciliation to facilitate vehicle and bike-pedestrian crossings; tunnel length reduction efforts
- Design and subsequent costs, funding and a cost-effective design, and ROW usage for grade separation; and land needed for construction and railroad purposes
- Budgetary concept and increasing costs; municipality participation

Motion/Second: Walton/Medina

Ayes: Walton, Burt, Medina

Noes: None

Public Comment

Adrian Brandt commented on the Middle Avenue bike-pedestrian undercrossing history and budget.

Item 9 was heard before Item 7.

7. Receive Quarterly Safety Update for Fiscal Year 2026 Quarter 3

Jerry Guaracino, Chief Safety Officer, provided the presentation that included the following:

- Safety Roadshow Event and upcoming employee safety events; Human Trafficking Awareness Training with Federal Railroad Administration (FRA) support
- Zero incursions at grade crossings; Palo Alto grade crossing improvements; engineering improvements for restricting access along the corridor
- Calendar Year (CY) 2021-2026 reportable injuries statistics
- Increasing employee engagement; transit police service calls distribution; municipal police departments increased services
- Updates to Threat and Vulnerability Assessment and Grade Crossing Hazard Assessment
- Outreach, messaging, and partnerships to provide education and resources
- San Mateo County's Tony Hoffman Community Mental Health Services Award recipient

Public Comment

Adrian Brandt commented on delineator pole installation and prevention initiatives.

Receive Update on Rail Corridor Use Policy

Melissa Jones, Deputy Director, Policy Development, and Gwen Buckley, Manager, Systemwide Planning, provided the presentation that included the following:

- Rail Corridor Use Policy (RCUP) implementation first step of the Property Access Agreement process
- RCUP review process; property use zones classifications
- Capital project overlay to accommodate near-term maintenance and rehabilitation projects, High Speed Rail, Long-Range Service Vision, San Francisco and San Jose terminal projects, and grade separation projects
- Screening criteria for identified high potential transit-oriented development (TOD) sites and other potential TOD sites

Public Comment

Roland commented on pedestrian ramp accessibility and Diridon parking lot.

Adrian Brandt below market requirements, rates, and development difficulties.

8. Receive Update on Guadalupe River Bridge Project

Ms. Bullock provided the presentation that included the following:

- On schedule and within budget; first wet season completion and 2026 dry season preparation; access and work hour modifications for 2026 dry season construction
- \$0 used from project contingency; \$2.7 million actual from contractor risk pool; pending approval of \$0.8 million for risk allowance
- Lessons learned to account for project risks and mitigation, differing site conditions, bird nesting, unpredictable conditions, and permits

9. Receive Quarterly Update on Caltrain's Construction Program and Capital Delivery Projects

Ms. Bullock provided the presentation that included the progress of bridge, elimination, safety enhancement, system improvement, and mini-high projects in the corridor.

Public Comment

Adrian Brandt commented on San Francisquito Creek Bridge Replacement Project coordination.

Roland commented on Churchill Avenue and Meadow Drive crossing and 2016 Measure B funding usage.

10. Committee Member Requests - There were none.

11. Date / Time / Location of Next Regular TOPS Committee Meeting: Wednesday, July 29, 2026 at 1:30 pm via Zoom and in-person at the San Mateo County Transit District, Public Hearing Room, 5th Floor, 166 North Rollins Road, Millbrae, CA 94030.

12. Adjourn - The meeting adjourned at 2:54 pm.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Technology, Operations, Planning and Safety (TOPS) Committee

Through: Michelle Bouchard, Executive Director

From: Sherry Bullock, Deputy Executive Director, Engineering, Capital and Modernization

For: August 2026 JPB Board of Directors Meeting

Subject: **Approve Hick's Creek Mitigation Project Cooperative Agreement with Midpeninsula Regional Open Space District and Adopt the Third Addendum to the Mitigated Negative Declaration for the Guadalupe River Bridge Replacement Project**

☐ Finance Committee
Recommendation

☐ Technology, Operations, Planning,
and Safety Committee
Recommendation

☐ Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

Staff recommends the Board of Directors (Board) authorize the Executive Director to enter into a Cooperative Mitigation Agreement (Agreement) with Midpeninsula Regional Open Space District (Midpen) for the Hicks Creek Mitigation Project and adopt the associated addendum to the Mitigated Negative Declaration for the Guadalupe River Bridge Replacement Project (GRBRP). The Agreement will formalize the commitments and actions needed by the Peninsula Corridor Joint Powers Board (JPB) to implement the off-site mitigation project at the Hicks Creek Site and offset impacts related to the GRBRP.

Discussion

Background

The JPB is required to mitigate environmental impacts to wetlands and waters caused by the GRBRP, a safety-driven project to replace main track (MT) MT-1 bridge and extend the MT-2 bridge over the Guadalupe River. Because the GRBRP involves construction within and around the Guadalupe River corridor, the project must mitigate for its jurisdictional impacts. Due to space limitations at the GRBRP site, it is not feasible to implement all mitigation needs on-site. Therefore, JPB reached out to Midpen and identified an off-site mitigation opportunity on their property along Hicks Creek, beneficial for both parties. Pursuant to requirements for GRBRP included within the San Francisco Bay Regional Water Quality Control Board Water Quality Certification, an Administrative Order on Consent between the Joint Powers Authority (JPA) and United States Environmental Protection Agency, and an Amended Streambed Alteration Agreement between the JPA and the California Department of Fish and Wildlife, JPB identified, designed, and prepared materials to implement the habitat restoration project at Hicks Creek

to compensate for the environmental impacts of the GRBRP. That restoration project is the subject of the proposed Agreement.

Cooperative Agreement

Hicks Creek is located within the Sierra Azul Open Space Preserve, which Midpen owns. Midpen, an independent public agency governed by a seven-member elected board, owns and manages over 19,000 acres of protected open space in the Santa Cruz Mountains and surrounding areas. Its mission centers on preserving natural lands and restoring wildlife habitat in perpetuity.

Since January 2025 and throughout the development of the habitat restoration project at Hicks Creek, herein referred to as the Hicks Creek Mitigation Project, JPB has been coordinating with Midpen staff to ensure alignment of project design goals and benefits to Midpen policies. In March 2025, Midpen staff provided JPB a letter of support for the Hick Creek Mitigation Project. In July 2025, the Midpen Board provided Midpen staff authorization to negotiate the Agreement with JPB based on concept-level details of the Hicks Creek Mitigation Project. Since that time, staff and legal teams of the respective agencies have met multiple times to develop the language included in the proposed Agreement.

Under the proposed Agreement, Midpen will grant JPB access to a stretch of Hicks Creek within its Sierra Azul Open Space Preserve to carry out the restoration project, which includes removing invasive plants, concrete structures, and other impediments, and replanting the area with native species.

JPB will fund and implement the restoration project, which will include obtaining additional federal and state permits. Under the proposed Agreement, Midpen will cooperate with JPB to facilitate the additional permitting and site access, but it does not assume any project costs or liability. Midpen has not requested any compensation for the use of its property. All mitigation credits generated by the project will belong exclusively to JPB for use toward GRBRP permit compliance.

Under the GRBRP permits and restoration plan, JPB also will be responsible for monitoring the Hicks Creek mitigation site for up to ten years. When the restoration project successfully meets all regulatory performance standards, Midpen will assume permanent stewardship of the restored land as part of its existing preserve.

If authorization is granted by the JPB board, a JPB Executive Director signed version of the Agreement is anticipated to be presented to the Midpen Board at their regular meeting on September 23, 2026, meeting for full execution.

California Environmental Quality Act (CEQA) Analysis

JPB staff determined that under the CEQA, the Hicks Creek Mitigation Project is a component of the JPB's GRBRP.

The JPB Board adopted a Mitigated Negative Declaration (MND) for GRBRP (State Clearinghouse No. 2020110323) in accordance with CEQA (Public Resources Code §§21000 et seq.; 14 California Code of Regulations §§15000) (CEQA Guidelines) as part of the Board's approval of the GRBRP in February 2021. Following the Board's approval of the GRBRP and the filing of a Notice of Determination (NOD) for the Project, the JPB prepared final project design plans and a Habitat Mitigation and Monitoring Plan (HMMP), obtained permits from regulatory agencies, and initiated construction in 2023.

In March 2025, the Board adopted an Addendum to the MND for a modified project description, which included changes or refinements to the HMMP, project construction duration and sequencing, and other modifications. In April 2026, the Board adopted a second Addendum to the MND to support additional project modifications necessary to support construction at GRBRP.

Pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an MND has been adopted, the lead agency is required to review any changed circumstances or new information to determine whether any of the circumstances under Public Resources Code section 21166 and CEQA Guidelines section 15162 require additional environmental review. JPB completed a review of the changed circumstances of the Hicks Creek Mitigation Project and an evaluation for impacts.

The attached Addendum No. 3 documents JPB's consideration of the environmental effects associated with the Hicks Creek Mitigation Project. Under CEQA, once a negative declaration has been adopted for a project, no subsequent environmental impact report or negative declaration shall be prepared unless JPB, as the CEQA lead agency, determines that, based on substantial evidence, one of the qualifying criteria is met. (Public Resources Code, §21166; CEQA Guidelines, §15162(a)). Based upon the information provided in Addendum No. 3, the effects of the Hicks Creek Mitigation Project would not meet the qualifying criteria. As such, an addendum is appropriate, and Addendum No. 3 was prepared to address the environmental impacts of the Hicks Creek Mitigation Project (CEQA Guidelines §15164).

The CEQA addendum is not required to be circulated for public review. The decision-making body (the Board) shall consider the Addendum No. 3 with the MND prior to providing authorization to execute the Agreement for the Hicks Creek Mitigation Project. Once adopted, Addendum No. 3, will be placed in the administrative record, and a NOD will be filed with the County Clerk and State Clearinghouse.

Budget Impact

There is no impact on the budget.

Prepared By: Michael Tauchen

Deputy Director,
Environmental Compliance

07/15/2026

Resolution No. 2026-

Board of Directors, Peninsula Corridor Joint Powers Board

State of California

* * *

Approve Hick's Creek Mitigation Project Cooperative Agreement with Midpeninsula Regional Open Space District and Adopt the Third Addendum to the Mitigated Negative Declaration for the Guadalupe River Bridge Replacement Project

Whereas, the Peninsula Corridor Joint Powers Board (JPB) intends to carry out a compensatory mitigation project at Hicks Creek to mitigate for impacts due to the Guadalupe River Bridge Replacement Project (GRBRP) on state and federal wetland and water jurisdictional areas, by enhancing and restoring a portion of the Hicks Creek riparian corridor. Enhancement will include the removal of non-native trees and invasive plants, removal of concrete building foundations and improvements, removal of a concrete wall lining the stream channel, removal of concrete lining within the channel of Hicks Creek (former swimming pool), removing and replacing two existing bridges to create a natural bed within the Creek, creating and installing habitat improvements in and around Hicks Creek, removing and controlling nonnative species, and revegetating the Hicks Creek Site by planting native species.

Whereas, the San Francisco Bay Regional Water Quality Control Board Water Quality Certification, an Administrative Order on Consent between the Joint Powers Authority (JPA) and United States Environmental Protection Agency, and an Amended Streambed Alteration Agreement between the JPA and the California Department of Fish and Wildlife related to the GRBRP, require JPB to identify, design, and implement a habitat restoration project at Hicks Creek to compensate for the environmental impacts of the GRBRP.

Whereas, Hicks Creek is located within the Sierra Azul Open Space Preserve, which the Midpeninsula Regional Open Space District (Midpen) owns. Midpen, an independent public agency governed by a seven-member elected board, owns and manages over 19,000 acres of protected open space in the Santa Cruz Mountains and surrounding areas. Its mission centers on preserving natural lands and restoring wildlife habitat in perpetuity.

Whereas, the JPB and Midpen (collectively referred to as the “Parties”) wish to execute a Cooperative Mitigation Agreement to formalize the commitments and actions needed by the Parties to implement off-site restoration mitigation project at the Hicks Creek (Hicks Creek Mitigation Project);

Whereas, under the Agreement, Midpen will grant JPB access to a stretch of Hicks Creek within its Sierra Azul Open Space Preserve to carry out the Hicks Creek Mitigation Project, which includes removing invasive plants, concrete structures, and other impediments, and replanting the area with native species; cooperate with JPB to facilitate the additional permitting and site access; does not assume any project costs or liability; will assume permanent stewardship of the restored land as part of its existing preserve once it successfully meets all regulatory performance standards. Midpen will not receive any compensation from JPB for the use of its property;

Whereas, under the Agreement, JPB will fund and implement all aspects of the Hicks Creek Mitigation Project, which will include obtaining additional federal and state permits; be responsible for monitoring the Hicks Creek mitigation site for up to ten years; and will exclusively obtain all mitigation credits generated by the Hicks Creek Mitigation Project for use toward GRBRP permit compliance.

