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- REGIONAL PARKS & PATHWAYS
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**RE: STAFFORD LAKE PARK MASTER PLAN  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

**RESPONSES TO COMMENTS AND RECOMMENDATION TO ADOPT THE  
MITIGATED NEGATIVE DECLARATION AND APPROVE THE MASTER PLAN**

**Purpose of this Document**

The purpose of this document is to respond to comments received on the draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Stafford Lake Park Master Plan (Master Plan) and recommend that the Marin County Board of Supervisors adopt the MND and approve the Stafford Lake Park Master Plan.

**Summary Conclusion**

As detailed in this document, Marin County Parks staff has concluded that the modifications to the IS/MND and Master Plan made as a result of comments do not constitute significant modifications that would require recirculation of the documents. Furthermore, Marin County Parks staff recommends that the Board of Supervisors adopt the MND and approve the Stafford Lake Park Master Plan.

**Public Comment Period Summary– Compliance with CEQA Guidelines §15073**

A Draft IS/MND for the Master Plan was prepared by Marin County Parks and circulated for public review from October 10, 2018 to November 13, 2018, consistent with the 30-day review period required by State CEQA Guidelines §15073. The Draft IS/MND, along with a Notice of Availability (NOA), was distributed to the State Clearinghouse (SCH 2016082041) and interested agencies, organizations, and neighbors within 300 feet of Stafford Lake Park. The NOA was posted on the Marin County Parks website and the general public had an opportunity to submit written comments to Marin County Parks during this review period. Comments were received during the public review period from agencies and the public.

One of the comment letters received during the public review period on the Draft IS/MND was from the North Marin Water District (NMWD). The NMWD's comments included minor corrections, which Marin County Parks has incorporated. Some of NMWD's comments resulted in changes to the Project Description, which are described in the Revised Project Description. None of these changes to the Project Description would result in new or more severe environmental impacts than were discussed in the Draft IS/MND. The NMWD comment letter and Marin County Park's response letter are included in this document.

Another of the comment letters received during the public review period on the Draft IS/MND was from the California Department of Fish and Wildlife (CDFW). The CDFW's comment letter included clarifications and recommended revisions to the mitigation measures to clarify the measures and to provide more effective means to avoid or reduce the potentially significant environmental impacts to biological resources. In response to these comments, Marin County Parks revised the Biological Resources section of the Draft IS/MND and it is included in this document.

Marin County Parks also received comment letters from two organizations: Access 4 Bikes and Friends of Stafford Lake Bike Park as well as online comments from nine individuals. None of these comments resulted in changes to the IS/MND or Master Plan. Copies of these comments and Marin County Parks responses are included in this document.

The Draft Stafford Lake Master Plan, the previously circulated Draft IS/MND, and proposed final documents are available online at: <https://www.marincountyparks.org/projectsplans/park-improvements/master-plan-stafford-lake-park>

### **Response to Comments and Future Steps**

This document includes written responses to all comments received on the Draft IS/MND along with the revisions to the IS/MND and Master Plan. This document will be posted on the project webpage. Those who commented and provided contact information will be contacted when the Response to Comments document is posted.

The Marin County Board of Supervisors will consider whether to adopt the MND and whether to approve the Master Plan at a regularly scheduled board meeting. This information will be posted on the project webpage when it is known and available.

### **Summary of Revisions**

The Master Plan recommendations and the IS Project Description have been revised to remove the swimming lagoon from Section 3.4 – The Back Meadow, and the Lake Pavilion and Tree Camping from Section 3.5 – Miscellaneous Amenities. The associated graphics included in both documents have been updated to reflect the deletion of these elements. The revisions to the Project Description are shown in ~~strikethrough~~ for deletions and underline for added text.

The following language has been added to Section 4 – Construction to clarify implementation of Master Plan elements relative to the IS/MND:

Master Plan elements should not be construed as a promise to construct. Implementation of the Master Plan elements, particularly for the conceptual elements, depends on a variety of factors including urgency due to public safety or resource protection, available funding, Marin County Parks system-wide priorities, recreational needs, and staffing. As Master Plan elements become individual projects for implementation, the design details would be developed. The individual project would then be evaluated to determine if it is within the scope of the IS/MND. If no new significant environmental impacts would occur and no new mitigation measures would be required, then Marin County Parks could determine that the individual project is within the scope of the IS/MND and no additional CEQA compliance would be required. If the individual project could result in potentially significant environmental impacts that were not addressed in the IS/MND, or if new mitigation measures would be required to minimize the effect of newly identified impacts, then Marin County Parks would conduct additional CEQA analysis associated with the newly identified environmental impact(s) and/or new mitigation measure(s).

Revisions made to the Biological Resources chapter of the IS clarify and amplify that section, and do not identify new avoidable significant environmental impacts that required new mitigation measures or project revisions in order to reduce the effects to an insignificant level. The draft IS correctly identified potentially significant environmental impacts and draft mitigation measures to reduce potentially significant environmental impacts to a less than significant level. The draft mitigation measures were substituted with equal and more effective measures based on comments from CDFW, in a manner consistent with CEQA Guidelines §15074.1. Rather than indicate these revisions through ~~strikethrough~~ for deletions and underline for added text, the entire section has been replaced with a new version.

### **CEQA Analysis: Re-Circulation of the Draft IS/MND CEQA is not Required**

Marin County Parks staff has concluded that the modifications to the Initial Study/Mitigated Negative Declaration and Master Plan for Stafford Lake Park made as a result of public comments do not constitute significant modifications that would require recirculation of the documents.

Marin County Parks, along with its consultants, have fully complied with CEQA and the State CEQA Guidelines, including §15070 – 15075 of the State CEQA Guidelines that pertain to the Negative Declaration Process, as detailed below:

**§15070 – Decision to Prepare a Negative or Mitigated Negative Declaration.** Marin County Parks decided to prepare a Mitigated Negative Declaration after preparing an Initial Study that showed there is no substantial evidence, in light of the whole record, that the Initial Study identified potentially significant environmental effects in the areas of Land Use and Planning, Water, Geophysical, Air Quality, Transportation and Circulation, Biological Resources, Greenhouse Gas Emissions, Cultural Resources, and Hazards and that those effects could be mitigated to a less than significant level.

**§15071 – Contents.** The MND circulated for public review included the required contents:

- (a) A brief description of the Stafford Lake Park Master Plan
- (b) The location of Stafford Lake Park, including the location on a map, and identifying Marin County Parks as the project proponent and CEQA Lead Agency
- (c) A proposed finding that the Stafford Lake Master Plan will not have a significant effect on the environment
- (d) The Initial Study was attached which, amongst other things, documented the reasons to support the finding that the Stafford Lake Park Master Plan would not have a significant effect on the environment
- (e) Mitigation measures were included to reduce potentially significant environmental impacts to a less than significant level

**§15072 – Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration.** Marin County Parks published a Notice of Availability (NOA)<sup>1</sup> on October 10, 2018 to announce the 30-day public review period for the IS/MND starting on October 11, 2018 and ending on November 13, 2018. The NOA was mailed to residents within a 300-foot radius of Stafford Lake Park, was made available at Marin County Parks' administrative office and at the Marin County Library Novato and Civic Center branches, and was published on the Marin County Parks webpage and in a newspaper of general circulation. The NOA included the required information:

- a) A brief description of the Stafford Lake Park Master Plan and the location of Stafford Lake Park
- (b) The starting and ending dates for the public review period
- (c) A public meeting or hearing was not held during the public review period therefore the NOA did not include this information
- (d) The locations where the IS/MND was available for public review
- (e) The project area does not include any hazardous waste sites therefore the NOA did not include this information

**§15073 – Public Review of a Proposed Negative Declaration or Mitigated Negative Declaration.** As discussed in the Background section of this document, Marin County Parks fully complied with State CEQA Guidelines §15073 and conducted a 30-day public review of the IS/MND.

**§15073.5 – Recirculation of a Negative Declaration prior to Adoption.** The revisions to the Project Description and to the Biological Resources chapter of the IS do not require recirculation of the IS/MND because the conditions that require recirculation were not met. State CEQA Guidelines §15073.5 requires a lead agency to recirculate an IS/MND if it has been substantially revised<sup>2</sup> after public notice of its availability has previously been given, but prior to its adoption.

- (a) The revisions to the Project Description and Biological Resources chapter of the IS are not “substantial,” as defined, in that no new avoidable significant effects were identified that required new mitigation measures or project revisions in order to reduce the effects to an insignificant level.

***Removal of the swimming lagoon from the Master Plan and IS Project Description.*** North Marin Water District (NMWD) requested additional information regarding bio-remediation of the swimming lagoon to ensure that cross-contamination between Stafford Lake and the swimming lagoon, restrooms, locker room, and waste disposal would not occur. NMWD also commented that flood protection would be necessary to prevent discharge of water from the swimming lagoon to Stafford Lake. The Master Plan and IS Project Description described the proposed swimming lagoon as naturally cleaning itself via planting species specifically for bioremediation and that it would be designed to protect Stafford Lake from cross-contamination. As the Master Plan is a long-range planning document, the proposed swimming lagoon was a conceptual element and no details regarding the specifics of the bioremediation plantings or design to prevent cross-contamination are known at this time. The planning horizon for the proposed swimming lagoon was categorized in the Master

<sup>1</sup> A Notice of Availability announces that a draft Environmental Impact Report (EIR) is available for public review. It is an equivalent to a NOI in that it contains the same information and serves the same purpose.

<sup>2</sup> State CEQA Guidelines §15073.5 defines “substantially revised” as: (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

Plan as long-term, defined as 20 plus years into the future. The IS assumed that project-specific CEQA impact analyses would be conducted at the time when the proposed swimming lagoon became a proposed project. In response to NMWD's comments, Marin County Parks decided to remove the proposed swimming lagoon from the Master Plan and IS Project Description instead of investing in design-level project development for a proposed element that would be implemented far into the future. Marin County Parks would conduct project-level CEQA compliance should the swimming lagoon concept become a proposed project in the future. Since this change in the Master Plan Project Description was not based on the identification of new avoidable significant effects that required the revision in the Project Description, the condition for recirculation was not met. Furthermore, a project description does not become deficient if the Lead Agency approves a smaller project.

**Removal of the lake pavilion and tree camping from the Master Plan and IS Project Description.** Marin County Parks removed these recommendations from the Master Plan and IS Project Description based on a re-evaluation of the costs associated with implementation and on-going operation, and subsequent determination that these elements were not feasible. Since these changes in the Master Plan and IS Project Description were not based on the identification of new avoidable significant effects that required the revision in the Project Description, the condition for recirculation was not met. Furthermore, a project description does not become deficient if the Lead Agency approves a smaller project.

- (b) The mitigation measures included in the revised Biological Resource section of the IS Checklist are replacement mitigation measures that provide equal or more effective<sup>3</sup> measures pursuant to §15074.1. The replacement mitigation measures clarify the original measures and add detail based on comments received from the California Department of Fish and Wildlife (CDFW) to provide more effective protection measures.
- (c) As discussed above, the revisions consist of removing three recommendations from the Master Plan and IS Project Description. Removing the proposed swimming lagoon was triggered by NMWD request for additional design-level information which Marin Parks is not prepared to develop at this time, not due to the identification of new, avoidable significant effects. Removing the lake pavilion and tree camping elements from the Master Plan Project Description was at the election of Marin County Parks due to the unlikelihood of developing these elements, not due to comments received on the project's effects or due to the identification of new, avoidable significant effects.
- (d) No new measures or conditions of project approval were added after circulation of the draft IS/MND. The revised Biological Resources mitigation measures are not conditions of project approval. As stated above, they are clarifications of the original mitigation measures and include additional detail based on CDFW comments to provide more effective protection measures.
- (e) No new information has been added to the draft IS/MND.

**§15074 – Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration.**

Marin County Parks will present the draft IS/MND including comments received during the public comment period, responses to those comments, the Mitigation Monitoring and Reporting Plan, and the revised draft Master Plan to the Marin County Parks and Open Space Advisory Committee and to the Marin County Board of Supervisors. The Advisory Committee does not make recommendations to the Marin County Board of Supervisors therefore, this presentation will be for informational purposes. The Marin County Board of Supervisors will decide whether to adopt the MND and whether to approve the Master Plan.

The Responses to Comments will provided to the two agencies that commented on the draft IS/MND: North Marin Water District and the California Department of Fish and Wildlife a minimum of ten days prior to the date upon which the Marin County Board of Supervisors will consider whether to adopt the MND and whether to approve the Master Plan. The Responses to Comments and revisions to the draft IS/MND and the Master Plan will also be posted on the Marin County Parks webpage and made available for public review prior to the date upon which the Marin County Board of Supervisors will consider whether to adopt the MND and whether to approve the Master Plan.