Whereas, implementation of the Hicks Creek Mitigation Project is a component of GRBRP and subject to the California Environmental Quality Act;

Whereas, on February 4, 2021, at a regularly scheduled meeting, the JPB Board of Directors (Board) adopted the Mitigated Negative Declaration (MND) (State Clearinghouse No. 2020110323) for GRBRP in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code §§21000 et seq.; 14 California Code of Regulations §§15000) and approved the Project;

Whereas, on February 11, 2021, the JPB filed a Notice of Determination with the County Clerk of Santa Clara County and the State Clearinghouse;

Whereas, on March 6, 2025, the JPB Board adopted an Addendum to the Initial Study (IS)/MND for the changes to the Project (Resolution No. 2025-13) and Notice of Determination was filed with the County Clerk of Santa Clara County and the State Clearinghouse on March 12, 2025;

Whereas, on April 6, 2026, the JPB Board adopted a second Addendum to the IS/MND for additional project modifications to GRBRP (Resolution No. 2026-14) and Notice of Determination was filed with the County Clerk of Santa Clara County and the State Clearinghouse on April 7, 2026;

Now, Therefore, Be It Resolved, the Peninsula Corridor Joint Powers Board of Directors hereby find that:

1. Based on substantial evidence provided in the Addendum (herein Addendum No. 3), the Hicks Creek Mitigation Project would not meet any of the following criteria:

- a. Substantial changes are proposed to the project that would require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- b. Substantial changes occur with respect to the circumstances under which the project is being undertaken that would require major revisions of the previous environmental document in order to describe and analyze new significant environmental effects, or any changes that would cause a substantial increase in the severity of the previously identified significant effects.
- c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was approved, shows any of the following:
 - i. The project would have one or more significant effects not discussed in the previous MND;
 - ii. Significant effects previously examined would be substantially more severe than shown in the previous MND;
 - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measure or alternative; or

- iv. Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.
- 2. None of the other factors set forth in CEQA Guidelines §§ 15162(a)(3) are present; and
- 3. An Addendum is the appropriate CEQA document to evaluate the Hicks Creek Mitigation Project in accordance with CEQA Guidelines §§ 15164(a), (b).

Be It Further Resolved, the JPB Secretary is directed to file a Notice of Determination promptly with the County Clerk of Santa Clara County and the State Clearinghouse; and

Be It Further Resolved, the record of this action shall be maintained by the JPB Secretary at 166 North Rollins Road in Millbrae, California.

Be It Further Resolved, that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director or designee to execute the Cooperative Mitigation Agreement between the Parties; and

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or designee, to take any other actions necessary to give effect to the resolution.

Regularly passed and adopted this 6th day of August, 2026 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

THIRD ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR THE PENINSULA CORRIDOR JOINT POWERS BOARD GUADALUPE RIVER BRIDGE REPLACEMENT PROJECT – HICKS CREEK OFFSITE MITIGATION

PREPARED FOR:

Peninsula Corridor Joint Powers Board
166 N. Rollins Road
Millbrae, California 94030
Contact: Michael Tauchen
Email: TauchenM@caltrain.com

PREPARED BY:

ICF
595 Market Street, Suite 950
San Francisco, CA 94105
Contact: Rich Walter
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July 2026



ICF. 2026. *Third Addendum to the Mitigated Negative Declaration for the Peninsula Corridor Joint Powers Board Guadalupe River Bridge Replacement Project – Hicks Creek Offsite Mitigation*. July. (ICF 103689.0.015.01.005.) San Francisco, CA. Prepared for Peninsula Corridor Joint Powers Board, San Carlos, CA.

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Acronyms and Abbreviations

Acronym	Definition
APE	area of potential effect
BMPs	best management practices
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
GRBR Project	Guadalupe River Bridge Replacement Project
Hicks Creek HMMP	Hicks Creek Offsite Mitigation HMMP
Hicks Creek Offsite Mitigation	offsite mitigation at Hicks Creek
HMMP	Habitat Mitigation and Monitoring Plan
IPaC	Information for Planning and Consultation
JPB	Joint Powers Board
Midpen	Mid-Peninsula Open Space District
MND	Mitigated Negative Declaration
NEPA	National Environmental Policy Act
NWIC	Northwest Information Center
RWQCB	Regional Water Quality Control Board
SCVWD	Santa Clara Valley Water District
SWPPP	Stormwater Pollution Prevention Plan
USACE	U.S Army Corps of Engineers
USEPA	United State Environmental Protection Agency
USFWS	United States Fish and Wildlife Service

Chapter 1

Introduction

1.1 Background

The Peninsula Corridor Joint Powers Board (JPB) operates the San Francisco Bay Area's Caltrain passenger rail service. This document is JPB's third California Environmental Quality Act (CEQA) (Public Resources Code §§21000 et seq.; 14 CCR §§15000 (CEQA Guidelines) addendum to the Guadalupe River Bridge Replacement Project (GRBR Project) Initial Study/Mitigated Negative Declaration (MND) that the JPB adopted in February 2021 (State Clearinghouse #2020110323) (Peninsula Corridor Joint Powers Board 2021). The Federal Transit Administration also evaluated the GRBR Project's potential environmental effects pursuant to the National Environmental Policy Act (NEPA) and in April 2021 issued a concurrence that the GRBR Project meets the criteria for a Documented Categorical Exclusion.

As previously approved by the JPB in 2021 and the February 2025 and April 2026 addendums, the GRBR Project involves the demolition and reconstruction of the MT-1 bridge and the expansion and seismic retrofitting of the MT-2 bridge. The GRBR Project provides critical safety improvements to the MT-1 and MT-2 bridges, which are necessary to provide safe crossing of the Guadalupe River for Caltrain passenger service, Union Pacific Railroad freight service, Amtrak passenger service, Altamont Commuter Express, and the Capitol Corridor passenger service. Following the JPB's approval of the Project and filing a Notice of Determination for the Project, the JPB prepared final project design plans and an onsite Habitat Mitigation and Monitoring Plan (HMMP), obtained permits from the U.S Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), San Francisco Bay Regional Water Quality Control Board (RWQCB), Santa Clara Valley Water District (SCVWD). Those permits were amended in 2025 and 2026, as necessary, to take account of changes in Project design, construction methods, timing, and mitigation.

In accordance with CEQA, JPB has prepared this third addendum to the MND as the CEQA lead agency to evaluate changes to the GRBR Project relative to implementing offsite mitigation at Hicks Creek (Hicks Creek Offsite Mitigation) in the Sierra Azel Open Space Preserve, which is owned by the Mid-Peninsula Open Space District (Midpen).

1.2 CEQA Obligations

This addendum documents the JPB's consideration of environmental effects associated with implementing the Hicks Creek Offsite Mitigation. As noted, the JPB previously prepared and adopted the MND for the GRBR Project in February 2021, a subsequent CEQA addendum in 2025, and a second addendum in 2026. Under CEQA, once a negative declaration has been adopted for a project, no subsequent environmental impact report or negative declaration shall be prepared unless the lead agency faced with a subsequent discretionary approval finds based on substantial evidence, one or more of the following:

- Substantial changes are proposed to the project that would require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- Substantial changes occur with respect to the circumstances under which the project is being undertaken that would require major revisions of the previous environmental document in order to describe and analyze new significant environmental effects, or any changes that would cause a substantial increase in the severity of the previously identified significant effects.
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was approved, shows any of the following:
 - The project would have one or more significant effects not discussed in the previous MND;
 - Significant effects previously examined would be substantially more severe than shown in the previous MND;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

Based upon the information provided in Section 3.0, implementation of the Hicks Creek Offsite Mitigation would not result in new significant impacts or substantially increase the severity of impacts previously identified in the GRBR Project MND, and there are no previously infeasible alternatives that are now feasible. None of the other factors set forth in Section 15162(a)(3) are present. As such, an addendum is appropriate, and this addendum was prepared to address the environmental effects of the Project modifications.

An addendum need not be circulated for public review, but it can be included in, or attached to, the MND. The decision-making body (JPB's Board of Directors) shall consider the addendum with the MND prior to making a decision on the July 2026 Modified Project (e.g. the project as modified through April 2026 plus the offsite mitigation). Once adopted, the addendum, along with the original MND, is placed in the administrative record, and a Notice of Determination will be filed with the Santa Clara County Clerk and State Clearinghouse.

Chapter 2 Project Description

2.1 GRBR Project Description

The purpose and need for the GRBR Project is to provide critical safety updates to the MT-1 and MT-2 bridges (**Figure 2-1**). The Project description in the 2021 MND widened the channel; replacing the MT-1 bridge with a new, longer bridge; and extending the MT-2 bridge. The MND-described the GRBR Project limits as extending from south of Willow Street to Delmas Avenue along the existing JPB right-of way.

The MND evaluated replacing the existing 187-foot MT-1 bridge with a new 265-foot pre-cast concrete structure. The new MT-1 bridge would continue to accommodate a single track. Channel widening would occur under the south side of the MT-1 bridge to reduce scour/increase flow capacity. The southern abutment is designed so that it can potentially function as a pier without modification in the future if the USACE/SCVWD Reach 7 bypass channel is constructed.

As described in the MND, the GRBR Project includes extending the existing MT-2 bridge by 90 feet at the southern end, resulting in a new total bridge length of approximately 245 feet. To accommodate this extension, the Project removes and replaces the existing MT-2 abutment 5 and replaces it with a new pier, and channel widening.

The GRBR Project widens the Guadalupe River channel by approximately 75 feet to create a connection to the existing SCVWD Reach 6 bypass channel, which is downstream of the Project. The channel widening would reduce flow velocities during storm events and decrease the risk for further bank failure and scour problems.

As described in more detail in the GRBR Project MND, the work includes temporarily relocating fiber optic cables located on the MT-1 bridge and permanently relocating an existing overhead catenary system pole affected by the regrading and widening of the channel to Pier 5 of the MT-2 bridge. The fiber optic cables would be temporarily relocated to the MT-2 bridge (either underground beneath the tracks or aerially over the tracks on poles) during the demolition and construction of the new MT-1 bridge and then installed at their permanent location on the eastern side of the MT-1 track.

The GRBR Project would be constructed primarily within existing transportation and utility right-of way owned by JPB and SCVWD, and on California Department of Transportation, the City of San Jose, and SCVWD land under temporary construction easements.

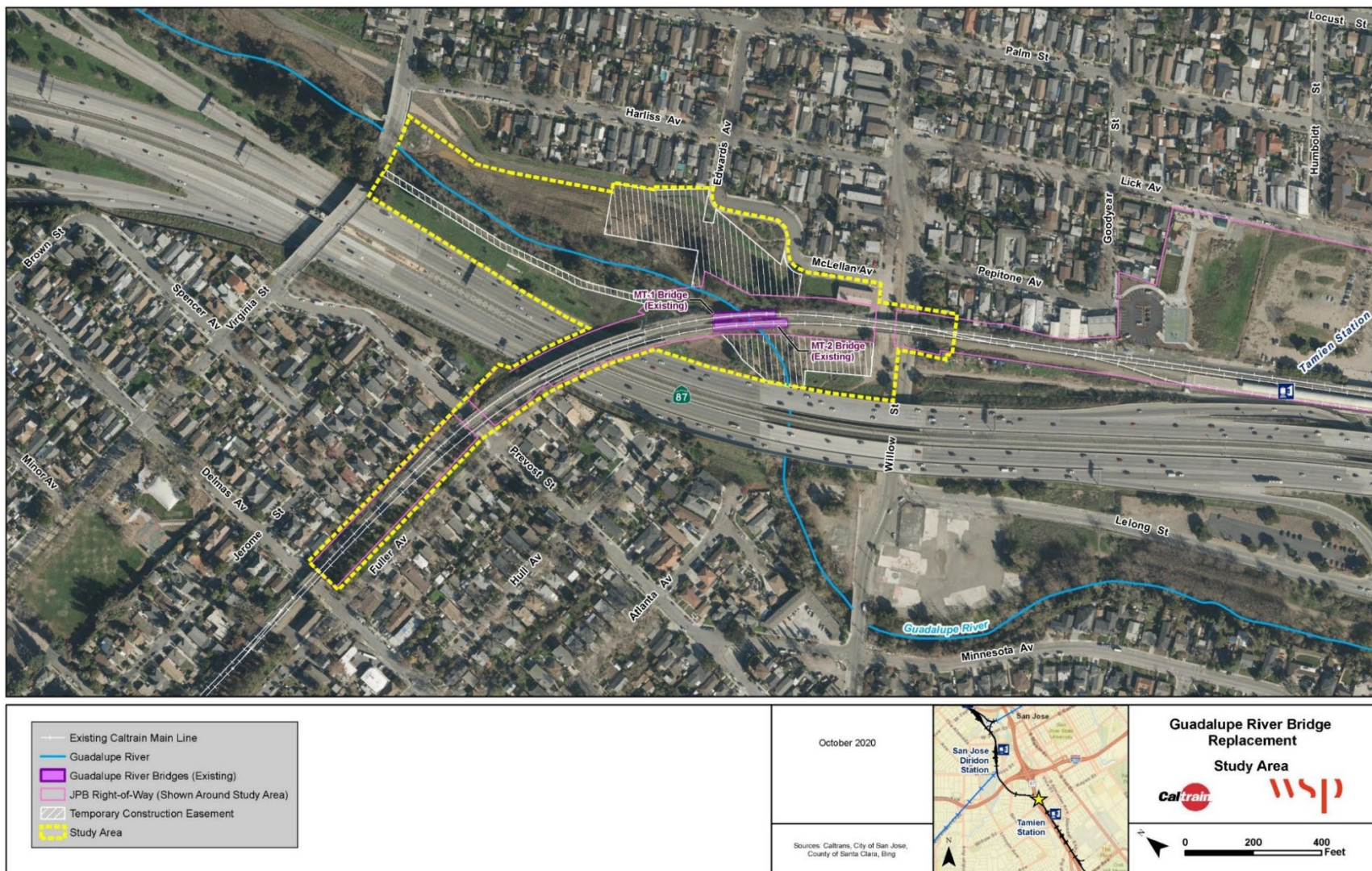


Figure 2-1. GRBR Project Study Area

As explained in the MND, key construction activities include the MT-1 bridge replacement; the MT-2 bridge extension, riverbank stabilization and improvements; floodplain widening; and fiber optic cable removal and relocation. As explained in the 2021 MND, the Project also included dewatering an approximately 400-foot section of river. Following the completion of in-channel work, streamflow would be restored to the dewatered section of channel.