**§15074.1 – Substitution of Mitigation Measures in a Proposed Mitigated Negative Declaration.**

The revision of the Biological Resources section of the draft IS, including the mitigation measures, has be thoroughly discussed in this document. State CEQA Guidelines §15074.1 provides for substitution of mitigation measures that are

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<sup>3</sup> Per State CEQA Guidelines §15074.1, "equivalent or more effective" means that the new measure will avoid or reduce the significant effect to at least the same degree as, or to a greater degree than, the original measure and will create no more adverse effect of its own than would have the original measure.

equivalent or more effective than those included in the draft IS/MND that was circulated for public review. Marin County Parks will comply with the requirements included in State CEQA Guidelines §15074.1 as follows:

- (a) A public hearing to consider the revised mitigation measures will occur at the Marin County Board of Supervisors meeting when they will be asked to decide on whether to adopt the MND and whether to approve the Stafford Lake Park Master Plan.
- (b) Marin County Parks will request the Marin County Board of Supervisors adopt a written finding that the new mitigation measures are equivalent or more effective in mitigating or avoiding potential significant effects and that they will not cause any potentially significant effects on the environment.

When these requirements are met, and the revised Biological Resources mitigation measures are incorporated into the project approval, no recirculation of the proposed IS/MND will be required pursuant to State CEQA Guidelines §15074.1.

**§15075 – Notice of Determination on a Project for which a Proposed Negative or Mitigated Negative Declaration has been Approved.** Marin County Parks will file a Notice of Determination (NOD) in compliance with the requirements included in State CEQA Guidelines §15075 should the Marin County Board of Supervisors adopt the MND.

### **Conclusion**

In conclusion, Marin County Parks determines that recirculation of the draft IS/MND and Master Plan are not required, and staff recommends that the Board of Supervisors adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve of the Stafford Lake Park Master Plan.

### **Attachments**

- Revised Master Plan Project Description
- Revised Biological Resources section of the IS Checklist
- Comments received during the public review period for the draft IS/MND
- Responses to Comments



**STAFFORD LAKE PARK MASTER PLAN**  
**Initial Study/Mitigated Negative Declaration**  
**REVISED Project Description and Biological Resources Section**

**November 2019**



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## **PROJECT INFORMATION**

### **Project Title**

Stafford Lake Park Master Plan

### **Lead Agency Name and Address**

Marin County Parks  
3501 Civic Center Drive, Suite 260  
San Rafael, California 94903

### **Contact Person**

Michelle Julene  
(415) 473-5283 or @MJulene@marincounty.org

### **Project Location**

Stafford Lake County Park, Novato  
Assessor's Parcels 125-090-019 and 22, and 125-100-14

### **Project Sponsor's Name and Address**

Marin County Parks  
3501 Civic Center Drive, Suite 260  
San Rafael, California 94903

### **General Plan Designation**

PF-OS (Public Facility – Open Space)

### **Zoning**

Zoning: A2-B4 (Limited Agriculture)



## REVISED PROJECT DESCRIPTION

### 3. Proposed Project

From the onset of the master planning process, Marin County Parks and the design team considered Stafford Lake Park as a unique, but underutilized amenity. The Master Plan focuses on alternative, nature-based recreation, as well as traditional picnic and play to activate the park's underutilized areas and to protect its existing resources. The overall Master Plan improvements have been broken down into five general categories, as shown in Figure 6:

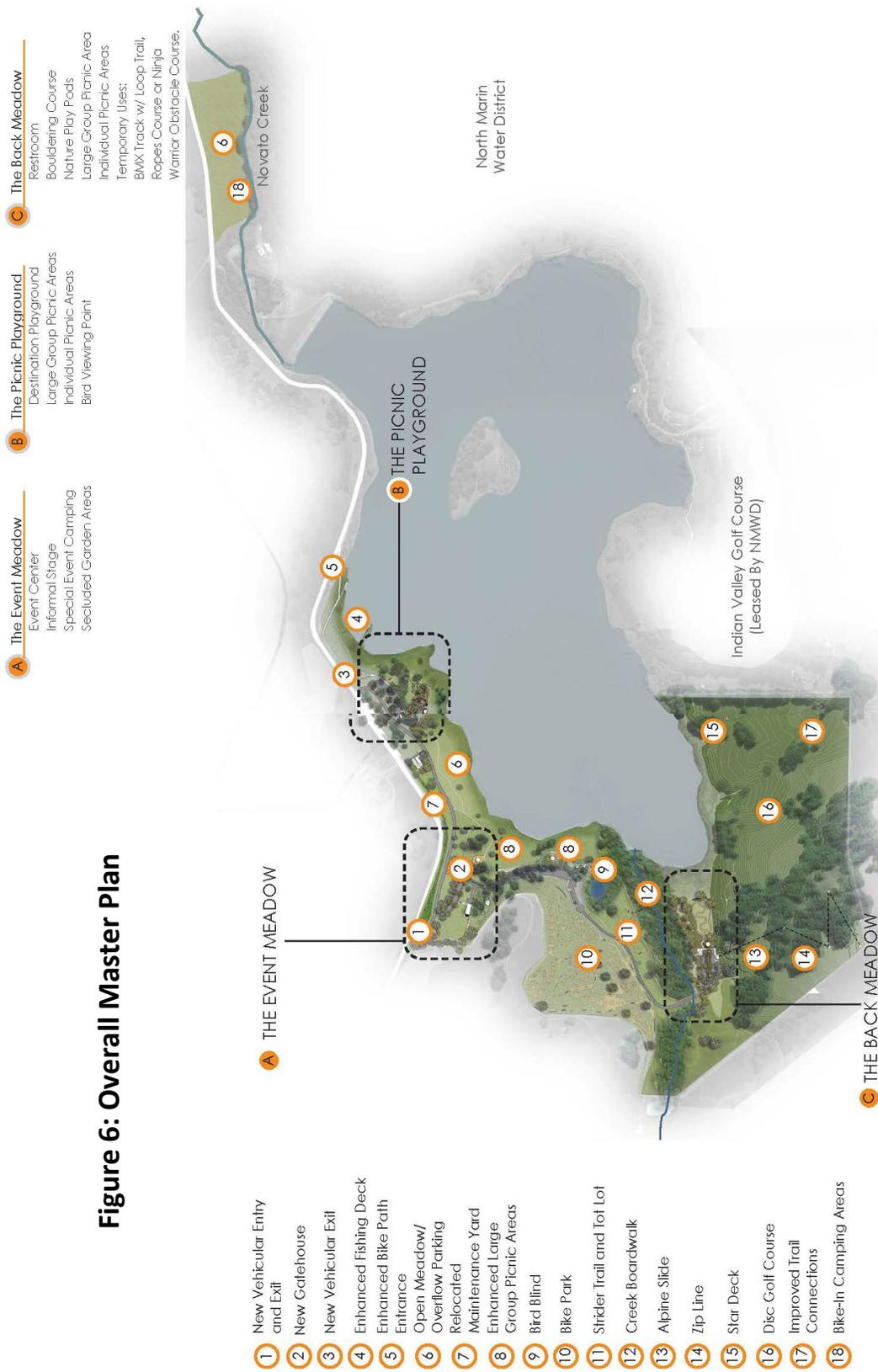
- General Park Improvements
- The Event Meadow
- The Picnic Playground
- The Back Meadow
- Miscellaneous Amenities

While interconnected, these features can stand as singular projects. These proposed improvements are described below.

#### **3.1 General Park Improvements**

A major step in the master plan effort is to reconfigure the current vehicular circulation for improved movement and increased accessibility to park features. The main access point would be moved to the northwestern corner of the park along Novato Boulevard and an exit-only access would be provided at the eastern edge. The existing gatehouse structure would be preserved and repurposed and a new gatehouse would be constructed near the Event Meadow.

New pedestrian and bicycle paths would supplement the existing pathways to create internal walking loops that are wheelchair and stroller-accessible. These new pathways would be up to 8 feet wide and could be improved with decomposed granite, paving, or other hardened surfaces. Additionally, improved trail connections with the existing Terwilliger Trail, disc golf course trails, and along the lake are proposed. These trail extensions would create continuous trail loops from existing dead-end trails. New trails would avoid disturbing upland vegetation and other environmentally sensitive areas. New interpretive signage is proposed at sensitive environmental and cultural spaces within the park. Additionally, individual and group picnic areas would be added throughout the park.



**Figure 6: Overall Master Plan**

### 3.2 The Event Meadow

The following elements are proposed in the northwest portion of the park along Novato Boulevard:

- **New Gatehouse.** A new 250 sf gatehouse would be situated between the park road parallel with Novato Boulevard and the road leading to the existing group picnic areas 1 and 2 (see Figure 7). This new gatehouse configuration would allow the park to be split into two sections - one without a fee and the other fee-based - to encourage more frequent use by nearby residents who are turned away from visiting the park due to fees. A fee would be required to access the Event Meadow area and areas south of the new gatehouse.
- **Events Center.** The existing staff maintenance yard and trailer residence would be replaced with a new 4,000 sf event center structure. The structure would provide a flexible indoor space for special events, community meetings, exhibitions, and other gatherings. It would also include exterior restrooms. The structure design would reference to the neighboring barn/ranch style architecture.
- **New Parking Lot.** A new parking lot with approximately 60 spaces would provide formal parking spaces for future events. The remaining open meadow would have capacity for overflow parking during large special events in the park and could accommodate approximately 150 vehicles.
- **Informal Stage and Open Meadow.** An informal 450 sf stage with electrical power would be constructed in the northwestern portion of the Event Meadow. The surrounding open meadow area would remain as an open, flexible space for picnicking or informal recreation. The stage would be a simple platform that could accommodate a removable shade structure.
- **Special Event Camping.** To accommodate special groups (e.g., Girl Scouts), a space along the southern edge of the meadow would allow special event camping parties of approximately 50 people.
- **Event Gardens.** The existing drainage swale, adjacent to the proposed events center, could become a garden space to supplement the events center. Areas near the drainage swale would be planted with California native plantings while areas outside of the swale would become a naturalistic garden with low water-use plantings.



Representative Photo of Proposed Events Center



Representative Photo of Proposed Event Gardens

### 3.3 The Picnic Playground

The following elements are proposed in the northeast portion of the Park along Novato Boulevard:

- **Destination Playground.** The destination playground would be the centerpiece of the Picnic Playground area (see Figure 8). Play equipment would include custom-designed and standard

climbing structures built around the existing mature trees on site. The playground would have various subareas including a tot lot, water play zone, willow hut village, play stage, and elevated play areas. The playground would be designed with accessibility in mind, providing ADA- accessible play equipment, multi-sensory engaging elements, and imaginative spaces. The playground would be located within the no fee zone of the park.

- **Individual and Group Picnic Areas.** This area would include additional individual and group picnic areas scattered around the area. Adjacent to the new destination playground, an improved group picnic area would have a newly constructed BBQ counter along with several picnic tables. An additional group picnic area would be added just west of the existing stand of redwoods. New paths would connect to this proposed group picnic area and additional picnic tables, BBQ counter, and serving area would be provided. Four additional individual picnic areas would supplement the existing two areas, allowing more intimate picnic venues, and would offer freestanding BBQs. These picnic areas would be in addition to the picnic and play area associated with the Stafford Lake Bike Park. Proposed amenities would serve both general park and bike park users.



Representative Photo of Proposed Individual and Group Picnic Areas

- **Extended Walking Paths.** A new approximately 1,000 linear foot ADA-accessible pathway would go around the Picnic Playground area. The path would provide individual picnic areas and a bird viewing vista point. The path would be a mini-loop within the larger park-wide pedestrian loop. Parts of the pathway would be a multi-use path that shares pedestrian and bicycle traffic.

- **New Maintenance Yard and Staff Offices.** The existing 400 sf gatehouse building would be renovated to serve as the relocated park staff offices and maintenance facilities. Additional permanent structures totaling approximately 2,000 sf would function as a maintenance yard.



Representative Photo of Proposed Maintenance Yard and Staff Offices

- 1 New Vehicular Entry and Exit
- 2 Vegetated Buffer
- 3 Informal Stage
- 4 Special Event Camping
- 5 Events Center
- 6 Event Gardens
- 7 New Parking
- 8 New Gatehouse
- 9 Enhanced Existing Group Picnic

**Figure 7: Detail Plan – Event Meadow**



- 1 New Maintenance Facility/Utility Existing Entry Station
- 2 New Path
- 3 Open Meadow/Overflow Parking
- 4 Restoration Planting Along Existing Swale
- 5 New Restroom
- 6 Individual Picnic Area
- 7 New Group Picnic Area
- 8 New Destination Playground
- 9 Enhanced Parking
- 10 New Park Exit
- 11 Bird Viewing Vista Point
- 12 Fishing Deck
- 13 Enhanced Bike Entry

**Figure 8: Detail Plan – Picnic Playground**

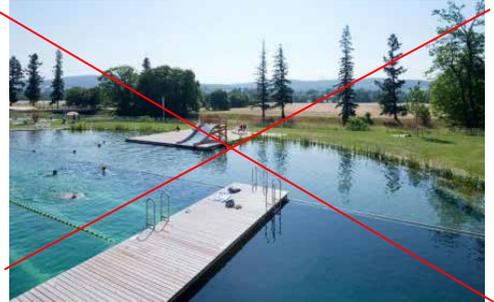


### 3.4 The Back Meadow

The following elements are proposed in the central portion of the Park south of the Stafford Lake Bike Park (see Figure 9):

- **Roadway Extension and Back Meadow Parking Lot.** Currently, the Back Meadow area consists of an open field of non-native plants and is inaccessible to vehicles. A permanent vehicular bridge and roadway connection would provide greater access to this area. The new road would be approximately 1,800 linear feet in length and 20 feet wide and the bridge would be approximately 25 feet wide and 80 feet long. A parking lot with approximately 64-spaces would be added to the Back Meadow.