2.2 Hicks Creek Offsite Mitigation

As discussed in the Hicks Creek Offsite Mitigation HMMP (Hicks Creek HMMP), an offsite mitigation area was identified in the upper Guadalupe River watershed on Hicks Creek to provide mitigation for GRBR Project impacts in addition to the proposed onsite mitigation. The Hicks Creek Offsite Mitigation area is managed by Midpen within their Sierra Azul Open Space Preserve in Santa Clara County, California. Midpen is an independent special district that protects native habitats, plants, wildlife and fisheries resources by preserving more than 70,000 acres of land in the greater Santa Cruz Mountains region (**Figure 2-2**)(Midpen 2026).

The offsite mitigation HMMP describes site preparation, seed and plant material, installation methods, maintenance and monitoring, and contingency measures as necessary. Offsite habitat mitigation includes a variety of habitat elements including removal of concrete retaining walls, removal of grouted rock retaining walls, channel bed enhancements, in-channel rock enhancements, tributary realignment, and channel bank laybacks to create new riparian habitat. In addition to channel and bank improvements, the offsite HMMP also details implementation steps for the offsite mitigation including site preparation; maintenance; mitigation monitoring, including performance standards for the revegetation; and contingency measures.

In coordination with Midpen, JPB considered prioritization of restoration goals and strategies that are in alignment with, and anticipated to be most beneficial to, the programmatic restoration approaches of Midpen. Specifically, the Project includes the following in-stream mitigation and riparian restoration elements:

1. Removal of constructed hardscapes that restrict natural stream functions such as geomorphic processes and fish passage.
2. Realignment of a tributary to Hicks Creek to improve natural stream functions and fish passage.
3. Restoration of natural habitat in a creek in the Guadalupe River watershed that is important to salmonids.
4. Restoration and enhancement of waters of the U.S. under USACE jurisdiction and waters of the State under RWQCB and CDFW jurisdiction.
5. Promote the establishment of a self-sustaining, native aquatic and riparian habitat, resulting in a net increase of aquatic and riparian acreage in alignment with the goals and policies of Midpen.
6. Enhance stream function and native riparian habitat which is anticipated to support local communities of desirable fish, wildlife and plant species.

The implementation schedule for the Hicks Creek Offsite Mitigation is listed in **Table 2-1**.

Table 2-1. Implementation Schedule

Stage	Timing ^a
Construction	Q2 2027 to Q3 2027
Planting	Q3 2027 to Q1 2028

^aQ=Quarter

2.2.1 Location

The offsite mitigation site is part of the Mt. Umunhum Area of Midpen's Sierra Azul Open Space Preserve in Santa Clara County, California (**Figure 2-3**). The 90-acre Hicks Creek Ranch property is located off Reynolds Road in the Sierra Azul Preserve (18711 Reynolds Road). The property's development footprint is clustered in the northwest corner of the property along Hicks Creek. The site of the Hicks Creek Mitigation is owned by Midpen and is planned to provide offsite mitigation for RWQCB jurisdiction impacts, a portion of the CDFW jurisdiction impacts, and to satisfy mitigation requirements in the United State Environmental Protection Agency (USEPA)'s Administrative Order on Consent concerning the GRBR Project.

At the time of Midpen's purchase, the property included several existing structures including four residential units, pool house, changing room, pool and tub, storage barn, and shop building, the above ground portions of which have been removed by Midpen. The embedded building foundations, rock walls lining the stream channel, concrete-lined pool and tub, and surrounding contiguous portions of hardscapes, were left in place. Much of this in place existing hardscape is within the active channel of Hicks Creek, its confluence with an unnamed tributary, and the surrounding banks and environment, which interferes with the natural functions of the stream and has substantial impacts on the creek's geomorphology.

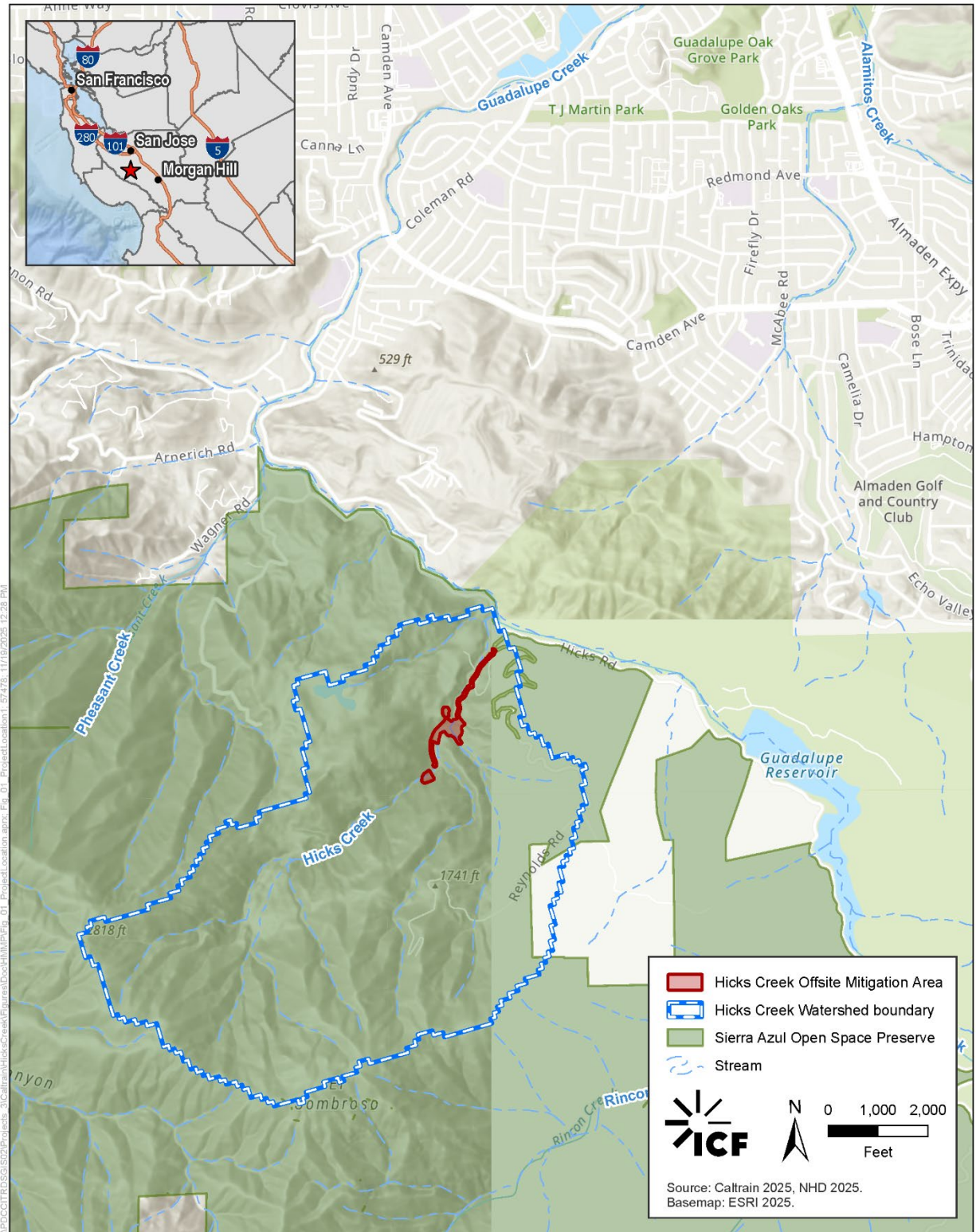


Figure 2-2. Hicks Creek Offsite Mitigation Property

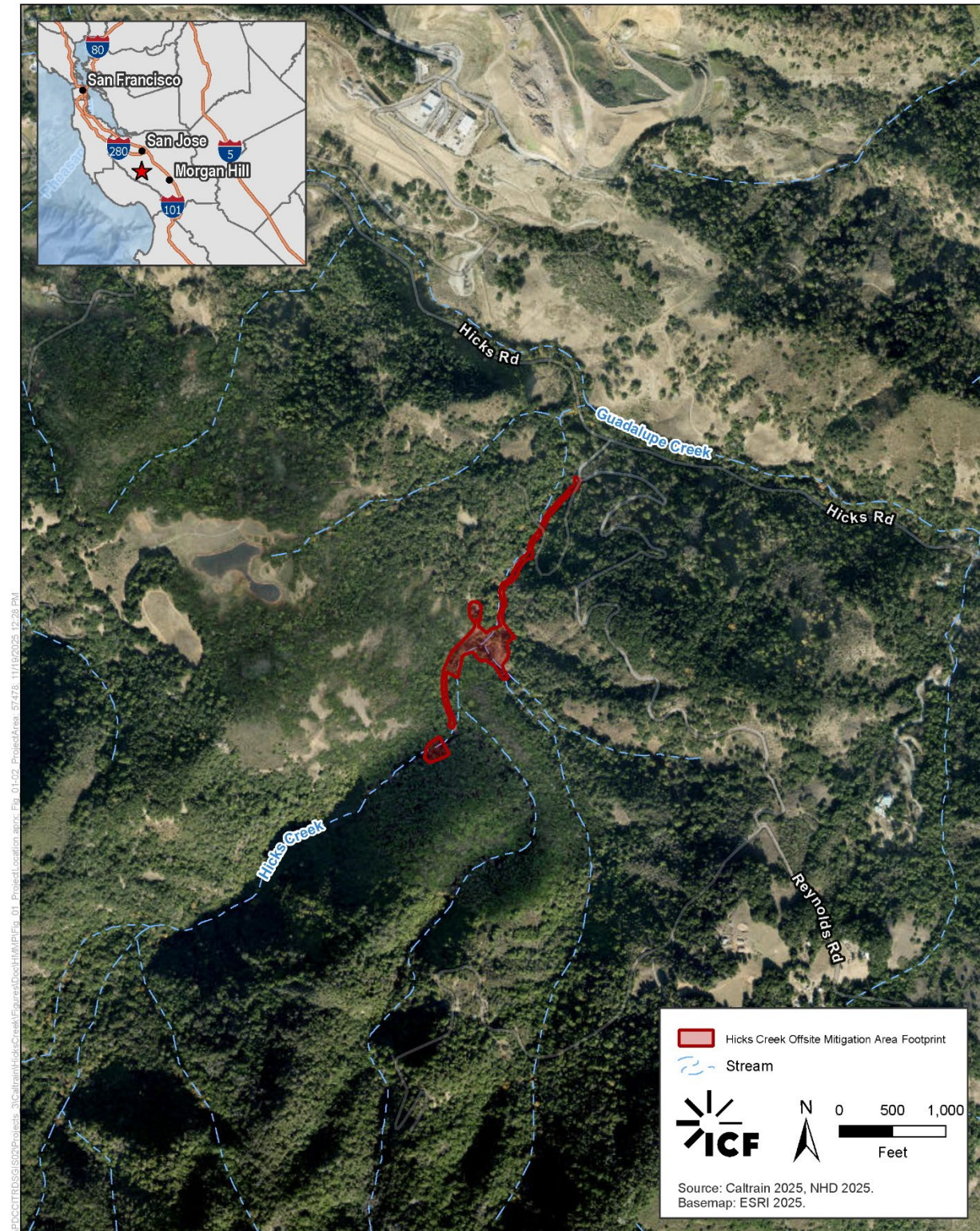


Figure 2-3. Hicks Creek Offsite Mitigation Property

Chapter 3

Updated Environmental Impact Analysis

This third addendum to the GRBR Project MND evaluates the proposed changes to the Project to identify and address any new potential environmental impacts that were not evaluated by the 2021 MND and the first and second addendums prepared in February 2025 and April 2026 respectively, determine the severity or magnitude of any new or more severe environmental impacts, and determine whether the new or more severe environmental impacts of the July 2026 Modified Project changes would require substantial revisions to the MND. **Table 3-1** provides a summary of the resources unaffected by the changes to the Project. Following **Table 3-1**, this addendum evaluates the offsite mitigation for the GRBR Project that may result in new or more severe environmental impacts on air quality, energy, greenhouse gas emissions, biological resources, hydrology and water quality, geology and soils, parks and recreation, and cultural resources.

Table 3-1. Resources not evaluated in Detail

Resource	2021 MND Analysis	July 2026 CEQA Addendum Analysis
Aesthetics	No impact	<u>The July 2026 Modified Project would not result in new or more severe impacts on aesthetics.</u> The Hicks Creek Offsite Mitigation area is located within a portion of the Sierra Azul Open Space Preserve that is not currently open to the public. The preserve offers views of grasslands, rocky and steep chaparral, dense stands of bay trees, shaded oak woodland forests, deep ravines and riparian corridors in the Santa Cruz Mountains. Proposed demolition of dilapidated infrastructure, realignment of the Hicks Creek tributary, and riparian and upland plantings would result in beneficial effects by improving the visual quality of the site.
Agriculture and Forestry Resources	No impact	<u>The Agriculture and Forestry Resources impact conclusions from the MND remain unchanged.</u> The Hicks Creek Offsite mitigation area does not possess agricultural or forestry uses. Implementation of the HMMP would not require conversion of forest land to non-forest uses.
Land Use and Planning	No impact	<u>The Land Use and Planning impact conclusions from the MND remain unchanged.</u> Implementation of the proposed offsite mitigation area in the Sierra Azul Open Space Preserve would not conflict with the existing land use onsite (hillsides, Other Public Open Lands, Regional Parks, Existing).
Mineral Resources	No impact	<u>The Mineral Resources impact conclusions from the MND remain unchanged.</u> The site does not possess mineral resource uses.
Population and Housing	No impact	<u>The Population and Housing impact conclusions from the MND remain unchanged.</u> No housing is present or proposed on the Hicks Creek Offsite Mitigation site.