- ~~**Swimming Lagoon.** The proposed swimming lagoon would be a one-of-a-kind feature at the park. It would be naturally cleaned via planting specifically installed for bioremediation. The lagoon could have a lap swimming area along with a free swim zone. It would be designed to ensure no cross-contamination with the protected Stafford Lake. A kiddie lagoon is also proposed adjacent to the main lagoon. Wooden decks would surround portions of the lagoon to provide a flexible breakout space. An approximately 3,500-sf changing facility would be constructed just west of the swimming lagoon. The building would house restrooms and locker rooms with potential office space for management staff of the lagoon.~~



Representative Photo of Proposed Swimming Lagoon

- **Bouldering Course.** The bouldering course would be located along the foot of the hillside just north of the disc golf course ~~south of the swimming lagoon~~. It would consist of 12 climbable rock features built into the landscape, including 6 large features ranging from 10 to 15 feet in height and 6 small features ranging in height from 6 to 10 feet tall. All boulders would be designed with the appropriate fall zone requirements.



Representative Photo of Proposed Bouldering Course

- **Nature Play Pods.** Three nature play pod areas would be scattered along the path west of the lake ~~that circles the swimming lagoon~~. These play areas would have informal play elements adjacent to proposed picnic areas.



Representative Photo of Proposed Nature Play Pods

- **Individual and Group Picnic Areas.** Three new individual picnic areas and one group picnic area would be provided in the Back Meadow. Individual picnic areas would have picnic tables and freestanding BBQs, while the group picnic area would have an approximately 1,000 sf shade structure and BBQ counter and serving area. Approximately 17 picnic tables and four BBQs would be installed.

- 1 New Vehicular Bridge
- 2 Strider Trail + Tot Lot
- 3 Restroom
- 4 Large group picnic area
- 5 Zip Line Platform
- 6 Alpine Slide
- 7 Creek Boardwalk
- 8 Small Group Picnic Areas
- 9 Informal/ Nature Play Pods
- 10 Bouldering Course
- 11 Temporary Uses: BMX track w/ Loop trail, Ropes course or "Ninja Warrior" Obstacle Course (see pg. 80-81)

Figure 9: Detail Plan – The Back Meadow



**Temporary Uses** are activities or amenities that can be quickly built into the existing landscape with minimal impact. The three temporary use options for the Back Meadow are described below and illustrate ideas for these activities with suggested placement and dimensions in the landscape. The options would be universally accessible via an accessible crossing.

- **BMX Track with Loop Trail:** The first option for temporary use is a one-half mile loop trail encompassing a BMX track in the heart of the Back Meadow. The loop would be designed as a multiple use trail to accommodate bikers and joggers for fitness. In the center of the loop, the BMX track would be roughly 100,000 sf. This size would be large enough to accommodate a track with multiple turns, and could accommodate potential racing events.



Representative Photo of Proposed BMX Track

- **Ropes Course:** Option 2 proposes to create a course traversing 18 elements connected by rope at 6 poles. The linear ‘aerial rope adventure’ would be sited on a 60-foot x 30-foot area at the edge of the meadow. The elements would be separated by pathways and platforms ranging in height. The varying levels in course difficulty would allow for individuals of varying abilities to enjoy this site amenity. The course would be designed with the appropriate safety requirements and features.

- **Ninja Warrior Obstacle Course:** The third temporary use would be a 17,000 sf “Ninja Warrior” style obstacle course which would accommodate individuals or groups in a challenging 10 element course. High and low elements would be placed strategically in sequence to encourage fitness and fun. The course would be sited adjacent to the lake at the terminus of the accessible crossing.



Representative Photo of Proposed Obstacle Course

### 3.5 Miscellaneous Amenities

Other amenities are proposed include the following:

- ~~● **Lake Pavilion.** The Lake Pavilion would be located near the existing group picnic areas near the mouth of Novato Creek. The Lake Pavilion would provide close access to the lake edge without disturbing the surrounding habitat and would offer a venue for small events and mediation sessions. The pavilion would total approximately 1,100 sf and would include an approximately 2,600 sf wooden deck.~~

- **Fishing Boardwalk.** The Fishing Boardwalk would improve and expand the existing fishing spot near the northeast portion of the park. The boardwalk would provide access to deeper waters within the lake and more spaces for fishing overall. The pathway leading to the fishing boardwalk would also be improved. The boardwalk would be approximately 200 feet long and 6 feet wide.

- **South Lake Edge Improvements and Star Deck.** The South Lake Edge would have minimal improvements, including three hike-in picnic spaces and a Star Deck. The Star Deck would have built-in telescopes, an informal classroom space, and a radiant heating floor. The deck could also be outfitted with a solar-powered heater. The Star Deck would be approximately 2,000 sf and would include three picnic tables.



Representative Photo of Proposed Star Deck

- **Bird Blind.** A Bird Blind structure would be located near the existing group picnic area adjacent to the seasonal wetland pond south of the Bike Park. The simple 150 sf structure would allow visitors to observe birds in an unobtrusive manner. It could also include interpretive signage.

- **Zip Line and Alpine Slide and Tree Camping.** The proposed Zip Line and Alpine Slide, and Tree Camping platforms would be located in the southern portion of the park, just west of the existing disc golf course. These facilities would be designed to have minimal impact on the existing terrain and could become revenue-generating concessions within the Park. The Zip Line would be approximately 1,000 linear feet and include five platforms. The Alpine Slide would be approximately 1,000 feet long and five feet wide. ~~Approximately four Tree Camping platforms 20 feet in diameter would be provided.~~



Representative Photo of Proposed Zip Line

- **General Picnic Area Improvements.** As part of the Master Plan, the existing Group Picnic Areas 1, 2, and Rustic Meadows would be renovated. Improvements would include three new 1,000 sf shade structures, improved BBQ with serving counter, and approximately 50 new picnic tables.
- **Bike-In Camping.** The 16-acre lot to the east of Stafford Lake Park would remain an open meadow utilized as overflow parking with the exception of a portion along Novato Creek. Small areas would be cleared and used as overnight camp sites. Due to the proximity to the main bike path, the sites would be oriented to bike-in and walk-in camping only.
- **Creek Boardwalk.** The new creek boardwalk would cross Novato Creek further east from the vehicular crossing, providing increased circulation options within the park. The approximately 350 linear feet, seven-foot wide boardwalk would allow visitors to engage with the creek without disturbing sensitive habitat and provide interpretive opportunities for educational programs.
- **Strider Trail, Tot Lot and Temporary Roadway Extension.** The new tot lot and strider trail would be located across the road from the bike park, between Novato Creek and the road. The 15,000-sf tot lot would include nature-based play items, two picnic areas with 2 tables each, a new 16-foot by 27-foot shade structure and a 1,300 linear foot by 3 foot wide dirt trail for strider bicycles.<sup>1</sup>
- **Single Track Bike Trail.** A new 5- foot wide multi-use dirt trail would be located in and around the disc golf course area. The trail would be designated for use by hikers, bicyclists, and occasional bicycle race events. The trail would be between 2 and 5 miles long and may utilize sections of the existing Terwilliger Trail to minimize disturbance. Bicycle traffic would likely be limited to one direction to ensure safety.
- **Utilities and Infrastructure.** Currently, minimal utilities exist within Stafford Lake Park. Water service extends to most of the picnic areas, the three restroom facilities, and the maintenance yard/trailer residence. Electrical service is available at Group Picnic Areas 1 and 2 and the maintenance yard/trailer. No sewer connections exist at the park. The restrooms and residence rely on individual holding tanks to handle waste. Implement the proposed master plan improvements, would require extended utility connections, in addition to increased transformer capacity.

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<sup>1</sup> A strider bicycle, also known as a balance bicycle or run bicycle, is a training bicycle that helps children learn balance and steering. It has no pedals and no drive train.

## **Table 1. Stafford Lake Park Master Plan Project List**

### **General Improvements**

Reconfigure Existing Vehicular Circulation  
Pedestrian and Bicycle Paths  
Utilities

### **The Event Meadow**

New Gatehouse  
Event Center  
Event Center Parking Lot  
Informal Stage and Open Meadow  
Special Event Camping  
Event Gardens

### **Picnic Playground**

Destination Playground  
Individual and Group Picnic Areas  
[Extended Walking Path](#)  
Maintenance Facility & Staff Offices

### **The Back Meadow**

Roadway Extension, Bridge & Parking Lot  
~~Swim Lagoon & Changing Facility~~  
Bouldering Course  
Nature Play Pods  
Individual and Group Picnic Areas

### **Miscellaneous Amenities**

~~Lake Pavilion~~  
Fishing Deck  
South Lake Edge Improvements & Star Deck  
Bird Blind  
Zipline  
Alpine Slide  
~~Tree Camping~~  
Group Picnic Areas 1, 2 & 3 Upgrades  
Bike-In Camping  
Creek Boardwalk  
Strider Trail, Tot Lot and Temporary Road Extension  
Single Track Trail  
Utilities and Infrastructure

## REVISED SECTION 9.8 – BIOLOGICAL RESOURCES

### INITIAL STUDY CHECKLIST

<i>Would the project:</i>	<b>Significant or Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less than Significant</b>	<b>No Impact</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Setting

Stafford Lake Park comprises 139 acres along the western edge of Stafford Lake. Stafford Lake is a surface water source reservoir owned by the North Marin Water District and is not part of the park. As a protected water source, there is no swimming or boating allowed at the lake. Fishing is allowed at the lake outside the 1,500-foot buffer from the dam and intake tower. Stafford Lake Park lies in undeveloped and rural lands approximately 3 miles west of downtown Novato. It is adjacent to Indian Valley Golf Course and North Marin Water District land to the east; beyond those properties lie several open space preserves including Indian Tree, Verissimo Hills, and Little Mountain to the east; Mount Burdell to the north; and Indian Valley to the south. Private rangeland and other undeveloped lands lie in the hills to the west.

Marin County purchased land along the western edge of Stafford Lake to create Stafford Lake Park in 1971. About 20 acres of the 139-acre park were developed in the late 1970's into the recreational spaces that currently exist, including picnic areas, restrooms, play fields, and playground. The 23-hole disc golf course was developed in the 1990's, and phase 1 of the Stafford Lake Bike Path opened to the public in 2015. Currently, trail use within the park is restricted to pedestrians only. There are no dogs allowed in the park, except service animals, and there are restrictions on equestrian use and cyclists on trails. The park has changed little in the 50-year history. The Master Plan proposes to renovate and update existing park amenities.

Stafford Lake Park currently offers various recreational amenities scattered throughout the park's wildlands. The park offers lake fishing, picnic and barbeque areas, recreational amenities like a volleyball court and horseshoes, a playground, bike park, open lawn and nature trails. The park hosts an array of programs, ranging from family picnics and day hikers to large-scale music events and other festivals drawing up to several thousands of visitors. Its six picnic areas are heavily used during summer months. The park is a popular wedding venue, consistently booked on weekends during warmer months. It also has a diverse set of ranger-led and community group-organized park programs including outdoor movie screenings, educational, and stargazing events.

The proposed master plan improvements are broken down into five general categories and described in the Project Description:

- General Park Improvements
- The Event Meadow
- The Picnic Playground
- The Back Meadow
- Miscellaneous Amenities

These proposed improvements would be located throughout the park within a variety of vegetation and habitat types as discussed below. The maps and descriptions of Master Plan elements provided are conceptual. As conceptual Master Plan elements become projects, they will be evaluated against the Master Plan IS/MND to determine if the impact analysis is adequate or not, what impacts would actually occur from implementation of the specific Master Plan

element, which mitigation measures would apply, and whether additional mitigation measures are needed.

Novato Creek runs from the west, through the park, and into the lake, eventually flowing to San Pablo Bay. Stafford Lake provides a portion of Novato's water supply. In addition to Novato Creek, several other smaller drainages flow into the lake. Elevation ranges from approximately 200 feet along the northern periphery of the park to 500 feet at the southwestern boundary. The park experiences occasional flooding during large storm events near the riparian corridor, but the Stafford Dam overflow sets the water edge to +197.87 (NAVD-88). Soil types within the park are primarily derived from sedimentary rock and include Blucher and Cole soils (silt or clay loams derived from alluvium weathered from sandstone, granite, or shale); Gilroy loams (derived from residuum weathered from igneous and metamorphic rock); and Los Osos and Bonnydoon loams (derived from residuum weathered from sandstone or shale).