Resource	2021 MND Analysis	July 2026 CEQA Addendum Analysis
Public Services	No impact	<u>The Public Services impact conclusions from the MND remain unchanged.</u> The proposed offsite mitigation would not affect population growth or demand for public services.
Transportation and Traffic	No impact	<u>The July 2026 Modified Project would not result in new or more severe impacts on Transportation and Traffic.</u> Construction-period truck trips would be limited due to the proposed reuse of excavated soil onsite for grading. Maintenance of the offsite mitigation property does not have the potential to affect transportation routes.
Utilities and Service Systems	Less than significant impacts. Solid waste and stormwater created by Project construction. Impacts are temporary.	<u>The Utilities and Service Systems impact conclusions from the MND remain unchanged.</u> The Hicks Creek Offsite Mitigation would not increase demand on Utilities and Service Systems. Solid waste created by construction activities would be repurposed for grading purposes onsite or disposed of offsite, resulting in a negligible volume of waste being recycled or diverted to landfills. No new utility service would be established onsite.
Wildfire	No impact.	<u>The Wildfire impact conclusions from the MND remain unchanged.</u> The Hicks Creek Offsite Mitigation area is located within a state responsibility area (SRA) high fire hazard severity zone. However, implementation of the HMMP would not expose people or structures to significant risk. Impacts would be less than significant.

Sources: County of Santa Clara. 1994 and 2026.

3.1 Air Quality, Energy, and Greenhouse Gas

The 2021 MND found that the GRBR Project would have a less-than-significant impact on air quality and no impact on energy and greenhouse gas emissions. The MND concluded that the Project would not result in long-term changes in emissions of air pollutants, would not conflict with implementation of San Jose's 2040 General Plan and BAAQMD's Bay Area 2017 Clean Air Plan, and would result in less-than-significant construction-related impacts with adherence to the following best management practices.

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered 2 times per day or as needed to maintain a minimum soil moisture of 12%. Moisture content can be verified by lab samples or moisture probe.
2. All haul trucks transporting soil, sand, or other loose material offsite will be covered.
3. All excavation, grading, and/or demolition activities will be suspended when average wind speeds exceed 20 miles per hour.
4. All trucks and equipment, including tires, will be washed prior to leaving the site.
5. Site entrances will be stabilized with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
6. All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

7. All vehicle speeds on unpaved temporary access roads will be limited to 15 miles per hour.
8. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage will be provided for construction workers at all access points.
9. Heavy construction equipment and haul trucks over 50 horsepower must meet at least USEPA Tier 3 emission standards or be from model year 2010 or newer. Prior to construction, the contractor will submit to JPB a list of all proposed equipment and vehicles (off-road equipment will include the California Air Resources Board-issued Equipment Identification Number) and documentation supporting the USEPA tier rating for verification of compliance. If an unanticipated need for the use of equipment or a vehicle arises after construction has commenced, the contractor will provide the required documentation of compliance within 14 days after an identified emergency or when the need arises and prior to the use of the equipment or vehicle.
10. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation.
11. A publicly visible sign will be posted with the telephone number and person to contact at JPB regarding dust complaints. This person will respond and take corrective action within 48 hours. The Air District's phone number will also be visible to ensure compliance with applicable regulations.

Implementation of the updated HMMP, which includes offsite mitigation on Hicks Creek, would not change the air quality, energy, or greenhouse gas emissions impact conclusions of the MND. Construction activities at the mitigation property would include removal of concrete and rock masonry retaining walls along the channel banks, realignment of the Hicks Creek tributary through an existing swimming pool, and establishment of temporary construction staging areas. Additionally, implementation of the HMMP would include fish passage improvements through the removal of a constructed, 43.4-foot drop in the existing channel. Upon removal of constructed infrastructure in the Hicks Creek channel and associated tributary, riparian and upland plantings would occur throughout the property and impacted areas, as well as invasive plant removal and replacement with native species.

As stated in Section 5.8 of the HMMP, the mitigation site will be graded using standard earth-moving equipment. Onsite soil spoils generated from laying back the channel banks may be used to fill portions of the floodplain where hardscape features and Himalayan blackberry were removed. Given this, no off-haul of spoils is anticipated. Alternatively, all concrete, mortared rock, and wood retaining walls generated as part of demolition activities will be disposed of offsite, resulting in limited truck trips. Furthermore, the offsite mitigation property is located within the same air quality district as the GRBR Project, the Bay Area Air Quality Management district, and all construction activities would conform to the best management practices previously identified for the GRBR Project (BAAQMD 2026). Given this, construction emissions at the offsite mitigation property would not represent a substantial new source of emissions.

Once the demolition and planting phases of the HMMP are complete, operational emissions would be limited to periodic maintenance activities such as adjustments to the plant watering and schedule, erosion control maintenance, weed control, replacement planting, trash removal,

monitoring, and as-needed channel clearing. Given this, operational emissions at the offsite mitigation property would not represent a substantial new source of emissions.

The July 2026 Modified Project would not result in any new significant or more severe air quality impacts than those analyzed and addressed in the MND.

3.2 Biological Resources

The 2021 MND found that the GRBR Project would have less than significant impacts on biological resources with implementation of mitigation. The MND concluded that potentially significant impacts on steelhead and essential fish habitat (including fish stranding and entrainment, disruption of fish migration, fish relocation activities, toxic or hazardous spills, increased sediment and turbidity, and aquatic habitat modification) would be reduced to less-than-significant levels through implementation of Mitigation Measure BIO-1 and BIO-3 through BIO-8 (in-channel work window, biological monitoring, fish relocation, measures to minimize fish stranding and entrainment, SWPPP implementation, HMMP implementation, and construction best management practices [BMPs]). The MND also concluded that potentially significant impacts on western pond turtle and special-status nesting birds would be reduced to less than significant through implementation of Mitigation Measures BIO-3, BIO-9, BIO-11, and BIO-12 (biological monitoring, nesting bird surveys and buffers, in-channel work window, and worker environmental awareness training). The MND further concluded that the Project would result in permanent and temporary impacts on jurisdictional wetlands and waters of the U.S. and State and to riparian habitats (under the jurisdiction of the USACE, RWQCB, and CDFW), and that preparation and resource-agency approval of an HMMP (Mitigation Measure BIO-7)—together with site restoration—would mitigate those impacts, including impacts on ordinance-size trees; the MND also concluded the Project would not result in loss of San Jose heritage trees and would not require coverage under the Santa Clara Valley Habitat Plan because federally listed species covered under the HCP are not present and no special-status species under the California Endangered Species Act would be affected.

Similar to the GRBR Project, the Hicks Creek Offsite Mitigation area is located in the upper Guadalupe River watershed south of San Jose. Land cover types on the mitigation property consist of a combination of wetland and aquatic habitats and upland and riparian habitats as well as developed and disturbed areas (**Figure 3-1** and **Table 3-2**).

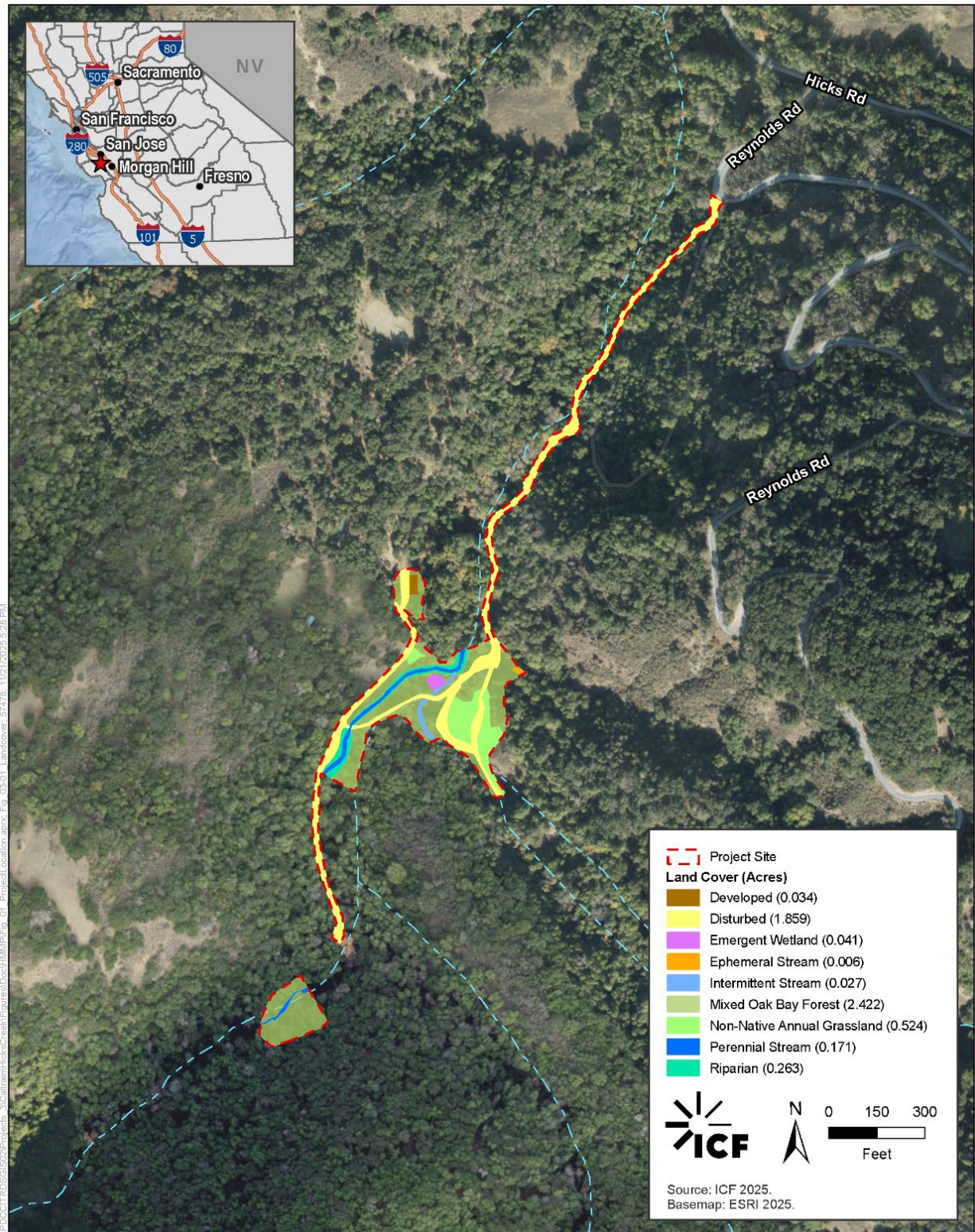


Figure 3-1. Landcover Types

Table 3-2. Land Cover Amounts Before and After Construction

Land Cover Type	Amount Before Construction (Acres)	Amount After Construction (Acres)	Amount Lost (-) or Gained (+) (Acres)
Disturbed	1.533	1.269	-0.264
Emergent Wetland	0.041	0.000	-0.041
Ephemeral stream	0.006	0.006	No change
Floodplain Wetland	0.000	0.037	+0.037
Intermittent stream	0.027	0.027	No change
Mixed oak bay woodland	1.595	0.976	-0.619
Native grassland	0.000	0.727	+0.727
Non-native annual grassland	0.389	0.165	-0.224
Perennial stream	0.130	0.180	+0.050
Riparian	0.263	0.599	+0.336
Total= 3.985 acres Net change in natural land covers: +0.266 acres Increase in aquatic and riparian habitats: +0.382 acres Area of enhanced aquatic and riparian habitats: 0.420 acres			

The proposed offsite mitigation plan proposes to remove legacy hardscape features installed prior to District ownership. The restoration design replaces these low-functioning, artificial in-channel structures with a naturalized stream corridor to support fish passage, backwater refugia, inset floodplain benches, and large wood and boulder structures that mimic natural geomorphic processes.

Work will primarily be confined to previously disturbed areas within the existing channel and adjacent riparian zone. Construction activities will follow BMPs developed under the District's Open Space Maintenance and Restoration Program, and regulatory permitting will be conducted in coordination with relevant state and federal agencies. JPB will conduct a minimum of 10 years of post-construction monitoring under a formal maintenance and monitoring plan. Monitoring will include both qualitative and quantitative assessments of revegetation success, channel stability, and aquatic habitat function. The plan includes adaptive management protocols to address unforeseen conditions and ensure the long-term success of the mitigation. District staff will review and approve the monitoring plan, and maintenance activities will be coordinated with the District to ensure consistency with its policies and ecological goals.

The proposed offsite mitigation would restore and enhance approximately 0.75 acre of aquatic, wetland, and riparian habitat on District lands within the Guadalupe River watershed, identified as a priority steelhead recovery area in the National Ocean and Atmospheric Administration Recovery Plan for Central California Coast Steelhead. The proposed restoration will provide year-round

rearing and migratory habitat for juvenile steelhead, reduce sediment delivery to downstream reaches, and expand native riparian vegetation. Key elements include:

1. Removal of existing in-channel concrete structures that disrupt stream hydrology and fish passage.
2. Regrading of incised banks and construction of a step-pool channel to restore hydrologic function and enable fish movement during low-flow periods.
3. Placement of large woody debris, coarse sediment, and floodplain benches to increase habitat complexity.
4. Removal of non-native vegetation and installation of native riparian and wetland vegetation to improve species composition, stabilize soils, and protect water quality.

Restoration actions include the removal of a concrete pool within the active stream channel, as well as the demolition of concrete and hardscape banks to reestablish a natural channel form. A section of chute-and-pool channel will be constructed to enhance fish passage and increase habitat complexity. These aquatic habitat improvements are intended to support multiple beneficial uses, including fish migration, spawning, preservation of rare and endangered species, and the enhancement of both cold and warm freshwater habitats. Inset floodplains are proposed along the channel and will become seasonally inundated, providing additional habitat diversity. The stream design also incorporates features specifically intended to improve conditions for amphibians and aquatic reptiles, such as the California red-legged frog and western pond turtle, both of which are known to occur near the offsite mitigation property.