A biological constraints review for the Stafford Lake Master Plan was performed by LSA Associates in fall 2014. This included background research and field review that consisted of five site visits in October 2014 to identify sensitive biological resources for consideration in project planning and implementation. LSA prepared a memo summarizing results and mapping sensitive features. LSA also conducted a rare plant survey on April 8, 2018. This biological setting section is based on LSA's findings (LSA 2014) with additional background review completed by PCI in May 2019 (PCI 2019). The 2019 background review included an examination of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) occurrences from the Stafford Lake region (i.e., within USGS quads San Geronimo, Petaluma, Petaluma River, and Novato; CDFW 2019a), excluding those requiring habitat not present in the park (e.g., such as marine, estuarine, sand dunes, tidal marsh, and serpentine); U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database (USFWS 2019c); California Native Plant Society's electronic database (CNPS 2019); Calflora (Calflora 2019); and Marin County documents and reports, and other resources. The review identified 33 special-status plants and 24 special-status animal species for possible occurrence in the general vicinity of the park, which are included in (Appendices A and B).

### ***Vegetation Communities and Habitats***

The plant communities that occur within Stafford Lake Park include non-native grassland, brome/fescue native grassland, purple needlegrass grassland, seasonal wetland, riparian willow groves, and oak woodland and are depicted in Figures 4a, 4b, 5a, and 5b.

**Non-native Grassland.** The grassland is dominated by a variety of non-native species including ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), hare barley (*Hordeum murinum* ssp. *leporinum*), and Italian ryegrass (*Festuca perenne*). This grassland corresponds to the annual brome grasslands as described in the *Manual of California Vegetation* (Manual; Sawyer et al. 2009). Much of the grassland in the northern half of Stafford Lake Park has been previously disturbed by mowing and/or cultivation for hay. There is also an area adjacent to the northeast part of the lake that was previously ornamental lawn but has not been irrigated in recent years.

**Brome/Fescue Native Grassland.** The brome/fescue native grassland is unusual in that it is dominated by a number of different native grass species including fescue (*Festuca* spp.), California

brome (*Bromus carinatus*), and purple needlegrass (*Stipa pulchra*). This grassland roughly corresponds to the Idaho fescue alliance as described in the *Manual*. At Stafford Lake, this grassland has high cover and diversity of native species, low cover of non-native species, and restricted occurrence. This grassland type only occurs on a slope near the southwestern boundary of the park. The forb component of the grassland is likely to be diverse as well, but was not observed during the October 2014 fieldwork as the survey occurred outside of the blooming period for most plants.

This grassland is considered sensitive based on CDFW ranking of Idaho fescue grassland and the Marin Countywide Plan's (CWP) protection of the closely related needlegrass grassland (CDFW 2019c and MCCDA 2007).

**Purple Needlegrass Native Grassland.** The purple needlegrass grassland is dominated by purple needlegrass at 10 to 50 percent relative cover. This habitat type is relatively widely distributed in the undisturbed portions of Stafford Lake Park. It corresponds to the *Nassella pulchra* alliance as described in the *Manual*.

Purple needlegrass grassland is considered a sensitive habitat by CDFW and the CWP. This habitat was once extensive in the region but has been reduced by historic conversion to agricultural and urban uses and displacement by invasions of non-native grasses.

**Seasonal Wetland.** Seasonal wetland occurs along the edge of Stafford Lake, at Terwilliger Pond, at the western edge of the park where a smaller drainage joins Novato Creek, and in several other locations on slopes. Wetland types present include a number of different alliances (plant communities) that occur in a mosaic or in smaller single species stands. These alliances include both native- and non-native-dominated communities. Cattails (*Typha latifolia*), a native species, grow at the edge of Terwilliger Pond. Other dominant native wetland species include spike rush (*Eleocharis* sp.), willowherb (*Epilobium* sp.), and western rush (*Juncus patens*). Common dominant non-native wetland species include curly dock (*Rumex crispus*) and pennyroyal (*Mentha pulegium*). These wetland areas correspond to cattail marshes, spikerush marshes, and western rush marshes as described by the *Manual*.

Seasonal wetland is considered a sensitive community in the CWP and may be regulated by the U.S. Army Corps of Engineers (Corps), CDFW, and the Regional Water Quality Control Board (RWQCB). Wetlands are biologically valuable because of their ecosystem functions that include wildlife habitat, protection of water quality, and high productivity.

**Watercourses.** The watercourses within Stafford Lake Park are generally small, with the exception of Novato Creek, and range from completely vegetated swales to incised streams. They are seasonal and flow only during the winter rainy season, although Novato Creek may continue to flow later in the year than the smaller watercourses.

Watercourses are generally considered sensitive habitat. Depending on their characteristics, they may be regulated by the Corps, RWQCB, and CDFW. Novato Creek has a well-developed bed and bank and supports willow riparian vegetation along its length through the park. Watercourses also provide valuable habitat for fish and wildlife.

**Riparian Vegetation.** The riparian vegetation within the park is dominated by shining willow (*Salix lasiandra*), red willow (*Salix laevigata*), and arroyo willow (*Salix lasiolepis*) trees, which grow in a dense canopy along Novato Creek. The diameter of many of these trees exceeds 12-inches diameter at breast height (DBH)<sup>2</sup>. The trees can exceed 40 feet in height.

CDFW ranks shining and red willow plant communities as rare. The arroyo willow alliance is ranked as more common and not considered rare. All riparian habitat is still considered sensitive by CDFW, Marin County, and other agencies because of its value to wildlife and importance in watershed protection.

**Oak Woodland.** Oak woodland occurs in the southern portion of Stafford Lake Park. This vegetation corresponds to the coast live oak (*Quercus agrifolia*) alliance as described in the *Manual*. Coast live oak is the dominant species within this community. Other tree species include valley oak (*Quercus lobata*), California buckeye (*Aesculus californica*), and California bay (*Umbellularia californica*). Canopy cover of the oak woodland varies from 80 to 100 percent. The DBH often exceeds 12 inches.

Coast live oak woodland is not considered sensitive by CDFW but the Marin County tree protection and preservation ordinance<sup>3</sup> protects trees native to Marin County, including oaks. The tree ordinance places restrictions on the removal of native oaks. It contains an exemption for public agencies to provide routine management and maintenance of public lands, and for removal of oaks when specifically proposed and authorized as part of an approved discretionary permit, including a Master Plan. As such, the Stafford Lake Park Master Plan is not subject to the Marin County tree protection and preservation ordinance. Nonetheless, mitigation measures have been included to address potential impacts to trees including trees within coast live oak woodland that are generally aligned with the ordinance.

**Other Trees.** Three small stands of coast redwood (*Sequoia sempervirens*) occur within the oak woodland. Stands range from less than 800 square feet up to 1,800 square feet. Trees range from 1 to 3 feet DBH with some of the redwood trees exceeding 50 feet in height. The understory consists mostly of thick duff from the redwood needles but also includes wood fern (*Dryopteris arguta*). Patches of scrub dominated by coyote brush (*Baccharis pilularis*) and poison oak (*Toxicodendron diversilobum*) are also located within the oak woodland. Ocean spray (*Holodiscus discolor*) and coffee berry (*Frangula californica*) also occur in the scrub.

A number of large mature trees are located within Stafford Lake Park, including the weeping willows (*Salix babylonica*) between Group Picnic Areas 1 and 2, the large California bay tree just west of Terwilliger pond, and other large coast live oaks and California bay trees on site. A blue oak (*Quercus douglasii*) is present near the park entrance. Pacific madrone (*Arbutus menziesii*) is also present within Stafford Lake Park including one very large tree in the southeast area of the park.

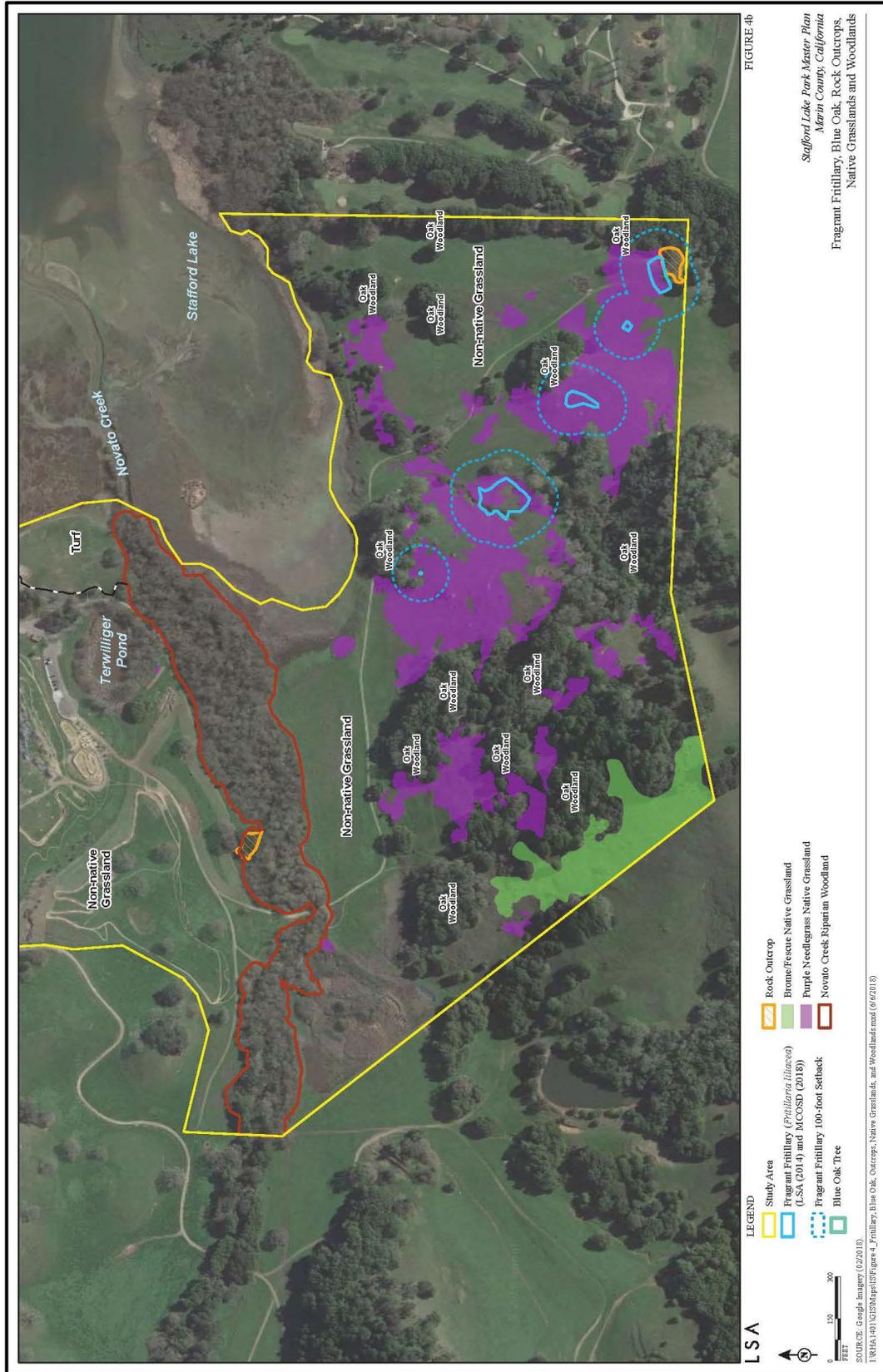
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<sup>2</sup> Diameter of tree measured at a point 4.5 feet from the ground surface.

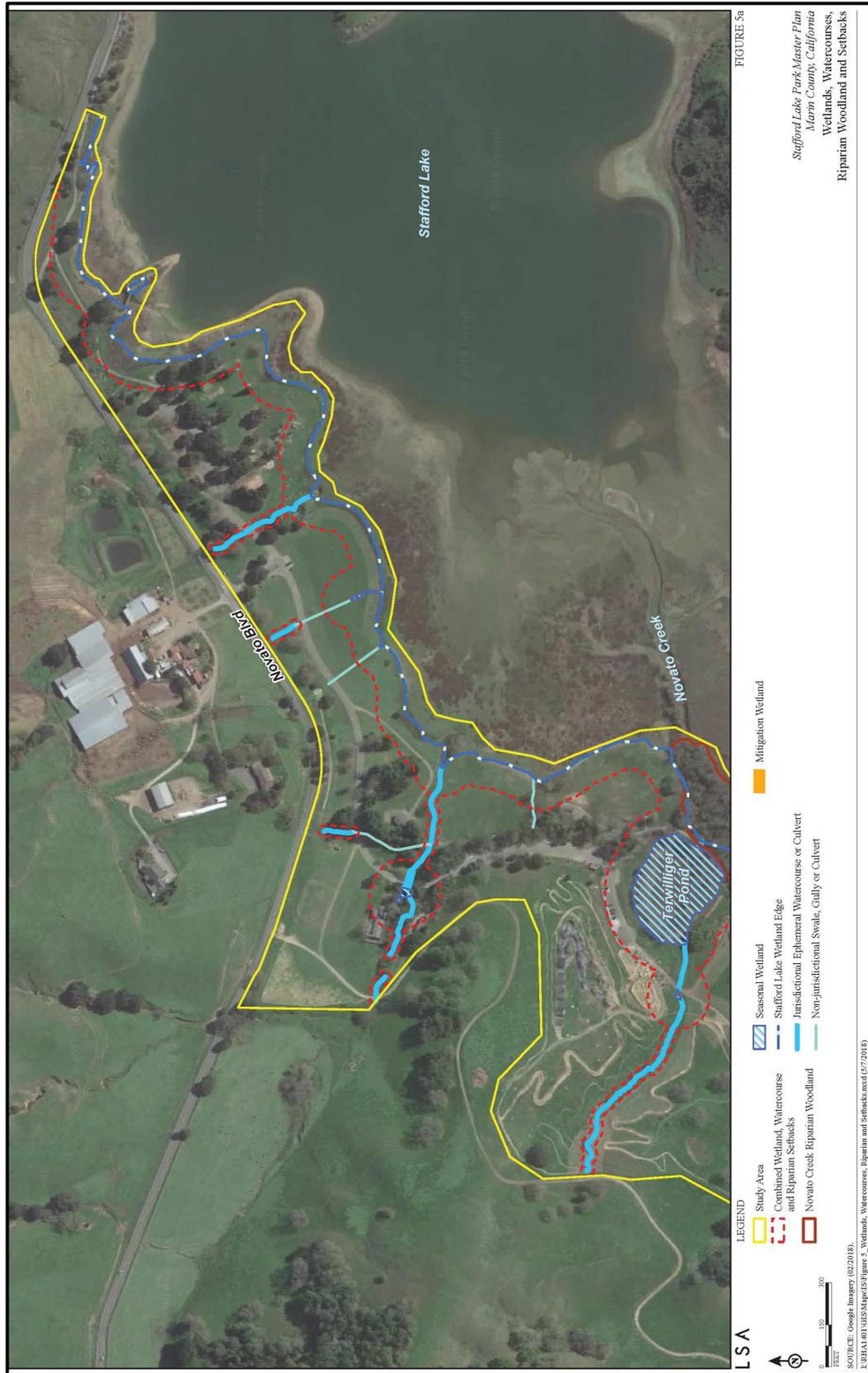
Figure 4a: Fritillary, Blue Oak, Outcrops, Native Grasslands, and Woodlands



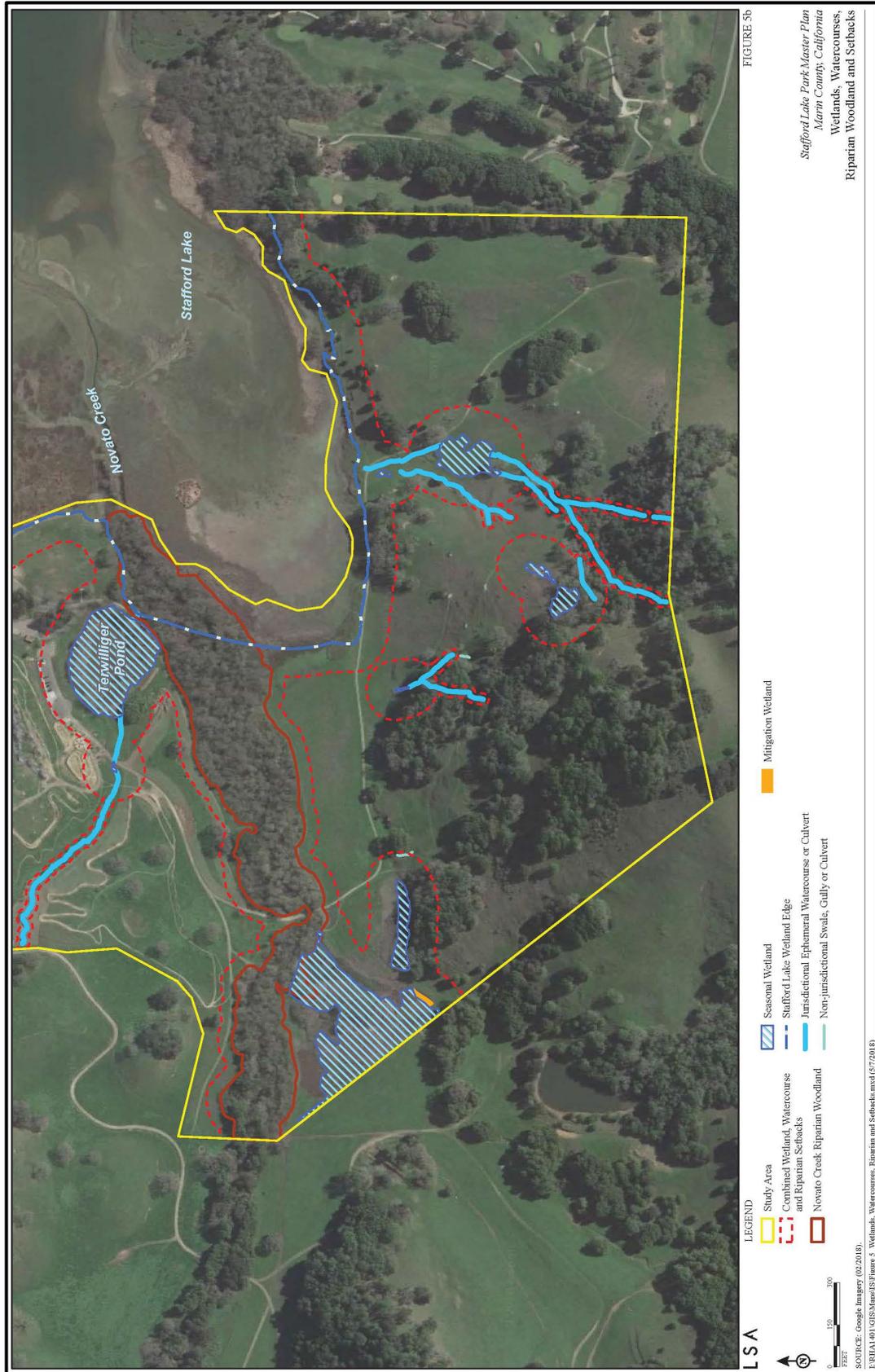
Figure 4b: Fritillary, Blue Oak, Outcrops, Native Grasslands, and Woodlands



5a: Wetlands, Watercourses, Riparian and Setbacks



**5b: Wetlands, Watercourses, Riparian and Setbacks**



**a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Less than Significant with Mitigation**

A biological constraints review for the Stafford Lake Master Plan was performed by LSA Associates in fall 2014 (LSA 2014). This included 2019 background research and field review to identify special-status species within the park. The review identified 33 special-status plants and 24 special-status animal species for possible occurrence in the general vicinity of the park; these are provided in Appendices A and B.

***Applicable Regulations***

Special-status plants and animals include those species that are afforded legal protection and include those addressed by the following regulations:

***Federal Endangered Species Act (ESA)***

Under the federal Endangered Species Act of 1973 (FESA), the Secretary of the Interior and the Secretary of Commerce have joint authority to list a species as threatened or endangered. Two federal agencies oversee the FESA: U.S. Fish and Wildlife Service (USFWS), a part of the Department of the Interior, has jurisdiction over plants, wildlife, and resident fish, while NOAA’s National Marine Fisheries Service (NOAA Fisheries Service), a part of the Commerce Department, has jurisdiction over anadromous fish and marine fish and mammals. Section 7 of the FESA mandates that all federal agencies consult with USFWS and NOAA Fisheries Service to ensure that federal agency actions do not jeopardize the continued existence of a listed species or destroy or adversely modify critical habitat for listed species.

The FESA prohibits “take” of any fish or wildlife species listed as threatened or endangered, including the destruction of habitat that could hinder species recovery. Section 10 of the FESA requires the issuance of an incidental take permit before any public or private action may be taken that would potentially result in “take,” which is defined as actions that would potentially harm, harass, injure, kill, capture, collect, or otherwise hurt any individual of an endangered or threatened species. Future development of the property will require consultation with USFWS and/or NOAA Fisheries issuance of a permit if proposed activities will result in take or habitat modification for listed species.

***California Department of Fish and Wildlife/California Department of Fish and Game Code***

The California Department of Fish and Wildlife (CDFW) is responsible for managing, conserving, and protecting the state’s biological resources including fish, wildlife, and plants. CDFW regulates species listed or proposed for listing as threatened or endangered under California Endangered Species Act (CESA); species defined by CDFW as California Species of Special Concern; species classified as Fully Protected by CDFW; plant species, subspecies, and varieties defined as rare or threatened by the California Native Plant Protection Act (California Fish and Game Code Section 1900, et seq.); plant species listed by the California Native Plant Society (CEQA Guidelines Section 15380) according to the California Rare Plant Ranks (CRPR); and species that otherwise meet the definition of rare, threatened, or endangered pursuant to Section 15380 of the CEQA Guidelines. CDFW also manages mountain lions as they are protected under the California Wildlife Protection Act of 1990, also known as (Proposition 117) and designated as a “specially protected mammal in California.”

Projects affecting or potentially affecting any of the resources listed above must be completed in consultation with CDFW. CDFW may issue an Incidental Take Permit under Section 2018 if impacts on special-status resources may occur. A Streambed Alteration Agreement is required for projects that could significantly alter the bed and banks of a stream, creek, or lake.

### ***Federal Migratory Bird Treaty Act***

Nesting native bird species are protected under both federal and state regulations. According to USFWS, under the federal Migratory Bird Treaty Act of 1918 (MBTA; 50 CFR 10.13), “it is unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg or any such bird,” unless authorized under a permit issued by the Secretary of the Interior. Some regulatory exceptions apply. Bald and golden eagles are also protected under the federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c) of 1940.

Birds and their nests are protected under the California Department of Fish and Game Code (§3503 and §3513). Under §3503, “it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” Under §3513, “it is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.” The ESA and CESA also protect nesting threatened and endangered bird species.

### ***Special-status Plant Species***

Two special-status plant species have been documented in the park: fragrant fritillary and bristly leptosiphon. PCI performed an updated review of the most current special-status plant occurrence records in May 2019, including CNDDDB records and Calflora/California Consortium of Herbaria records (Calflora 2019), and compared species distribution and habitat requirements with habitat conditions at Stafford Lake Park as described by LSA Associates (2014). Based on this updated review (PCI 2019), four additional species were found to have moderate likelihood of occurring in the park; none were found to have high potential to occur. Table 1 includes information on these six species. Appendix A includes these six species and the remaining 27 species which were reviewed and determined to have low potential to occur.

Table 1 includes information regarding the Master Plan components that could result in potential impacts on special-status plants based on the proposed area of park development and the potential rare plant habitat. Appendix A does not include this column.

<b>Table 1: Special-Status Plans with Potential to Occur within Stafford Lake Park</b>					
<b>Species</b>	<b>Listing Status USFWS/C DFW/ CRPR</b>	<b>Life Form, Blooming Period, and Typical Habitat</b>	<b>Potential for Species Occurrence</b>	<b>Habitat Types at Stafford Lake Park with Potential to Support Species</b>	<b>Master Plan Components with Potential to Affect Species</b>
<b>Species Known to Occur within Stafford Lake Park</b>					
fragrant fritillary ( <i>Fritillaria liliacea</i> )	--/--/1B.2	Perennial bulbiferous herb. Blooms February-April. Woodland, coastal prairie, coastal scrub, valley and foothill grassland (often serpentinite). 3-410 m.	<b>Present.</b> Four populations and 1 individual mapped by County Park staff in March 2018 – in purple needlegrass and non-native annual grassland. This species has 82 CNDDDB occurrences throughout its range, the greater Bay Area. CNPS considers it threatened by grazing, agriculture, urbanization, and non-native plants.	Native grassland and other grassland	Misc. Amenities in grassland – improved trail connections
bristly leptosiphon ( <i>Leptosiphon acicularis</i> )	--/--/4.2	Annual herb. Blooms April - July. Grassland, woodland, and chaparral.	<b>Present.</b> One population observed in park south of Novato Creek <sup>4</sup> . Additional habitat present. This species occurs in multiple northern California counties. CNPS considers it potentially threatened by road widening and non-native plants.	Native grassland and other grassland, oak woodland	Misc. Amenities south of Novato Creek , improved trail connections
<b>Species with Moderate Potential to Occur within Stafford Lake Park</b>					
Koch's cord moss ( <i>Entosthodon kochii</i> )	--/--/1B.3	Moss. Woodland, on open soil. 180-1000 m.	Moderate. Documented occurrences within 5 miles. Potentially suitable habitat present.	Oak woodland, edge of wetlands or waters	Back Meadow, Misc. Amenities in woodland habitat

<sup>4</sup> 2018-05-01. Personal communication between LSA and Adam Craig, MCOSD