Overall, the aquatic restoration design is primarily focused on improving habitat for steelhead, but it is also expected to benefit native herpetofauna by supporting their population viability over time. Additionally, the design may reduce habitat suitability for invasive predatory species such as bullfrogs, which are prevalent in the watershed. Revegetated areas within the Project will include aquatic habitats along the channel margins, freshwater emergent wetlands, and riparian plant communities. The selected plant palette is intended to enhance wildlife habitat quality and support a rich, diverse native understory.

Restoration work will be designed to enhance habitat in accordance with regulatory performance standards. The JPB will be responsible for design, construction, monitoring, maintenance, permitting, and CEQA compliance.

The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) species list (USFWS 2025) identified eleven federally threatened, endangered, and proposed species that may occur in the Project location or may be affected by the Project. The CDFW California Natural Diversity Database (CNDDB) (CDFW 2025a) identified three additional federally threatened species within 5 miles of the offsite mitigation area. The IPaC and CNDDB lists are included as Appendix A (USFWS 2026). These species include:

Bird species:

- California condor (*Gymnogyps californianus*) – Endangered
- California Least Tern (*Sternula antillarum browni*) – Endangered

Invertebrate species:

- Bay checkerspot butterfly (*Euphydryas editha bayensis*;) – Threatened
- Monarch butterfly (*Danaus plexippus*) – Proposed Threatened
- Zayante band-winged grasshopper: (*Trimerotropis infantilis*) – Endangered

Amphibian species:

- California red-legged frog (*Rana draytonii*) – Threatened
- California tiger salamander (*Ambystoma californiense*) – Threatened
- Foothill yellow-legged frog (*Rana boylei*) – Threatened

Reptile species:

- Northwestern pond turtle (*Actinemys marmorata*) – Proposed Threatened

Fish species:

- Tidewater goby (*Eucyclogobius newberryi*) – Endangered
- Steelhead – Central California Coast DPS (*Oncorhynchus mykiss*) – Threatened

Plants species:

- Metcalf Canyon Jewelflower *Streptanthus albidus* ssp. *Albidus* – Endangered
- Robust Spineflower *Chorizanthe robusta* var. *robusta* – Endangered
- Santa Clara Valley Dudleya *Dudleya setchellii* – Endangered

The offsite mitigation area was reviewed for suitable habitat for the USFWS-listed species and was evaluated against the known occurrences of listed species. It was determined the offsite mitigation property provides suitable habitat for five federally listed or proposed species including California red-legged frog, California tiger salamander, foothill yellow-legged frog, northwestern pond turtle, and steelhead; therefore, these species have the potential to occur in the offsite mitigation area.

California red-legged frogs require ponds, lakes, or ponded areas within creeks or streams that hold water for a sufficient period of time to allow for completion of the breeding cycle. California red-legged frogs spend a considerable amount of time resting and feeding in riparian vegetation, but the species will utilize upland habitat with abundant mammal burrows within relative proximity to aquatic habitat. This species has been documented migrating overland up to one mile from breeding habitat and is typically found from sea level to 5,000 feet. Breeding for this species occurs from mid-October through June. The nearest CNDDB record for California red-legged frog (occurrence #1735) is located approximately 0.41 mile northeast of the offsite mitigation area near Guadalupe Creek. Hicks Creek and surrounding riparian habitat provided suitable habitat for this species. Breeding in the creek is unlikely; however, the concrete-lined pool, an emergent wetland, may provide potential breeding habitat for the species. Additionally, Hicks Creek is a tributary to Guadalupe Creek which has documented presence of this species. This species may occur in the offsite mitigation area.

California tiger salamanders require both aquatic and upland habitat at various stages of their lifecycle. Adults use ponds, vernal pools as well as other ephemeral and permanent water bodies that hold water for at least 12 weeks for breeding and larval development. Adults use small mammal burrows and underground passages constructed by California ground squirrel, and valley pocket gopher for shelter and protection from predators and desiccation. The nearest CNDDB record for

California tiger salamander (occurrence #443) is located approximately 0.39 mile north of the offsite mitigation property on the Guadalupe Waste Management Facility property. While suitable aquatic habitat is not present for this species in the Project area there is suitable upland habitat for this species. This species may occur in the offsite mitigation area.

Foothill yellow-legged frog is found in or near rocky streams and rivers in a variety of habitats between 0 and 5,000 feet in elevation. This species occurs in many different vegetation communities including valley-foothill hardwood, valley-foothill hardwood-conifer, valley-foothill riparian, ponderosa pine, mixed conifer, mixed chaparral and wet meadows. Breeding stream habitat is typically shallow, rocky and at least partially exposed to direct sunlight. This species is closely associated with streams and is rarely observed far from the water's edge. The nearest CNDDDB record for foothill yellow-legged frog record (occurrence #87) is located approximately 385 feet north of the offsite mitigation area at Guadalupe Creek. Hicks Creek and surrounding habitat provided suitable habitat for this species. Additionally, Hicks Creek is a tributary to Guadalupe Creek which has documented presence of this species. This species may occur in the offsite mitigation area.

Northwestern pond turtle occurs in permanent and semi-permanent aquatic habitats such as ponds, lakes, streams, wetlands, and irrigation canals with abundant vegetation and basking structures, in woodland, forest, and grassland habitats up to 6,700 feet in elevation. Females typically nest within 300 feet of aquatic habitat but may disperse up to 1,600 feet to access suitable nesting, overwintering, or additional aquatic habitat. The breeding season occurs from March through August. During overwintering, September through May, they typically bury in upland leaf litter. The nearest CNDDDB record for northwestern pond turtle (occurrence #1322) is located approximately 0.32 mile west of the offsite mitigation area at Cherry Springs Pond. While suitable aquatic habitat is not present for this species in the Project area there is suitable upland habitat for this species. This species may occur in the offsite mitigation area.

Steelhead occupy freshwater streams or lakes during spawning and then migrate back to the open ocean to live during their adult non-spawning phase of their life cycle. Steelhead spend most of the year in estuaries or open ocean and only return to freshwater to spawn. Steelhead begin migrating back to fresh water beginning in December and the primary spawning season is from February through April, in small streams and tributaries. There are CNDDDB records for steelhead in Hicks Creek and this species is expected to occur in the offsite mitigation area.

CNDDDB (CDFW 2025b) identified six California state threatened, endangered, or candidate species potentially present in the offsite mitigation area:

Bird species:

- Bald eagle (*Haliaeetus leucocephalus*) – Endangered
- Burrowing owl (*Athene cunicularia*) – Candidate Threatened or Endangered

Invertebrate species:

- Crotch's bumble bee (*Bombus crotchii*) – Candidate Endangered
- Western bumblebee (*Bombus occidentalis*) – Candidate Endangered

Amphibian species:

- California tiger salamander (*Ambystoma californiense*) – Threatened

- Foothill yellow-legged frog (*Rana boylei*) – Endangered

The offsite mitigation property was reviewed for suitable habitat for the CNDDDB-listed species and was evaluated against the known occurrences of listed species. It was determined the offsite mitigation area provides suitable habitat for four state-listed species including California tiger salamander, foothill yellow-legged frog, Crotch's bumble bee and mountain lion; therefore, these species have potential to occur. Additionally, the Southern California/Central Coast Evolutionarily Significant Unit of mountain lion (*Puma concolor*), including the Central Coast North population, was listed as state threatened on February 12, 2026. CNDDDB records are not expected for mountain lion given the Southern California/Central Coast Evolutionarily Significant Unit's recent listing. Although there are no CNDDDB records for mountain lion within 5 miles of the offsite mitigation area, the species has potential to occur in the offsite mitigation area as the property is in range of the species, and the Sierra Azul open space where the mitigation property is located has a known population of mountain lion. Species not yet reviewed on the USFWS list above with the potential to occur are discussed in greater detail below.

Crotch's bumble bee is found primarily in California within the Mediterranean region, Pacific Coast, Western Desert, Great Valley and adjacent foothills in southern California as well as in southwest Nevada near the California border. This species is found in grasslands and shrublands preferring hotter, drier environments. Crotch's bumble bee is a short-tongued species generalist and is often associated with plants such as milkweeds, dusty maiden, lupines and other grassland species. Leaf litter and woody forest edge can provide overwintering habitat, but this species typically nests underground in abandoned rodent burrows, or sometimes above ground in tree cavities or old bird nests. They have also been found nesting in man-made structures such as walls, rubble or abandoned furniture. The nearest CNDDDB record for Crotch's bumble bee record (occurrence #100) is located approximately 4.86 miles east of the Project site. There is non-native annual grassland present in the offsite mitigation area that provides suitable habitat for Crotch's bumble bee. This species may occur in the offsite mitigation area.

Mountain lion in California occurs in redwoods and mixed forests, coastal brushlands, mountains, and riparian corridors. Around 40% of California is considered suitable habitat for the species. Territories encompass up to 300 miles for females and 500 miles for males. Reproduction is not limited to a season for this species and females may produce offspring any time of year. Mountain lion diets mostly consist of large animals such as deer, elk, pronghorn, bighorn sheep, wild pigs, feral horses and burros. Feeding behavior may change in response to environmental conditions, prey availability, and competition with other large carnivores which may result in opportunistic hunting of other animals including poultry, small livestock, or pets. No CNDDDB records for the species occur within 5 miles of the offsite mitigation area. All land cover types on the mitigation property are considered habitat for mountain lion and this species may occur.

3.2.1.1 Other Special-Status Species

In addition to state- and federally listed threatened and endangered species, a comprehensive assessment was performed for other wildlife and plant species identified in a search of CNDDDB included in Appendix A. No special-status plant species including those with California Native Plant Society Rare Plant Ranks 1A to 4 are expected in the offsite mitigation area based on available habitat conditions and known occurrences of each plant species. It was determined that the mitigation area provides suitable habitat for five additional wildlife species designated as a species

of special concern or fully protected by the state; therefore, these species have the potential to occur. These species include:

Bird species:

- Golden eagle (*Aquila chrysaetos*) – Fully protected

Amphibian species:

- California giant salamander (*Dicamptodon ensatus*) – Species of special concern
- Santa Cruz black salamander (*Aneides niger*) – Species of special concern

Mammal species:

- Pallid bat (*Antrozous pallidus*) – Species of special concern
- San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) – Species of special concern

California giant salamander is endemic to Northern California and occurs in damp, coastal forests in both montane and valley-foothill riparian habitats within two regions. The first range is comprised of the counties of Sonoma, Napa, Marin, Southwestern Lake County, Western Glenn County, and Southern Mendocino County counties. Adults can develop into a terrestrial form or an aquatic form. The terrestrial form is found under surface litter and in tunnels, while the aquatic form is found most commonly in cool rocky streams but also occasionally in lakes and ponds. This is a primarily nocturnal species; however, diurnal activity can occur after the first rains following dry, during extend rain events, and during mating season within 150 to 200 feet of a water source. The nearest CNDDDB record for California giant salamander (occurrence # 104) is located 1.49 miles southeast of the offsite mitigation property near Rincon Creek. Hicks Creek and surrounding riparian habitat provide similar suitable habitat for this species. This species may occur in the mitigation area.

Golden eagle occurs in a wide variety of habitats, including open or partially open areas with high topographic relief such as mountains, rolling hills, and canyons. Breeding habitat is also varied and includes forest, woodland, prairie, grassland, chaparral, sagebrush, sage-juniper flats, and desert. Nests are typically placed on cliffs or large trees, and occasionally on manmade structures such as transmission towers. Foraging habitat includes both open terrain and forested landscapes. Golden eagles occur from sea level to 11,500 feet in elevation. The nearest CNDDDB record for golden eagle (occurrence #331) is located approximately 2.21 miles southeast of the offsite mitigation property in the Sierra Azul Open Space Preserve. There is moderate nesting habitat present in the offsite mitigation area and the surrounding vicinity. This species may occur in the mitigation area.

Pallid bat is found throughout California. Primary roost structures used by pallid bats include caves, crevices, and mines, and with occasional use of hollow trees, buildings, and bridges. This species forages in open habitats such as shrub-steppe grasslands, oak savannah grasslands, open ponderosa pine forests, talus slopes, gravel roads, lava flows, fruit orchards, and vineyards. The nearest CNDDDB record for pallid bat (occurrence #100) is located approximately 1.47 miles northwest of the offsite mitigation property near Venture Christian Academy. The offsite mitigation area provides both suitable tree roosting habitat and manmade structures roosting habitat. This species may occur in the mitigation area.

San Francisco dusky-footed woodrat is a rodent species native to California, found in the Santa Cruz Mountains and the Bay Area within forest and shrubland communities. This species is known

for building large stick houses known as middens that can range from 2 feet to 5 feet in height with base diameters of up to 8 feet. Middens are also sometimes built within the crotches of trees and hollow logs. This species is an herbivore generalist and consumes a wide variety of nuts, fruits, foliage, fungi and some forbs. The nearest CNDDDB record for San Francisco dusky-footed woodrat (occurrence #34) is located approximately 4.42 miles east of the offsite mitigation property in Almaden Quicksilver Park. During a site visit conducted on October 9, 2025, and an ICF biologist observed one small midden outside of the work zones within the mitigation area. This species is expected to occur in the mitigation area.

Santa Cruz black salamander is endemic to California, with a limited range west of the San Francisco Bay and south of the San Francisco Peninsula in Santa Cruz County, western Santa Clara County, and southern San Mateo County. This terrestrial species does not inhabit streams or other bodies of water; however, it is rarely encountered very far from water. This species occurs within mixed deciduous woodland, coniferous forests, and coastal grasslands under rocks near streams, in talus, under damp logs, and other objects. Adults forage for small invertebrates on the ground at night during wet weather. Invertebrate prey species include millipedes, ants and termites. Reproduction is terrestrial followed by egg deposition below ground in moist cavities where the female remains until the young hatch. The young develop completely in the egg and hatch fully formed. The nearest CNDDDB records for Santa Cruz black salamander (occurrence #104) is located approximately 1.50 miles southeast of the offsite mitigation area near Rincon Creek. Hicks Creek riparian habitat provides similar suitable habitat for this species. This species may occur in the mitigation area.