<b>Table 1: Special-Status Plans with Potential to Occur within Stafford Lake Park</b>					
<b>Species</b>	<b>Listing Status USFWS/C DFW/ CRPR</b>	<b>Life Form, Blooming Period, and Typical Habitat</b>	<b>Potential for Species Occurrence</b>	<b>Habitat Types at Stafford Lake Park with Potential to Support Species</b>	<b>Master Plan Components with Potential to Affect Species</b>
streamside daisy ( <i>Erigeron biolettii</i> )	--/--/ 3	Perennial herb. Blooms June-October. Dry slopes, rocks, and ledges along rivers in broadleafed upland forest, woodland, North Coast coniferous forest. 30-1100 m.	Moderate. Potentially suitable habitat present. Species known from Mt. Burdell, within 3 miles. 2018 survey occurred outside of blooming period.	Oak woodland	Back Meadow, Misc. Amenities
congested-headed hayfield tarplant  ( <i>Hemizonia congesta</i> ssp. <i>congesta</i> )	--/--/ 1B.2	Annual herb. Blooms April-November. Valley and foothill grassland, sometimes roadsides. 20-560 m.	Moderate. Documented occurrences within 5 miles, and suitable habitat present. Not observed in LSA April 2018 survey but survey early in typical blooming period.	Native grassland and other grassland	Misc. Amenities in grassland – star deck, improved trail connections
harlequin lotus ( <i>Hosackia gracilis</i> )	--/--/4.2	Annual herb. Blooms March - July. Wetlands, roadsides in many habitat types (grassland, forest, scrub).	Moderate. Potentially suitable habitat present. Reported occurrences from within 3 miles to southwest.	Wetlands, including localized seasonally wet areas in all habitats present	Back Meadow, Misc. Amenities

Fragrant fritillary and bristly leptosiphon are known to occur in the existing disc golf area and where a single-track bike trail and other improved trail connections are proposed in the grasslands south of Novato Creek. Four additional rare plant species have potential to occur in other grassland and forested areas as presented in Table 1, especially in areas of lower disturbance that have not been regularly plowed for hay production. These species are vulnerable to above-ground and below-ground disturbance such as grading, compaction, trampling, mowing, and discing.

**Potential Impacts:** Construction activities in woodlands and native grassland could disturb occupied habitat and result in the loss of individual plants, which would be a significant impact. Ground disturbance from construction could also lead to increased non-native plant populations, which may compete with rare native species in and near the construction area. Increases in the extent of non-native invasive plant populations could result in the loss of special-status plant species, and the impact could be significant. Changes to drainage patterns in or adjacent to rare plant stands could alter water and soil conditions and negatively affect plant survival or reproduction. If changes in water and soil conditions result in the loss of special-status species, the impact could be significant. Mitigation measures would be necessary to reduce impacts to less-than-significant levels.

*Mitigation Measure BIO-1, Protect Special-Status Plants*, includes measures to avoid impacts on special-status plants where feasible and to mitigate for the loss when needed. Pre-project special-status plant surveys and identification of protective buffers around known occurrences would allow for protection of the existing population from direct impacts and for gradual dispersal of the population over time. If work is unavoidable within the buffer but no direct impacts to plants would occur, the population would be marked for protection and work would be timed to allow plants to complete their annual seed production. Implementation of Mitigation Measure BIO-1 would reduce potential impacts on special-status plants to less-than-significant levels.

Areas supporting special-status plants and the 100-foot buffer around them are sensitive habitat and *Mitigation Measure BIO-8, Protect Sensitive Habitat – General Protection Measures* would also be implemented in those locations. This includes training workers on habitat sensitivity, preventing vehicular impacts, preventing erosion, compaction, and dust impacts, and rehabilitating areas of disturbed soil using locally native vegetation. These measures would ensure that rare plant habitat conditions are protected whenever work occurs within the buffer around a rare plant population, and the impacts would be less than significant.

For invasive species management measures, see Section (e).

***Mitigation Measure BIO-1: Protect Special-status Plants***

Marin County Parks shall, to the extent feasible, avoid impacts on State and federally listed plant species, locally sensitive plant species, and occupied habitat, meaning the area where rare plants are known to occur. The following measures shall be implemented:

- During the planning and design phase for specific Master Plan projects, Marin County Parks shall conduct a reconnaissance-level survey during the appropriate time for identifying the special-status plants, typically the blooming period, to determine whether the project area supports suitable habitat for special-status plants. For the purpose of the reconnaissance-level survey, the project area shall be defined as the specific area where the project would be located plus a 1,000-

buffer or smaller if a qualified botanist determines a smaller buffer is adequate to protect special-status plants and after consultation with CDFW. If the area is found not to support suitable habitat for special-status plants, the findings shall be documented in a letter report and no further mitigation would be required. If the area supports suitable habitat, floristic surveys shall be performed.

- Floristic surveys shall be conducted during the appropriate time for identifying the specific plants that could occur in the project area. If found, special-status plants shall be mapped. Marin County Parks, to the maximum extent feasible, shall design site development to avoid special-status plants and minimize development within the 1,000-foot setback from special-status plant populations.

**Table 2: Typical Blooming Period for Special-status Plants with Potential to Be Affected by Master Plan Projects**

Species	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
bristly leptosiphon ( <i>Leptosiphon acicularis</i> )												
congested-headed hayfield tarplant ( <i>Hemizonia congesta ssp. congesta</i> )												
fragrant fritillary ( <i>Fritillaria liliacea</i> )												
harlequin lotus ( <i>Hosackia gracilis</i> )												
Koch's cord moss ( <i>Entosthodon kochii</i> )	This species is best identified when spore-bearing capsules are present (Flora of North America Editorial Committee, 1993). No information found on seasonality in the limited literature on this species.											
streamside daisy ( <i>Erigeron biolettii</i> )												

- Prior to construction, the 1,000-foot buffer around special-status plants, measured from the edge of the area occupied by special-status plants, shall be clearly delineated with flagging or temporary fencing, by a qualified botanist. To the maximum extent feasible, no disturbance to soil, vegetation, or drainage patterns shall occur within this buffer. All staging, equipment maintenance, refueling, and storage areas shall be located outside the 100-foot buffer.
- Where maintenance activities or placement of site development infrastructure within the 1,000-foot buffer cannot be avoided, but no direct impacts to the population itself will occur, the following actions shall be taken:

- Conduct a special-status plant worker training for all field personnel involved with project construction. The training shall consist of a brief presentation by a qualified botanist.<sup>5</sup> The training shall include the following: a description of the rare plant and its required habitat including graphic aids such as photographs, a brief overview of its ecology, an explanation of the measures being taken to avoid or reduce adverse impacts, and the workers' responsibility under applicable environmental regulations.
- For mowing and other above-ground-only disturbance, restrict work to the period when special-status plants have completed that year's seed set as determined by a qualified botanist.
- Minimize downslope erosion and sedimentation within the buffer, maintain erosion- and sediment-control devices during ground-disturbing activities and until disturbed soils are stabilized. Control devices include rice straw, hydromulch, geofabrics, wattles, sediment traps, check dams, drainage swales, and sand bag dikes. Materials must be certified weed-free to prevent the introduction of wheat, barley, and other nonnative plant seeds.
- If special-status plant species are found, the plant shall be avoided, if possible. If impact avoidance is not feasible and where project activities may result in direct impacts on special-status plants, Marin County Parks would consult with CDFW and/or USFWS, as appropriate depending on species status, to determine the appropriate conservation measures to address direct and indirect impacts that could occur as a result of construction-type measures and would implement the agreed conservation measures to achieve no net loss of occupied habitat or individuals. Conservation measures may include preserving and enhancing existing populations, creation of off-site populations on mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat and/or individuals. A conservation plan would be developed describing how unavoidable losses of special-status plants would be compensated.
- If relocation efforts are part of the conservation plan, the plan would include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, success criteria, and remedial action responsibilities should the initial effort fail to meet long-term conservation requirements. Success criteria for preserved and compensatory populations would include:
  - The extent of occupied area and plant density (number of plants per unit area) in compensatory populations would be equal to or greater than the affected occupied habitat.

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<sup>5</sup> A qualified botanist and/or restoration specialist has a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two years conducting surveys for the target species.

- Compensatory and preserved populations would be self-producing. Populations would be considered self-producing when:
  - plants reestablish annually for a minimum of five years with no human intervention such as supplemental seeding; and
  - reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity.
- If off-site conservation includes dedication of conservation easements, purchase of mitigation credits, or other off-site conservation measures, the details of these measures would be included in the conservation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria such as those listed above and other details, as appropriate to target the preservation of long-term viable populations.

### *Special-status Wildlife Species*

As noted above, the LSA 2014 biological constraints review and the PCI 2019 additional background review of the 2019 CNDDDB identified 24 special-status animals in the general vicinity of the park and seven have been observed within Stafford Lake Park by LSA and Marin County Parks staff, which are described in Table 3 Special-status Wildlife with Potential to Occur within Stafford Lake Park and in Appendix B.

Special-status animals that have been observed by LSA and Marin County Parks staff within the park include northwestern pond turtle, tricolored blackbird, oak titmouse, bald eagle, Nuttall's woodpecker, American badger, and western red bat. LSA biologists have reported sightings of bald eagle, Nuttall's woodpecker, and oak titmouse during field surveys. Northwestern pond turtles and tricolored blackbirds have been observed in Terwilliger Pond and in Novato Creek. American badgers were last observed in the park in 2013, with 2019 monitoring showing badger use in the past two years.

Additional species with moderate to high potential to occur within Stafford Lake Park that were identified as part of the background review and revision to this Biological Resources section include California giant salamander, California red-legged frog, great egret, great blue heron, northern harrier, white-tailed kite, San Francisco common yellowthroat, yellow warbler, and several special-status bat species including pallid bat and Townsend's big-eared bat. Great blue herons previously nested on the island in Stafford Lake, but the heronry was last active in 1993. Local bird watchers have reported sightings of all of the above-noted birds in eBird (2019). Suitable foraging and roosting habitat is present for special-status and common bat species. California giant salamanders may occur in Novato Creek and other aquatic and upland habitats. Habitat is also present for the California red-legged frog, but this species has not been documented within the park. Steelhead are known to occur in Novato Creek downstream of the dam but not within the park itself; this species is not discussed further.

Stafford Lake Park supports potential habitat for a number of special-status wildlife species and other common native reptiles, amphibians, mammals, and invertebrates. These species could occur in and near proposed park development areas. The following species have been identified within the park or have a moderate or high potential to occur there and could be affected by project activities.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
<b>Species Known to Occur within Stafford Lake Park</b>				
<b>Reptiles</b>				
northwestern pond turtle  <i>Actinemys marmorata</i>	--/SSC	A year-round resident of Marin County. Found in or near permanent or semi-permanent water sources such as ponds, lakes, rivers, and streams with suitable basking sites and underwater retreats. Pond turtles have been observed in Terwilliger Pond, Stafford Lake, and in Novato Creek. They may use other aquatic habitats and uplands for nesting. Eggs are laid in shallow holes dug by the female from April through August. Eggs hatch in late summer or fall. In northern California, hatchlings can remain	<b>Present.</b> Documented in Terwilliger Pond and the seasonal wetland. May use the uplands and shoreline for nesting. Habitat also present in Novato Creek and Stafford Lake.	All Master Plan components that occur in any habitat where construction involves digging within 250 feet from a wetland or waterway at Stafford Lake Park, including Novato Creek, Terwilliger Pond, and Stafford Lake.

<sup>6</sup> **Listing Status** (CDFW 2019d): FE-federally listed as endangered, FT-federally listed as threatened, BCC-Bird of Conservation Concern, SE-state listed as endangered, ST-state listed as threatened, Candidate SE-state candidate to be listed as endangered under CESA Candidate ST-state candidate to be listed as threatened under CESA, FP-State of California fully-protected species, SSC-California Species of Special Concern, and WL-Watch List.

<sup>7</sup> **Special-status Species Evaluation Criteria:** Special-status species were evaluated for their potential to occur within the park. Potential for occurrence was classified as not present, low, moderate, high, or present based on the following criteria; **Moderate** – Some of the habitat components required by this species are present within the park and/or marginally suitable habitat is present within surrounding areas. Species may occur within the park; **High** – All of the habitat components required by this species are present within the park and/or it is known to occur in surrounding areas. Species is likely to occur within the park; **Present** – Species has reported occurrences within the park and/or was observed within the project site during field surveys.

<sup>8</sup> See Table 5, Proposed Master Plan Elements and Sensitive Habitats

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/ State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
		buried until the following spring. Turtles may use uplands for overland migration (movements up to 5 km) and nesting sites (nesting can occur over 500 m from water).		
<b>Birds</b>				
tricolored blackbird <i>Agelaius tricolor</i>	BCC/ST (listing warranted by CFGC in 2018), SSC (nesting colony)	Colonial-nesting bird in fields, pastures, and wetlands. Nests in tules, cattails, and to a lesser degree willow and brambles. Breeding occurs from mid-April into late July. Typically forage on the ground in large flocks. Year-round resident in Marin County, more common in winter. Breeding distribution within the County is limited to northern Marin.	<b>Present.</b> Species documented at Terwillger Pond. Park provides suitable foraging habitat. However, there are no known nesting occurrences nearby and the likelihood of nesting is low.	Construction of any Master Plan component that occurs in or near riparian vegetation, wetlands, or watercourses.
oak titmouse <i>Baeolophus inornatus</i>	BCC/-- (nesting)	Oak titmice are a year-round resident in Marin County. Forages for insects and seeds, hopping from branch to branch. Nests in cavities in trees or nest boxes.	<b>Present.</b> Species documented within the park. Suitable foraging and nesting habitat present.	Construction of any Master Plan component that occurs in or near riparian vegetation or oak woodlands.
bald eagle <i>Haliaeetus leucocephalus</i>	Delisted, BCC/SE, Fully Protected	Coastal and inland waterways including rivers, lakes, seashores. Feeds primarily on fish and waterfowl. Nests in large trees near water. Breeds from February through July. Average	<b>Present.</b> Stafford Lake provides suitable foraging habitat and this species has been documented frequently at Stafford Lake (eBird 2019). However, there are no	Construction of any Master Plan component that occurs in or near riparian vegetation, wetlands, or watercourses.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/ State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
	(nesting and wintering)	clutch size is 2. Eggs are incubated for up to 36 days. Bald eagles have continued to expand their range and have become more common in Marin County in recent years. There are no nesting records for bald eagles in Marin County (Shuford 1993), but it is within their historic range.	known nesting occurrences nearby and the likelihood of nesting is low.	
Nuttall's woodpecker  <i>Picoides nuttallii</i>	BCC/--	Permanent, resident woodpecker of woodland habitats, prefers oak and streamside habitats. Probes for insects in tree bark and crevices. Nests in live or dead tree cavities excavated by males of the species, typically. Nuttall's woodpeckers are a year-round resident in Marin County.	<b>Present.</b> Species documented within the park. Suitable foraging and nesting habitat present.	Construction of any Master Plan component that occurs in or near riparian vegetation or oak woodlands.
<b>Mammals</b>				
American badger  <i>Taxidea taxus</i>	--/SSC	Occur in a variety of habitat types (e.g., herbaceous, shrub, or forest habitats) with dry, friable soils. Badgers are carnivorous and dig their own burrows. Consume primarily fossorial rodents but will also eat reptiles, insects, eggs, birds, and carrion.	<b>Present.</b> Last observed in the park in 2013. Marin County Parks and Conservation Corps North Bay ecology crew conducted monitoring for American badger and western burrowing owls ( <i>Athene cunicularia</i> ) in February 2019. Two	Construction of any Master Plan component that involves soil disturbance in grassland or woodland habitats.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
		Active year-round, although less active in winter. Mating occurs in summer and early fall with young (average 2 to 3) born in early spring.	burrows were observed that were presumable badger burrows based on size and shape but were filled with water from the recent storms. Based on the amount of vegetation growing around the burrows and the bare soil, these burrows had been used within the previous two years indicating that American badgers have been using the area recently.	
western red bat  <i>Lasiurus blossevillii</i>	--/SSC Western Bat Working Group high priority species	Occurs throughout California in forested and riparian habitat, typically along edges, field, and urban areas. A solitary bat, coming together only during mating and migration. A foliage dwelling species – roosting in leaves of trees and leaf litter in winter. Rarely enter buildings. Mate in flight during August and September. One to four pups born in late spring through early fall.	<b>Present.</b> Suitable roosting habitat present in mature trees, may forage over project site. No CNDDB occurrences within 5 miles. Species documented at Mount Burdell in similar habitat types (Townsend 2016).	Construction of any Master Plan component that requires removal or pruning of trees over 6 inches in diameter at breast height or structure removal/modifications.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/ State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
<b>Species with Moderate to High Potential to Occur within Stafford Lake Park</b>				
<b><i>Amphibians</i></b>				
California giant salamander <i>Dicamptodon ensatus</i>	--/SSC	Occur in wet coastal forests near permanent and semi-permanent streams and springs. Breeding occurs mostly in spring, but sometimes fall. Eggs are laid in water and larvae exhibit an enlarged tail fin for swimming with external gills. They transform into land dwelling salamanders with lungs around 18 to 24 months. This species is endemic to California.	<b>Moderate.</b> Potential habitat present in Novato Creek within the park.  There are CNDDB records within 3.5 miles in the Lucas and Nicasio Valleys.	All Master Plan components that occur in any habitat where construction involves digging within 250 feet from any waterway at Stafford Lake Park, including Novato Creek, Terwilliger Pond, and Stafford Lake.
California red-legged frog <i>Rana draytonii</i>	FT/SSC	Common in marshes, streams, lakes, reservoirs, ponds, and other water sources with plant cover. Breeding occurs in deep, slow-moving waters with dense shrubby or emergent vegetation from late November through April. Floating egg masses are attached to emergent vegetation near the water's surface. During the non-breeding season, California red-legged frogs can remain at the breeding site (in the presence or absence of	<b>Moderate.</b> Potential habitat is present within the park.  California red-legged frogs are known to occur within 3 miles at Mt. Burdell OSP.	All Master Plan components that occur in any habitat where construction involves digging within 250 feet from any wetland or waterway at Stafford Lake Park, including Novato Creek, Terwilliger Pond, and Stafford Lake.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name Scientific Name	Listing Status <sup>6</sup> (Federal/State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
		water) or move into surrounding non-breeding habitats.		
<b>Birds</b>				
great egret <i>Ardea alba</i>	--/-- (nesting colony) Not formally listed, rookies are considered a protected resource under MBTA and California Fish and Wildlife Code.	A year-round resident of Marin County. Commonly seen in marshes, ponds, shores, and mudflats where they feed primarily on fish and smaller animals. Courtship can begin in early January and breeding extends into June to August. Grassland and shallow wetland habitats in the County are common foraging habitat for this species.	<b>High.</b> Great egrets may forage within the park. A historic great blue heron rookery was present on the island in Stafford Lake, but has been inactive since 1993. Suitable rookery habitat is present on the island and birds could colonize this site.  The nearest active rookery is at the Petaluma Wastewater Plant, 8 miles to the northeast of the project site (Audubon Canyon Ranch 2017).	Construction of any Master Plan component that occurs in or near riparian vegetation, wetlands, or watercourses.
great blue heron <i>Ardea herodias</i>	--/-- (nesting colony) Not formally listed, rookies are considered a protected resource under MBTA and California Fish and	A year-round resident of Marin County. Courtship can begin in early January to March and breeding extends into June to August or later. Colonial nests are built in large trees or snags, often in association with great egrets.	<b>High.</b> Great blue herons may forage within the project site. A historic great blue heron rookery was present on the island in Stafford Lake, but has been inactive since 1993. Suitable rookery habitat is present near the project site; bird could potentially reestablish this site.  The nearest active rookery is along the bay on Channel Drive,	Construction of any Master Plan component that occurs in or near riparian vegetation, wetlands, or watercourses.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
	Wildlife Code.		less than 7 miles east of the project site (Audubon Canyon Ranch 2017).	
northern harrier  <i>Circus hudsonius</i>	--/SSC (nesting)	A year-round resident in Marin County. Occupies wide-open habitats from grasslands to marshes. A slender, medium sized raptor. Fly low to ground hunting for small animals. Rely heavily of sense of hearing to detect prey. Nests are constructed on the ground in well concealed vegetation or clumps of vegetation.	<b>Moderate.</b> Suitable foraging and nesting habitat present within the park. Harriers have been observed at Stafford Lake (eBird 2019).	Construction of any Master Plan component that occurs in or near grassland or wetland habitat.
white-tailed kite  <i>Elanus leucurus</i>	--/FP (nesting)	Raptor of semi-open areas. Forages for mostly small rodents by hovering and diving. Nests in trees and tall bushes. Year-round resident in Marin County in open woodlands, bottomlands, and agricultural grasslands. Kites are known to breed in lowland and grassland habitats in Marin County (Shuford 1993).	<b>Moderate.</b> Suitable foraging and nesting habitat present within the park. Kites have been observed at Stafford Lake (eBird 2019).	Construction of any Master Plan component that occurs in or near grassland, wetland, or oak woodland habitat.

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name Scientific Name	Listing Status <sup>6</sup> (Federal/State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
San Francisco common yellowthroat  <i>Geothlypis trichas sinuosa</i>	BCC/SSC	The common yellowthroat is a wide spread migrant breeding throughout California. The subspecies <i>sinuosa</i> is endemic to the San Francisco Bay region. They occur in salt marshes, riparian thickets, and wetlands in the San Francisco Bay area. Nests are constructed close to the ground or water.	<b>High.</b> Suitable foraging and nesting habitat present in the park. There is a small population of yellowthroats at Stafford Lake (Shuford and Gardali 2008).	Any Master Plan component that occurs in or near riparian vegetation, wetlands, or watercourses.
yellow warbler  <i>Dendroica petechia</i>	BCC/SSC (nesting)	Summer resident in Marin County in particular along riparian groves. A bright yellow bird of riparian woodlands with willows, alders and/or cottonwoods. Typically nests along stream courses but can occur in a variety of habitats during migration. Nests constructed in fork of a tree or small shrub. Gleans vegetation for insects.	<b>Moderate.</b> Suitable foraging and nesting habitat present within the park. Yellow warblers have been observed at Stafford Lake (eBird 2019).	Any Master Plan component that occurs in or near riparian vegetation, wetlands, or watercourses.
<b>Mammals</b>				
pallid bat  <i>Antrozous pallidus</i>	--/SSC Western Bat Working Group high priority species	Occurs in grassland, shrubland, forest, and woodland habitats at low elevations up through mixed coniferous forests. Roosting sites include caves, mines, crevices,	<b>Moderate.</b> Suitable roosting habitat is present in the buildings and mature trees and species may forage over the park. CNDDDB occurrences within 0.8 miles east of	Construction of any Master Plan component that requires removal or pruning of any trees over 6 inches in diameter at breast

**Table 3: Special-status Wildlife with Potential to Occur within Stafford Lake Park**

Common Name <i>Scientific Name</i>	Listing Status <sup>6</sup> (Federal/State)	Habitat Description	Potential for Occurrence within the Park <sup>7</sup>	Master Plan Components with Potential to Affect Species <sup>8</sup>
		buildings, and hollow trees during day, more open sites used at night.	Stafford Lake. Species also documented at Mount Burdell in similar habitat types (Townsend 2016).	height or structure removal/modifications.
Townsend’s big-eared bat <i>Corynorhinus townsendii</i>	--/SSC Western Bat Working Group high priority species	Occurs in low to mid-elevation mesic habitats including riparian, mixed forest, coniferous forest, prairies, and agricultural lands. Utilizes edge habitats for foraging. Roosting sites include caves, mines, tunnels, buildings, and other man-made structures.	<b>Moderate.</b> Suitable roosting habitat is present in the buildings and mature trees and species may forage over the park.  No CNDDDB occurrences within 5 miles. Species documented at Mount Burdell in similar habitat types (Townsend 2016).	Construction of any Master Plan component that requires removal or pruning of any trees over 6 inches in diameter at breast height or structure removal/modifications.

**Potential Impacts:** Construction of the park improvements could affect special-status and common wildlife habitat due to noise, equipment, and increased human presence. Park development could result in the loss of core habitat areas including those used for foraging, nesting, migration, and aestivation. Wildlife in the area could vacate the area due disturbance, which may result in displacement, and in some instances, mortality of special-status and common wildlife species. Mobile wildlife species could be displaced as part of the construction activities; however, these species would likely colonize adjacent habitats and move back into the area after construction. Direct mortality could result to less-mobile species, if an individual was present in the construction area or if wildlife enter the construction area during active construction activities. Direct harm on wildlife and wildlife habitat could be significant, and implementation of Mitigation Measure BIO-2 would reduce impacts to a less-than-significant level.

Stafford Lake Park is currently developed and provides recreational access to park users and is a venue for weddings as well as small- and large-scale special events throughout the year. The number of park users is not expected to increase dramatically with implementation of the Master Plan, as the Master Plan is designed to improve infrastructure and circulation for park users and to prevent user impacts on sensitive riparian habitat. Wildlife that currently inhabit Stafford Lake Park, especially common wildlife species, often tolerant of human disturbance and/or can become habituated to the activity and would continue to use the habitat that exists throughout the park. Habitat for wildlife species exists throughout

the park and on private and public lands surrounding the park. Impacts on wildlife resulting from operations of the park would be less than significant.

Marin County Parks would design and implement Master Plan projects to reduce potential impacts on special-status wildlife and other common native wildlife species and their habitats. Implementation of *Mitigation Measure BIO-2: Protect Special-status Wildlife and Habitat – General Measures*, would limit potential impacts through appropriate project planning and design, completing a worker training, and wildlife-specific construction BMPs. Implementation of these measures would reduce potential impacts on special-status wildlife and their habitat to less-than-significant levels.