The offsite mitigation may temporarily affect the species noted above with potential to occur at the offsite mitigation site during construction due to construction equipment activity and movement, temporary removal of vegetation, and temporary dewatering of Hicks Creek and the tributary. Once construction is complete and planting has occurred and matured, the offsite mitigation will provide benefits to native fish and wildlife species as it will result in a net increase and enhancement of native aquatic and upland habitats on site.

With implementation of Mitigation Measures BIO-01 and BIO-03 through BIO-14 identified in the Final IS/MND and MMRP and the avoidance and minimization measures from the application for the CDFW Incidental Take Permit (JPB 2026a), the application for the USFWS Programmatic Biological Opinion (JPB 2026b), and the application for the NMFS Programmatic Biological Opinion (JPB 2026c), the Project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered species, or eliminate important examples of the major periods of California history or prehistory. In the long term, the impacts of the Project will be beneficial. Specifically, the Project will benefit steelhead and Chinook salmon by widening the channel, increasing floodplain habitat, increasing high velocity refuge habitat for juvenile salmonids, enhancing fish passage conditions, and reducing bank scour.

Mitigation Measures BIO-01 and BIO-03 through BIO-14 are described below.

Mitigation Measure BIO-01: In-channel Work Window. All in-channel work will be limited to June 15 through October 31, a timeframe set by CDFW, USFWS, and NMFS as a time when special-status fish are least likely to be present.

Mitigation Measure BIO-03: Biological Monitor. A qualified biologist with appropriate knowledge and experience in the biology, life history, and identification characteristics of fish that are likely to be encountered during Project activities will be present during all in-water construction activities. In-water construction activities are considered work within the active river channel and include all Project-related activities such as river diversion, dam installation and removal, channel dewatering, and fish relocation activities. This monitor will also be given the authority to halt any work they deem may be a cause for concern that may endanger fish or wildlife species or resources.

In addition, biologists with knowledge of the species with potential to occur on the site, and control of invasive species will be present during vegetation removal, dewatering, excavation, bank stabilization, and revegetation activities to monitor compliance with environmental requirements.

Mitigation Measure BIO-04: Fish Relocation. Prior to dewatering, fish relocation efforts will be implemented to reduce the likelihood of fish becoming stranded as water levels recede. Fish exclusion netting or screens will be installed directly upstream and downstream of the channel segment to be dewatered to prevent fish from re-entering the work area after relocation. The bottom edge of the net or screen will be completely secured to the channel bed. Mesh will be no greater than 1/8 inch (0.125-inch) diameter. While in place, the fish exclusion netting or screens will be regularly checked and cleaned of debris to permit free flow of water. Fish exclusion netting or screens will be installed prior to fish relocation activities and will be removed once streamflow is diverted through the temporary diversion pipes.

Fish relocation and dewatering activities will only occur between June 15 and October 31. Various methods may be used to capture fish (e.g., dip net, beach seine); however, backpack electrofishing is expected to be the most effective, based on habitat complexity and in channel structure (e.g., woody debris, cobble, riprap) within the Project area. Backpack electrofishing will follow NMFS (2000) guidelines for electrofishing for anadromous salmonids. All captured fish will be identified, enumerated, and relocated to the nearest appropriate site downstream of the work area. Fish may be temporarily held in 5-gallon buckets with cool, shaded, aerated water. Air and water temperatures will be measured periodically during fish relocation.

Any steelhead captured during the fish relocation effort will be held separately from other fish species. A thermometer will be placed in holding containers to ensure temperatures remain suitable. If steelhead appear stressed or if water temperatures become too warm, steelhead will be immediately released downstream of the work area.

Mitigation Measure BIO-05: Minimize Fish Stranding and Entrainment. To minimize risks to any special-status fish species that may be present in the Project site, a qualified fisheries biologist approved by CDFW, NMFS, and USFWS (as required) will be on-site during the dewatering process. Prior to dewatering, the best means to bypass flow through the work area to minimize disturbance to the channel and avoid direct mortality of fish and other aquatic invertebrates will be determined. Cofferdams will be constructed using sand or gravel bags sealed with sheet plastic. Cofferdams will be located at the upstream and downstream end of the section of stream getting dewatered. When bypassing streamflow around the work area, streamflow below the construction site will be maintained similar to the unimpeded flow at all times.

Pumping will likely be required to temporarily divert flows around the work site during cofferdam construction prior to diverting flows through pipes. Pumps will be placed in flat areas, away from the stream channel, and secured by tying off to a tree or staked in place to prevent movement by vibration. Pump intakes will be screened following NMFS screening criteria to prevent fish

entrainment or impingement. Pump intakes will be periodically checked for impingement of fish or amphibians, which if found, will be relocated to a safe location downstream of the dewatered channel segment. Water pumped from the upstream end of the work site will be routed through long sections of hosing around the work site and returned to the river downstream of the coffer dam. The downstream end of the pump hoses will either be submerged in a deep-water section or positioned over a water-dissipating device to reduce scour and limit turbidity increases. A qualified fisheries biologist will be on-site during channel dewatering activities to inspect the dewatered area for any stranded fish and relocate them to nearby suitable habitat. Once the cofferdams are installed and the diversion pipes are in place, all streamflow will be diverted around the worksite through gravity fed diversion pipes. Diversion pipes will not be screened to allow downstream fish migration through the work area.

To minimize risks to any special-status fish species that may be present in the Project site during re-watering, a qualified biologist approved by CDFW, NMFS, and USFWS (as required) will be on-site during the re-watering process. The downstream cofferdam will be removed first. Clean river run gravel may be left in the stream channel, provided it does not impede streamflow or fish passage. After the downstream cofferdam is removed, the diversion pipes will be removed in sections beginning at the downstream end and working toward the upstream end. The upstream cofferdam will be removed last.

To the extent feasible, all temporary diversion structures and the supportive material will be removed within 48 hours after in-channel work for each work window is completed.

Mitigation Measure BIO-06: Develop a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP will be developed and implemented for the Project that includes BMPs for erosion and sediment controls such as protecting existing storm drain inlets and stabilizing disturbed areas. Specific BMPs that may be implemented to reduce the sediment load of stormwater runoff from the adjacent upland materials management areas include installing control devices (e.g., earth berms, asphalt curbs, silt fences/curtains, or other barriers) around the materials handling areas and protecting existing catch basins with silt fences, asphalt curbs, or gravel bags. Under the SWPPP, contractors will store fuel and chemicals in such a manner to prevent accidental spills from affecting stormwater (e.g., kept within secondary containment). The SWPPP will include a spill control plan, which will address spills of hazardous materials in the materials handling areas. A full complement of oil spill clean-up equipment will be on-site and available for immediate deployment should there be an accidental discharge of fuel, lubricant, or hydraulic oils. Specific elements of the SWPPP will include the following commitments.

- Fueling and servicing of mobile equipment will be restricted to at least 100 feet from the top of bank.
- Consideration will be given to maintaining a vegetated buffer strip between staging/excavation areas and receiving waters.
- Slopes with exposed soil will be stabilized (e.g., with erosion control blankets), and channels will be protected (e.g., using silt fences or straw wattles).
- Stockpiling or placement of erodible materials in waterways or along areas of natural stormwater flow where materials could be washed into waterways will be prohibited.
- Stockpiled soil will be stabilized with geotextile or plastic covers.
- Site ingress/egress locations will be stabilized.

- All trash from the site will be removed daily to avoid attracting potential predators. Personnel will clean the work site before leaving each day by removing all litter and construction-related materials.
- Fiber rolls used for erosion control will be certified as free of noxious weed seed. Filter fences and mesh will be of material that will not entrap reptiles and amphibians. Erosion control measures will be placed between the outer edge of the buffer and the Project site.
- Vehicles operated within and adjacent to streams will be checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be deleterious to aquatic life.
- Washing of vehicles will be permitted only at approved areas.

Mitigation Measure BIO-07: Develop a Habitat Mitigation and Monitoring Plan (HMMP). The HMMP will include plans for the restoration and enhancement of aquatic and riparian habitats, including a planting plan, including species composition, success criteria, and a monitoring schedule. As part of the riparian planting plans, native trees affected by the Project will be replaced at a 3:1 ratio, and non-native trees will be replaced with native trees at a 1:1 ratio. The HMMP will also include conceptual designs for in-channel improvements (e.g., in-channel structures to improve fish habitat quality) and a post-construction fish passage monitoring schedule. The HMMP will include evaluation of bioengineered bank treatments that incorporate live vegetation. Maintenance of natural stream characteristics, such as riffle-pool sequences, riparian canopy, sinuosity, floodplain, and a natural channel bed, will be important considerations in the mitigation design. Topsoil and gravel material incorporated in the restoration of the channel will be reused from material removed during construction to the extent practicable. The HMMP will be incorporated in JPB's permit applications to USACE, CDFW, and RWQCB.

Mitigation Measure BIO-08: Implement Construction-related BMPs. To minimize impacts on water quality, the Project will include measures to avoid and minimize potential adverse effects on listed species. The following are specific measures relevant for the protection of steelhead.

- Construction will occur only during dry periods.
- Prior to storm events, all construction activities will cease, and appropriate erosion control measures will be implemented.
- Soil, silt, or other organic materials will not be placed, stockpiled, or stored where such materials could pass into surface water or surface water drainage courses during unexpected rain events.
- All areas disturbed by Project activities will be protected from washout or erosion prior to the onset of the rainy season.
- All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
- Prior to initiation of any waterside work, erosion control measures will be used throughout all phases of operation where silt and/or earthen fill threaten to enter waters of the U.S and/or state.
- To prevent inadvertent entrapment of animals during excavation, all excavated, steep-walled holes or trenches more than 2-feet deep will 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.

Mitigation Measure BIO-09: Nesting Birds. If practicable, construction will be scheduled to commence outside the avian nesting season (e.g., prior to February 1 or after September 15).

If construction must occur within the avian nesting season (from February 1 to September 15), all suitable habitats located within the Project's area of disturbance, including staging and storage areas plus a 250-foot buffer around these areas, will be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no more than 5 days before commencement of any site disturbance activities and equipment mobilization. If Project activities are delayed by more than 5 days, an additional nesting bird survey will be performed. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys will be documented.

If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), will take place within 250 feet of non-raptor nests and 1,000 feet of raptor nests, or as determined by a qualified biologist in consultation with CDFW, until the chicks have fledged.

The biologist will prepare a written record of survey results and implementation of any avoidance/minimization measures to be kept on file at the Caltrain office. The biologist will monitor any active nests to determine when young have matured sufficiently to have fledged.

Mitigation Measure BIO-10: Roosting Bats. A qualified biologist will conduct a preconstruction survey within 14 days prior to construction activities. If an occupied maternity or colony roost is detected, the biologist will contact CDFW to determine the appropriate buffer relative to the:

- proximity and noise level of Project activities;
- distance and amount of vegetation or screening between the roost and construction activities; and
- species-specific needs, if known, such as sensitivity to disturbance.

The buffer will remain in place until construction is completed. If the roost is in vegetation or in a structure that is planned to be removed, the qualified biologist will work with CDFW to devise a plan to exclude the bats and develop and implement any needed mitigation measures.

The biologist will prepare a written record of survey results and implementation of any avoidance/minimization measures to be kept on file at the Caltrain office. The biologist will recommend additional measures if a bat roost is found.

Mitigation Measure BIO-11: Western Pond Turtle. A qualified biologist will conduct pre-construction surveys for western pond turtle in the study area prior to the initiation of construction activities. If western pond turtle is found in the study area during pre-construction surveys, CDFW will be notified within 72 hours to determine the appropriate measures to prevent impacts on the species.

A qualified biologist will be present during vegetation clearing and during any dewatering activities. If any western pond turtles are observed in the construction area, including any dewatered areas, they will be captured and relocated to an appropriate location up or downstream of the construction area in coordination with CDFW. The qualified biologist will have the authority to stop construction until the western pond turtle can be safely relocated.

Mitigation Measure BIO-12: Worker Environmental Awareness Training. Before any construction activities begin, an approved biologist will conduct a training session for all construction personnel to discuss special-status species that may occur in the Project site (California red-legged frog, Foothill yellow-legged frog, California tiger salamander, Crotch's Bumblebee, mountain lion, pallid bat, San Francisco dusky-footed woodrat, California giant salamander, Santa Cruz black salamander, steelhead, western pond turtle and various nesting birds). The biologist will inform all construction personnel about the life history of the relevant species, the regulatory protections afforded each species, and protective actions to implemented if special-status species are observed during construction.

Mitigation Measure BIO-13: Environmentally Sensitive Areas. Clearing within the Project site will be confined to the minimal area necessary to facilitate construction activities. To ensure that construction equipment and personnel do not affect sensitive aquatic or terrestrial habitat identified within or adjacent to the Project boundary, bright-colored barrier fencing will be erected to clearly delineate the habitat to be avoided (environmentally sensitive areas). Fencing will also be used to mark ordinance trees to be protected in-place within temporary construction access/staging areas.

Mitigation Measure BIO-14: Control of Invasive Species. Invasive species within the limits of construction work will be removed under the supervision of a biologist to ensure removal and disposal methods minimize further propagation. Seed mixtures applied for erosion control will not contain invasive non-native species.

In addition, all of the avoidance and minimization measures (AMMs) from the application for the CDFW (concerning state-listed species), the application for the USFWS Programmatic Biological Opinion (concerning federal-listed wildlife species), and the application for the NMFS Biological Opinion (concerning federal-listed fish species), as modified in consultation with CDFW, NMFS, and USFWS, also apply to the offsite mitigation work and are incorporated by reference.