***Mitigation Measure BIO-2: Protect Special-status Wildlife and Habitat – General Measures***

Marin County Parks shall ensure that the following protection measures for wildlife and their habitat are implemented:

- During project planning and design, complete wildlife surveys in and around the project area to delineate and map special-status wildlife habitat and documented occurrences.
- Design projects to minimize disturbance on special-status wildlife while avoiding core habitat areas and providing native habitat buffers.
- Establish buffers to protect wildlife. A qualified biologist<sup>9</sup> shall determine appropriate buffer distances, which shall include the protection of foraging, nesting, migration, and aestivation habitat. The qualified biologist shall determine allowable activities within the buffers.
- Prior to construction, conduct a worker awareness training for all supervisory field staff. The training shall include the following information: a photograph and description of each special-status wildlife species or sensitive resource known from the project area; a description of its ecology and habitat needs; potentially confusing resources such as similar species or habitats; an explanation of the measures being taken to avoid adverse impacts; reporting and necessary actions if sensitive resources are encountered; and workers' responsibility under the applicable environmental regulation.
- The project limits shall be clearly marked on the final design drawings and work confined within those boundaries.
- Foot and vehicle traffic shall be restricted to the designated work and staging areas.
- Excavated holes, trenches, and other depressions greater than one foot in depth shall be covered with boards or other appropriate materials or backfilled with dirt at the end of each working day. If trenches remain open overnight, earthen escape ramps shall be constructed every 10 feet.

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<sup>9</sup> A qualified biologist has a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two years conducting surveys for the target species.

- Food and food-related trash shall be stored in closed containers and removed from the project site daily. Food-related trash can attract wildlife to construction sites, disrupting their normal behavior patterns. Trash must be collected at the end of the day and properly disposed.
- If vehicles and/or equipment will be stored on-site overnight, each vehicle and/or equipment shall be checked prior to use. All vehicles shall be inspected each morning to ensure wildlife are not hiding under them. Vehicles shall not be operated until wildlife have left the area under their own volition.
- Permanent fencing shall not cause the risk of death or injury to wildlife or impede movement. All fencing shall account for wildlife protection.

### ***Special-status and Nesting Birds***

Habitats within the park provide potential nesting habitat for special-status bird species. Nuttall's woodpecker and oak titmouse are known to occur year-round within the park. Tricolored blackbirds have been reported at Terwilliger Pond. Additional special-status birds have been reported in the park; see above. Other species, although common, are nevertheless protected under the California Fish and Game Code and their nesting could be affected by the project.

**Potential Impacts:** If construction work is conducted during the bird nesting season, bird nests, eggs, or young protected under the California Endangered Species Act and California Fish and Game Code could be affected. Active nests could be destroyed during vegetation removal, trail construction, and construction of other infrastructure elements if present in or near the construction site. Construction activities could result in tree removal or pruning, ground disturbance, or construction related noise which could result in impacts on protected nesting birds if present in and near the work area. These impacts would be short-term, during construction periods. The impact, however, would be significant.

Operation of proposed improvements would include maintenance activities, an increase in human activity around new facilities, and increased pedestrian traffic on trails to and from the facilities. A number of the Master Plan elements could affect the long-term use of Stafford Lake Park by special-status and nesting birds. Along portions of the Zipline, people would potentially be moving over the woodland canopy during days of operation, including those times of year when birds may be nesting in and around the Zipline. Nesting in the area could decrease, especially among those species sensitive to human presence, due to increased human activity, including human noise, from operation of proposed facilities such as the Zipline and Alpine Slide. Impacts on nesting birds from operation of the Zipline and Alpine Slide are possible as a result of noise and human proximity to canopy level nesting birds and possible impacts on active nests in the understory, on the ground below the Zipline route, or Zipline infrastructure. The Zipline and Alpine Slide would be constructed through and above oak woodland and native grassland habitats. The potential loss of nesting or foraging habitat for birds that are sensitive to disturbance would be less than significant because of the abundance of suitable nesting and foraging habitat in the surrounding area within the park boundary and in the natural lands surrounding the park. Birds could nest in trees within oak woodlands further from the Zipline, or they may become habituated to the noise and human use and nest near the Zipline. The long-term impacts on special-status and nesting birds would be less than significant.

Implementation of *Mitigation Measure BIO-3: Protect Special-status and Nesting Birds* would limit potential impacts on nesting birds by requiring preconstruction surveys by a qualified biologist to

determine if nesting birds are present and by identifying exclusionary zones around the nests or delaying work until the breeding season is over or nesting is complete. Implementation of these measures would reduce potential impacts on special-status and nesting birds to less-than-significant levels. If work would occur outside the nesting bird window, surveys and avoidance measures would not be necessary for special-status and nesting birds.

**Mitigation Measure BIO-3: Protect Special-status and Nesting Birds**

Marin County Parks shall implement the following protection measures and seasonal restrictions to protect nesting birds. Work, such as vegetation removal and ground disturbance, that occurs outside of the nesting season may proceed without preconstruction nesting bird surveys. Table 4 provides the recommended buffer and nesting season guidelines for various bird species.

- Prior to construction, complete a nesting bird survey 7 days prior to initiation of any ground disturbing activities, vegetation clearing, tree removal and trimming, or other construction-related activities, including noise disturbance, that is planned to occur during the nesting season. The survey shall be completed for special-status birds and all other native nesting birds by a qualified biologist. The survey shall be completed within the construction area and an appropriate buffer around it summarized in Table 3. If the biologist finds no active nesting or breeding activity, then work can proceed without restrictions. If the work area is left unattended for more than 7 days following the initial surveys, additional surveys shall be completed. This timing is standard protocol based on common knowledge of avian biology. Ongoing construction monitoring of active nests shall occur to ensure no nesting activity is disturbed.
- If active nests are identified within the buffer area guidelines included in Table 4, a qualified biologist shall determine whether or not construction activities may impact the active nest or disrupt reproductive behavior. If it is determined by the biologist that construction would not affect an active nest or disrupt nesting behavior, construction may proceed without restrictions. The determination of disruption shall be based on the species' sensitivity to disturbance, which can vary among species; the expected level of noise or construction disturbance; and the line of sight between the nest and the planned disturbance. If the biologist determines activities would be detrimental, the buffer area guidelines identified in Table 4 shall be avoided until the nest has been vacated, meaning that the chicks have fledged. If nests are present, the qualified biologist shall monitor the behavior of birds, including adults and nestlings, when present at the nest site to ensure they are not disturbed by construction activities. Nest monitoring shall continue until the nestlings have fully fledged, as determined by the qualified biologist.
- If State and/or federally listed birds are found breeding within the construction area, activities shall be halted until the nestlings have fledged or the nesting area plus the site-specific buffer shall be avoided until the nest has been vacated. If construction activities must continue and would incur take of the listed species, Marin County Parks would consult with CDFW and USFWS prior to the initiation of work that would result in take. If construction activities must continue and would not incur take of the listed species, Marin County Parks would establish the buffer area guidelines included in Table 4 until the nest has been vacated.

**Table 4: Guideline Buffers by Species or Guild**

Species/Guild	Recommended Buffer * meters/feet	Nesting Season
Diurnal Raptors (i.e.: Cooper’s hawk)	100 meters (330 feet)	January 01 – July 31
Owls (except northern spotted owl)	50 meters (160 feet)	January 01 – July 31
Northern Spotted Owl	402 meters (1,320 feet or ¼ mile)	February 01- July 31
White-tailed Kite, double clutch	100 meters (330 feet)	February 01 – October 31
Double-crested Cormorant	50 meters (160 feet)	March 01 – October 31
Herons/Egrets/Bitterns	100 meters (330 feet)	January 01 – September 30
Waterfowl (Ducks/Geese/Swans)	30 meters (100 feet)	March 01 – July 31
Larger Passerines: Corvids (crows, jays), Thrushes	20 meters (65 feet)	March 01 – July 31
Smaller Passerines: Most Songbirds	10 meters (30 feet)	March 01 – July 31
Hummingbirds	10 meters (30 feet)	January 01 – July 31
Woodpeckers	15 meters (50 feet)	March 01 – July 31
Band-tailed Pigeon (BTPI)	30 meters (100 feet)	March 01 – July 31
Pigeons/Doves (except BTPI)	20 meters (65 feet)	March 01 – July 31
Species of Special Concern (olive-sided flycatcher, grasshopper sparrow, San Pablo song sparrow)	22 meters (75 feet)	March 01 – July 31
Blackbirds (tri-colored and red-winged)	30 meters (100 feet)	March 01 – July 31
Turdidae (robins, thrushes)	20 meters (65 feet)	March 01 – July 31
Killdeer	22 meters (75 feet)	March 01 – July 31

**Notes:** These recommended buffers were developed by a Marin County Parks biologist, meeting the definition of a qualified biologist. The recommended buffers were determined to be at an appropriate distance to protect normal bird behavior to prevent nesting failure and/or abandonment. Consistent with implementation of this Mitigation Measure, a qualified biologist would adjust the recommended buffers specific to the project area after conducting field investigations. Not all species/guild included in this table occur within a given project area.

**Special-status and Common Bats**

There are approximately 15 bat species with known occurrences within northern California, and a number of these species have a high probability of occurring within Stafford Lake Park and adjacent lands. Bats are highly mobile and many are migratory. Foraging habitats range from woodlands, forests, and grasslands to open water. As noted above, western red bat occurs within Stafford Lake Park. Townsend’s big-eared bat, and pallid bat have potential to occur within Stafford Lake Park based on nearby observations.

Special-status bat species could use habitat within the park for foraging and the pallid bat may roost within the park. A number of trees within the proposed development areas where construction activities would occur could contain cavities and other conditions that could provide suitable roosting habitat for special-status and common bat species.

**Potential Impacts:** Maternity colonies of pallid bats could be directly affected by tree removal or disturbance caused by construction. Minor tree removal and pruning may be required to accommodate Master Plan projects. Tree removal or pruning and structure modification or removal could result in disturbance to roosting bats through noise generated during the pruning or direct removal of occupied habitat. A small number of existing structures may need to be modified or removed. If bats are roosting

in the trees to be pruned or removed or are using the structures to be modified or removed, the impact could be significant due to direct impacts on bats. If work is conducted outside of the breeding season, potential impacts would be less, but a small amount of roosting habitat could be lost due to tree removal. The impact from construction projects on bats in the park could be significant.

Long-term use of the habitat by bats within the park is expected to continue with implementation of the Master Plan; however, bats may utilize habitat away from human presence and potential noise disturbance. The park and surrounding natural lands support habitat that would continue to be available for bats, and the long-term impact would be less than significant.

Implementation of *Mitigation Measure BIO-4, Protect Special-status and Common Bats*, would limit potential impacts on special-status and common bat species by requiring preconstruction and ongoing surveys, avoidance of disturbance to maternity roosts, appropriately timed habitat removal, and work hour restrictions. Implementation of these measures would reduce potential impacts on special-status and common bat species to less-than-significant levels.

***Mitigation Measure BIO-4: Protect Special-status and Common Bats***

Marin County Parks shall implement the following protection measures for special-status and common bats:

- Prior to construction, a qualified biologist shall complete presence/negative finding bat surveys prior to removal or pruning of any trees over 6 inches in diameter at breast height or structure removal/modifications. Because each individual bat species may use different roosts seasonally and from night to day, surveys must be conducted at the appropriate times and according industry standard survey protocols.
- For all trees previously identified during project surveys as active roost sites and subject to pruning or removal, trees shall be removed in a two-step process in consultation with a qualified biologist: limb removal on day one shall be followed by bole removal on day two. This approach will allow any bats that are present an opportunity to move out of the area prior to completing removal of the trees.
- If occupied structures are present and require removal or modification, bat exclusion and one-way exit structures shall be installed to allow bats to leave the structure and not get back in.
- No maternity roosts shall be disturbed until unoccupied for the season. A 50-foot buffer shall be established around maternity roosts until unoccupied.
- If work is postponed or interrupted for more than one week from the date of the initial bat survey, the preconstruction survey shall be repeated.
- Construction shall be limited to daylight hours to avoid interference with the foraging abilities of bats.

***American Badger***

Habitats within Stafford Lake Park could potentially support American badger. Badgers have been reported within Stafford Lake Park. Burrow surveys to document California ground squirrel (*Otospermophilus beecheyi*), American badger, and western burrowing owls (*Athene cunicularia*) were conducted by Marin County Parks biologists and Conservation Corps North Bay ecology crew in February

2019. Two burrows were observed that were presumable badger burrows based on size and shape but were filled with water from the recent storms. Based on the amount of vegetation growing around the burrows and the bare soil, these burrows had been used within the previous two years indicating that American badgers have been using the area recently. Badgers have a relatively large home range, can expand their territories in the breeding season and in search of food, and may move into the park at any time. American badger natal season is September 1 through February 28. American badgers give birth underground in March and April to an average litter size of two to three kits. Kits remain underground until the age of 6 to 8 weeks old. In July to August, the young badgers disperse to live in their own burrows.

**Potential Impacts:** During construction, project activities