With implementation of Mitigation Measures BIO-1 and BIO-3 through BIO-14 and the AMMs from the CDFW Incidental Take Permit, the USFWS Programmatic Biological Opinion, and the NMFS Programmatic Biological Opinion (as modified in consultation with CDFW, USFWS, and NMFS), the July 2026 Modified Project would not result in any new significant or more severe impacts on biological resources beyond those analyzed and addressed in the MND.

3.3 Hydrology and Water Quality

The 2021 MND concluded that the GRBR Project would result in no impacts related to violating water quality standards or discharge requirements, groundwater supplies, surface runoff, stormwater drainage systems, flood flow, flood hazard, or obstruction of a water quality control plan. The MND concluded that the GRBR Project would result in less-than-significant impacts related to erosion or siltation due to temporary disturbance of construction activities, as well as a long-term increase in impervious surface area. Less-than-significant erosion and siltation impacts would be addressed through implementation of the SWPPP during construction and adherence to the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook for post-construction stormwater management.

Implementation of the updated HMMP, which includes proposed offsite mitigation on Hicks Creek, would not change the impact conclusions of the MND (ICF 2026).

Similar to the GRBR Project, the HMMP would require a SWPPP to be prepared and implemented prior to site clearing. Construction activities onsite would include, but not be limited to, removal of concrete and rock masonry retaining walls along the channel banks, realignment of the Hicks Creek tributary, grading, and establishment of temporary construction staging areas. Grading activities will include laying back channel banks and slopes and floodplain grading following removal of hardscape features. The creek would be temporarily diverted during realignment. Subsequent to demolition and grading activities, riparian and upland plantings would occur throughout the property and impacted areas, as well as invasive plant removal and replacement with native species. Specific erosion control measures and BMPs would be implemented to offset the loss of soil or sediment to erosion during and immediately after the completion of construction and before establishment of the erosion control seed mix. Silt fencing, fiber rolls, jute matting and/or other erosion control measures and techniques would be implemented.

Once demolition and planting phases of the HMMP are complete, operational impacts on hydrology and water quality would be limited to irrigation, periodic maintenance activities such as adjustments to the plant watering schedule, erosion control maintenance, weed control, replacement planting, trash removal, monitoring, and as-needed channel clearing. Once implemented, the offsite mitigation would result in beneficial effects on Hicks Creek resulting from restoration of the natural stream functions and fish passage. Operational impacts at the offsite mitigation property would not have the potential to result in new or more severe impacts.

The July 2026 Modified Project would not result in any new significant or more severe hydrology and water quality impacts than the impacts analyzed and addressed in the MND.

3.4 Geology and Soils

The 2021 MND found that the GRBR Project would result in no impacts on geology and soils. The MND concluded that the Project site was not located in the vicinity of an earthquake fault zone and it would not be subject to impacts from high seismic ground shaking, seismic-related ground failure, liquefaction, or landslides. Construction-period soil erosion would be addressed through adherence to an NPDES Permit and SWPPP BMPs. Lastly, the MND concluded that the GRBR Project site was not located in a geologic unit or soil that is unstable, incapable of supporting the use of septic tanks or alternative waste water disposal systems, or subject to paleontological resources or sites that may be damaged or destroyed.

Implementation of the updated HMMP, which includes proposed offsite mitigation on Hicks Creek, would not change the impact conclusions of the MND.

Similar to the GRBR Project, the Hicks Creek Offsite Mitigation property is not located in close proximity to an earthquake fault zone. The closest of which is located over 6 miles southwest. However, the mitigation property is located in the larger San Francisco Bay Area which is susceptible to ground shaking, and the mitigation property boundaries also contain and or are located near areas subject to landslides and liquefaction (USGS. 2026). Implementation of the HMMP would involve demolition of infrastructure along the channel banks, realignment of the Hicks Creek tributary, riparian and upland planting, invasive plant removal, and monitoring. The mitigation plan would not construct new structures or infrastructure within the mitigation property. As previously noted, the Hicks Creek Offsite Mitigation would be required to adhere to BMPs identified in the SWPPP prepared for the Project. Implementation of these measures would avoid or reduce potential

impacts, and no new or more severe construction impacts are anticipated. Once constructed, maintenance of the site would not have the potential to introduce new or more severe impacts related to geology and soils.

The July 2026 Modified Project would not result in any new significant or more severe geology and soils impacts than those analyzed and addressed in the MND.

3.5 Parks and Recreation

The 2021 MND concluded that the GRBR Project would not result in impacts on existing parks or recreation facilities. Consistent with the GRBR Project, the proposed offsite mitigation does not include new residences and thus would not directly or indirectly induce population growth with the potential to exacerbate use of recreation areas and facilities. The Hicks Creek Offsite Mitigation area is managed by Midpen and is located within the Sierra Azul Open Space Preserve in Santa Clara County, California. The Sierra Azul Preserve is the largest open space area managed by Midpen and it protects more than 19,000 acres of wilderness in the Santa Cruz Mountains. The preserve is divided into four areas, two of which are open to the public, Kennedy-Limekin and Mount Umunhum. The Kennedy-Limekiln and Mount Umunhum areas were opened in 2017 after a nearly decade-long effort to restore the summit and remove abandoned military buildings and hazardous materials. The Cathedral Oaks and Rancho de Guadalupe areas are not presently accessible to the public but opening them is a priority for Midpen.

The preserve encompasses 26 miles of multiuse trails for hiking, dog walking, biking and horseback riding, and offers visitors views of serpentine grasslands, rocky and steep chaparral, dense stands of bay trees, shaded oak woodland forests, and deep ravines and riparian corridors.

Implementation of the offsite mitigation area within the Rancho De Guadalupe area aligns with Midpen's goals of restoring the preserve and removing dilapidated structures, resulting in a beneficial impact to the preserve. Construction activities would include removal of existing hardscapes located within the offsite mitigation area and realignment of Hicks Creek to improve natural stream functions and fish passage. Upon removal of constructed infrastructure in the channel and associated tributary, riparian and upland planting would occur throughout the property, improving the overall condition of the preserve for future recreational use. No temporary access impacts are anticipated because the Rancho De Guadalupe area is not currently open to the public. Following completion of the demolition and planting phases of the HMMP, operational impacts would be limited to routine maintenance, trash removal, weed control, and irrigation. Given this, no temporary or permanent impacts on recreational resources area anticipated, and a beneficial effect would occur related to future recreational use of the Rancho De Guadalupe area.

The July 2026 Modified Project would not result in any new significant or more severe parks and recreation impacts than the impacts analyzed and addressed in the MND.

3.6 Cultural Resources

The 2021 MND concluded that the GRBR Project would not result in impacts on cultural or tribal cultural resources. JPB conducted a cultural resources record search at the California Historical Resource Information System's Northwest Information Center on October 18, 2018, and the search

revealed no California Register of Historic Places or National Register of Historic Places-listed or eligible resources within the project area.. Based on the results of the cultural resources records research and additional geoarchaeological investigation that was conducted for the Project, the MND determined that no known historic or prehistoric buried archaeological resources, human remains, or resources anticipated to be culturally significant to a California Native American tribe were present in the project area and no impacts on cultural resources or tribal cultural resources were anticipated. Implementation of the updated HMMP, which includes proposed offsite mitigation on Hicks Creek, would not change the impact conclusions of the MND.

ICF conducted a geoarchaeological sensitivity analysis review, a records search at the California Historical Resources Information System's Northwest Information Center (NWIC) at Sonoma State University, and an archaeological and built environment field survey of the Hicks Creek Offsite Mitigation area in October 2025. Research and review of pertinent geologic and geoarchaeological studies of the approximately 5.6-acre area of potential effect (APE) included the following resources.

- Geologic Maps of California
- Far Western Anthropological Research Group's Geoarchaeological studies of California Department of Transportation District 4 and District10 (Meyer and Rosenthal 2007)

According to the archaeology sensitivity analysis, surface soils within the APE date from the Pre-Holocene Epoch (greater than 11,800 years), indicating that the APE has a low sensitivity for buried archaeological sites, since these landforms were formed prior to human occupation. The APE is not located within alluvial fan deposits, which tend to have a higher sensitivity for buried archaeological resources because alluvial fans are primarily Holocene-aged (11,800 to 2,000 years), thus decreasing the degree of sensitivity to a low potential for encountering buried archaeological resources. The combination of the analysis from Meyer and Rosenthal (2007), and geologic maps indicates that the potential for encountering buried archaeological deposits in the APE is low, resulting in limited potential to result in any new significant or more severe impacts on archaeological resources.

A cultural resource records search was conducted at the NWIC in Sonoma, California on October 7, 2025. The NWIC, an affiliate of the Office of Historic Preservation, is the official state repository of cultural resources records and reports for Santa Clara County. The NWIC record search identified three previously conducted cultural studies within a 0.50-mile radius of the APE (**Table 3-3**). None of the previous cultural resource studies intersect with the APE.

Table 3-3. Previous Cultural Resource studies within 0.50 mile of the APE

Agency Study #	Year	Author	Report Title
S-026188	2002	Robert Cartier	Cultural Resource Evaluation of the Hicks Creek Ranch Project in the County of Santa Clara
S-027070	2003	Robert Cartier	Cultural Resources Evaluation of the Guadalupe Creek Trail Project in the City of San Jose
S-037865	2011	Sunshine Psota	Archaeological Survey of an 100-Acre Southern Portion of 15999 Guadalupe Mines Road Near San Jose, Santa Clara County, California

The NWIC records search identified two previously recorded cultural resources within 0.50 mile of the APE (**Table 3-4**). Of the two previously recorded cultural resources, one is a precontact

archaeological site, and one is a historic-era district. No previously recorded resources were identified within the APE.

Table 3-4. Previously recorded Cultural Resources within 0.25 mile of the APE

Primary/Trinomial	Age	Archaeological/Built Environment	Description
P-43-002012/CA-SCL-000871	Pre-contact	Archaeological	Precontact midden site with fire-cracked rock and groundstone
P-43-002400/CA-SCL-000891H	Historic	Built Environment	Historic district consisting of the Guadalupe Mines and the associated town of Guadalupe.

ICF's archaeologist Shelby Caulder and architectural historian Nicole Felicetti conducted an intensive archaeological and built-environment survey of the proposed APE on October 13, 2025, to determine the presence of historic and pre-contact cultural materials within the APE. As a result of the pedestrian survey, no precolonial or historic-era archaeological resources were located within the APE. However, one headstone was identified approximately 45 feet west of a vehicle storage barn.

No historic-age buildings (those older than 45 years) were observed during the pedestrian survey. No buildings identified in Hicks Creek Property Historic Resource Evaluation (Garavaglia Architecture, Inc. 2014) were extant. ICF's architectural historian observed and photographed rock walls along the creek, which were captured in the previous documentation as part of the property's finding of no historic significance (Garavaglia Architecture, Inc. 2014:A2-A3, 56). Additionally, ICF's architectural historian observed and photographed one contemporary ancillary structure in a staging area. The ancillary structure was constructed circa 2006 and is therefore not a historic-age building). As a result of the intensive pedestrian survey, no built-environment resources were identified within the APE.

As a result of the surveys and archaeological study, no archaeological resources were observed or recorded within the APE, and the site sensitivity analysis determined that the APE is located on Cretaceous to Jurassic (201 million to 66 million years) geologic deposits with low potential to encounter subsurface archaeological deposits. The records search indicated that there is one precontact archaeological site located within 0.50 mile of the APE, however it will not be affected by the offsite mitigation activities. Implementation of the offsite mitigation plan at Hicks Creek would have limited potential to affect archaeological resources or human remains during grading. However, there is always a chance of encountering an archaeological resource during ground-disturbing activities. Additionally, the presence of a tombstone onsite signals potential for human remains. Procedures that would be implemented upon inadvertent discovery of archaeological resources or human remains must be implemented. With adherence to the environmental commitment included in the 2021 MND MMRP, described below, no new or more severe impacts on cultural resources are anticipated.

Environmental Commitment: Inadvertent Discovery. If an unanticipated archaeological resource is discovered during construction, construction will be halted in the area of the find until an archaeologist assesses the resource. If human remains are uncovered, construction will be halted in the area where burial finds are discovered, and conduct the notifications and coordination required by law with the County Coroner and California Native American Heritage Commission.

3.7 Mandatory Findings of Significance

With incorporation of mitigation measures as identified in the MND, the July 2026 Modified Project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The Hicks Creek Offsite Mitigation would not result in impacts that are individually limited but cumulatively considerable, and the July 2026 Modified Project does not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. The impact determinations in the MND are unchanged.

Signature

Date

Chapter 4 References

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- . 2026c. Hicks Creek Offsite Mitigation Application for NMFS Programmatic Biological Opinion. July.

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Appendix A

IPaC and CNDDDB 5-Mile Species Search



Selected Elements by Common Name
California Department of Fish and Wildlife
California Natural Diversity Database

Item #6
7/29/2026



Query Criteria: BIOS selection

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
American badger <i>Taxidea taxus</i>	AMAJF04010	None	None	G5	S3	SSC
American peregrine falcon <i>Falco peregrinus anatum</i>	ABNKD06071	Delisted	Delisted	G4T4	S3S4	
arcuate bushmallow <i>Malacothamnus arcuatus</i> var. <i>arcuatus</i>	PDMAL0Q0E0	None	None	GNRT2	S2	1B.2
bald eagle <i>Haliaeetus leucocephalus</i>	ABNKC10010	Delisted	Endangered	G5	S3	FP
Bay checkerspot butterfly <i>Euphydryas editha bayensis</i>	IILEPK4055	Threatened	None	G4G5T1	S3	
bent-flowered fiddleneck <i>Amsinckia lunaris</i>	PDBOR01070	None	None	G3	S3	1B.2
black swift <i>Cypseloides niger</i>	ABNUA01010	None	None	G4	S3	SSC
black-crowned night heron <i>Nycticorax nycticorax</i>	ABNGA11010	None	None	G5	S4	
burrowing owl <i>Athene cunicularia</i>	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
California giant salamander <i>Dicamptodon ensatus</i>	AAAAH01020	None	None	G2G3	S2S3	SSC
California red-legged frog <i>Rana draytonii</i>	AAABH01022	Threatened	None	G2G3	S2S3	SSC
California tiger salamander - central California DPS <i>Ambystoma californiense</i> pop. 1	AAAAA01181	Threatened	Threatened	G3T3	S3	WL
Congdon's tarplant <i>Centromadia parryi</i> ssp. <i>congdonii</i>	PDAST4R0P1	None	None	G3T2	S2	1B.1
Crotch's bumble bee <i>Bombus crotchii</i>	IIHYM24480	None	Candidate Endangered	G2	S2	
foothill yellow-legged frog - central coast DPS <i>Rana boylei</i> pop. 4	AAABH01054	Threatened	Endangered	G3T2	S2	
fragrant fritillary <i>Fritillaria liliacea</i>	PMLIL0V0C0	None	None	G2	S2	1B.2
golden eagle <i>Aquila chrysaetos</i>	ABNKC22010	None	None	G5	S3	FP
great blue heron <i>Ardea herodias</i>	ABNGA04010	None	None	G5	S4	
great egret <i>Ardea alba</i>	ABNGA04040	None	None	G5	S4	
hairless popcornflower <i>Plagiobothrys glaber</i>	PDBOR0V0B0	None	None	GX	SX	1A



Selected Elements by Common Name
California Department of Fish and Wildlife
California Natural Diversity Database

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Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Hall's bushmallow <i>Malacothamnus hallii</i>	PDMAL0Q0F0	None	None	G2	S2	1B.2
hoary bat <i>Lasiurus cinereus</i>	AMACC05032	None	None	G3G4	S4	
Hom's micro-blind harvestman <i>Microcina homi</i>	ILARA47020	None	None	G1	S2	
Loma Prieta hoita <i>Hoita strobilina</i>	PDFAB5Z030	None	None	G2?	S2?	1B.1
most beautiful jewelflower <i>Streptanthus albidus ssp. peramoenus</i>	PDBRA2G012	None	None	G2T2	S2	1B.2
Mt. Hamilton thistle <i>Cirsium fontinale var. campylon</i>	PDAST2E163	None	None	G2T2	S2	1B.2
northwestern pond turtle <i>Actinemys marmorata</i>	ARAAD02031	Proposed Threatened	None	G2	SNR	SSC
obscure bumble bee <i>Bombus caliginosus</i>	IIHYM24380	None	None	G2G3	S1S2	
Opler's longhorn moth <i>Adela oplerella</i>	IILEE0G040	None	None	G2	S2	
osprey <i>Pandion haliaetus</i>	ABNKC01010	None	None	G5	S4	WL
pallid bat <i>Antrozous pallidus</i>	AMACC10010	None	None	G4	S3	SSC
purple martin <i>Progne subis</i>	ABPAU01010	None	None	G5	S3	SSC
robust spineflower <i>Chorizanthe robusta var. robusta</i>	PDPGN040Q2	Endangered	None	G2T1	S1	1B.1
rock sanicle <i>Sanicula saxatilis</i>	PDAP11Z0H0	None	Rare	G2	S2	1B.2
Salinas kangaroo rat <i>Dipodomys heermanni goldmani</i>	AMAFD03065	None	None	G4T2T3	S2S3	
San Francisco collinsia <i>Collinsia multicolor</i>	PDSCR0H0B0	None	None	G2	S2	1B.2
San Francisco dusky-footed woodrat <i>Neotoma fuscipes annectens</i>	AMAFF08082	None	None	G5T2T3	S2S3	SSC
Santa Clara red ribbons <i>Clarkia concinna ssp. automixa</i>	PDONA050A1	None	None	G5?T3	S3	4.3
Santa Clara Valley dudleya <i>Dudleya abramsii ssp. setchellii</i>	PDCRA040Z0	Endangered	None	G4T2	S2	1B.1
Santa Cruz black salamander <i>Aneides niger</i>	AAAAD01070	None	None	G3	S3	SSC
smooth lessingia <i>Lessingia micradenia var. glabrata</i>	PDAST5S062	None	None	G2T2	S2	1B.2



Selected Elements by Common Name
California Department of Fish and Wildlife
California Natural Diversity Database

Item #6
7/29/2026



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
snowy egret <i>Egretta thula</i>	ABNGA06030	None	None	G5	S4	
steelhead - central California coast DPS <i>Oncorhynchus mykiss irideus pop. 8</i>	AFCHA0209G	Threatened	None	G5T3Q	S3	SSC
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	AMACC08010	None	None	G4	S2	SSC
western bumble bee <i>Bombus occidentalis</i>	IIHYM24252	None	Candidate Endangered	G3	S1	
western leatherwood <i>Dirca occidentalis</i>	PDTHY03010	None	None	G2	S2	1B.2
western ridged mussel <i>Gonidea angulata</i>	IMBIV19010	None	None	G3	S2	
woodland woollythreads <i>Monolopia gracilens</i>	PDAST6G010	None	None	G3	S3	1B.2
yellow rail <i>Coturnicops noveboracensis</i>	ABNME01010	None	None	G4	S2	SSC
Zayante band-winged grasshopper <i>Trimerotropis infantilis</i>	IIORT36030	Endangered	None	G1	S1	

Record Count: 50



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:

10/16/2025 19:10:29 UTC

Project Code: 2025-0157220

Project Name: Hicks Creek Restoration Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

PROJECT SUMMARY

Project Code: 2025-0157220
Project Name: Hicks Creek Restoration Project
Project Type: Bridge - Replacement
Project Description: Creek Restoration Project
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@37.199689899999996,-121.90011088591534,14z>



Counties: Santa Clara County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 11 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
California Condor <i>Gymnogyps californianus</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8193	Endangered
California Least Tern <i>Sternula antillarum browni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered

REPTILES

NAME	STATUS
Northwestern Pond Turtle <i>Actinemys marmorata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

AMPHIBIANS

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened
Foothill Yellow-legged Frog <i>Rana boylei</i> Population: Central Coast Distinct Population Segment (Central Coast DPS) There is proposed critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5133	Threatened

FISHES

NAME	STATUS
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/57	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat.	Proposed Threatened

NAME	STATUS
Species profile: https://ecos.fws.gov/ecp/species/9743	

FLOWERING PLANTS

NAME	STATUS
Metcalf Canyon Jewelflower <i>Streptanthus albidus ssp. albidus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4186	Endangered
Robust Spineflower <i>Chorizanthe robusta var. robusta</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9287	Endangered
Santa Clara Valley Dudleya <i>Dudleya setchellii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3207	Endangered

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Foothill Yellow-legged Frog <i>Rana boylei</i> https://ecos.fws.gov/ecp/species/5133#crithab	Proposed

IPAC USER CONTACT INFORMATION

Agency: ICF
Name: Ross Wilming
Address: 595 Market Street
Address Line 2: Suite 950
City: San Francisco
State: CA
Zip: 94105
Email: rwilming@gmail.com
Phone: 4158468489

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Technology, Operations, Planning and Safety (TOPS) Committee

Through: Michelle Bouchard, Executive Director

From: Sherry Bullock, Deputy Executive Director, Engineering, Capital and Modernization

For: August 2026 JPB Board of Directors Meeting

Subject: **Authorize Amendment to the RSE Corporation Contract for the South Linden Avenue and Scott Street Grade Separation Project***

☐ Finance Committee Recommendation ☐ Technology, Operations, Planning, and Safety Committee Recommendation ☐ Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

Staff recommends that the Board of Directors (Board) authorize the Executive Director, or designee, to execute Amendment No. 1 for the contract with RSE Corporation (RSE) for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project, increasing the base contract by \$1,665,517, from \$4,287,044 to \$5,952,561, with no change to the optional services, for a revised total contract amount of \$18,142,779.

Significance

The South Linden Avenue and Scott Street Grade Separation Project will eliminate the at grade crossings at South Linden Avenue and Scott Street. The project will improve safety and traffic operations, and reduce vehicle delay and train horn noise. The proposed contract amendment will allow the Project to complete preliminary engineering based on the selected Optimized Alternative and complete the technical work necessary to support environmental clearance and future final design. This builds on the original project objectives approved by the Board in 2023.

Discussion

In May 2023, the Board awarded a contract to RSE Corporation to perform preliminary engineering services through 35 percent design for the South Linden Avenue and Scott Street Grade Separation Project. The original base contract totaled \$4,287,044, with optional services available for future final design and construction support.

Following contract award, additional engineering evaluation determined that the originally identified preferred alternative presented significant challenges such as increased construction complexity, right-of-way impacts, and overall project cost.

Working collaboratively with Caltrain and partner agencies, RSE evaluated multiple alternatives and developed an Optimized Alternative that:

- Eliminates temporary shoofly tracks
- Reduces construction duration
- Lowers construction cost
- Minimizes right-of-way impacts
- Minimizes impacts to infrastructure from the recently completed Caltrain Electrification Project

The Optimized Alternative was selected in March of 2025 and became the basis for continued project development. As the project matured, the scope of work evolved beyond the original preliminary engineering assumptions.

The amendment:

- Separates broad engineering tasks into discipline-specific design packages
- Expands technical investigations including geotechnical, traffic, and environmental studies
- Increases project management and stakeholder coordination
- Expands utility coordination
- Incorporates additional Alternative Development activities performed between June 2023 and July 2025.

The following table summarizes the updates to the design tasks, and associated costs, to better align with the current project scope and reflect the engineering effort necessary to advance the selected Optimized Alternative. No time extension is required. The amended contract maintains the current expiration date as May 31, 2027.

	Original Contract		Amended Contract		Variance (Amended – Original)
Base	Services and Tasks		Services and Tasks		
	Task 1 – Project Management Task 2 – Preliminary Studies (35% Design) Task 4 – Environmental Clearance & Right of Way Support Task 3 – Preliminary Engineering (35% Design) Task 5 – Utility Coordination Task 6 – Project Working File Transfer		1 - Project Management Services 2 - Geotechnical Studies 2b-Environmental Site Assessment 3 - Traffic Studies 4 - Retaining Wall Design 5 - Roadway Design 6 - Utility Coordination 7 - Drainage Design 8 - Railroad Design 9 - South Linden Avenue Structure Design 10- Scott Street Structure Design 11-Landscape Architecture Design 12-Project Plans, Documentation, and Finals Reports/Files 13 - Alternative development June 2023- July 2025		
	Total – Base Contract	\$ 4,287,044	Total – Amended Base Contract	\$ 5,952,561	\$1,665,517
	Total – Options	\$ 12,190,218		\$ 12,190,218	\$
	Total Contracts Amount	\$ 16,477,262		\$ 18,142,779	\$1,665,517

The amendment increases the base contract by \$1,665,517, from \$4,287,044 to \$5,952,561. The optional services remain unchanged at \$12,190,218, resulting in a revised total contract authority of \$18,142,779.

Budget Impact

The proposed amendment increases the base contract authority by \$1,665,517, from \$4,287,044 to \$5,952,561. The optional services authorized under the original contract remain unchanged. The revised total contract amount will be \$18,142,779.

Funding for this amendment is available within the South Linden Avenue and Scott Street Grade Separation Project Capital Budget. No budget amendment is required for this amendment.

Prepared By: Zhenlin Guan

Jane Huang

Director, Infrastructure Delivery

Deputy Project Manager

07/01/2026

07/01/2026

Resolution No. 2026-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Authorize Amendment to the RSE Corporation Contract for the South
Linden Avenue and Scott Street Grade Separation Project***

Whereas, on May 4, 2023, the Board of Directors of the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to RSE Corporation (RSE) for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project (Project) for a not-to-exceed amount of \$4,287,044 for a two-year base term, and authorized up to four one-year option terms for additional services in a total not-to-exceed amount of \$12,190,218; and

Whereas, following execution of the contract, through that continued engineering effort, the Project team evaluated and developed an Optimized Alternative that eliminates the need for temporary shoofly tracks, reduces construction duration and costs, minimizes right-of-way impacts, and improves compatibility with the completed Caltrain Electrification infrastructure; and

Whereas, selection of the Optimized Alternative in 2025 required additional alternatives analysis, engineering evaluations, stakeholder coordination, and project development activities beyond the scope contemplated under the original contract; and

Whereas, as the Project advanced, the scope of work was refined to better align with the engineering disciplines and deliverables required to support continued design

development, including geotechnical, environmental, traffic, roadway, railroad, structural, drainage, landscape architecture, utility coordination, and project documentation services; and

Whereas, the proposed Amendment No. 1 restructures and expands the consultant scope of work, incorporates Alternative Development activities performed between June 2023 and July 2025, and increases the base contract amount by \$1,665,517, from \$4,287,044 to \$5,952,561; and

Whereas, the amendment does not modify the previously authorized optional services totaling \$12,190,218, resulting in a revised total contract authority of \$18,142,779;

Whereas, staff has determined that the amended scope, schedule, and negotiated compensation are fair and reasonable and necessary to continue advancement of the Project; and

Whereas, staff and legal counsel have reviewed the proposed amendment and determined that it is in the best interest of the JPB.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes Amendment No. 1 to the Contract with RSE Corporation for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project, Increasing the Base Contract Amount by \$1,665,517 for a Revised Base Contract Amount Not-to-Exceed \$5,952,561

Be It Further Resolved that the previously authorized optional services totaling \$12,190,218 shall remain unchanged; and

Be It Further Resolved that the total contract authority, including the amended base contract and previously authorized option services, shall not exceed \$18,142,779; and

Be It Further Resolved that the Executive Director, or designee, is authorized to execute Amendment No. 1 in a form approved by legal counsel and to take any additional actions necessary to carry out the intent of this Resolution.

Regularly passed and adopted this 6th day of August, 2026 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary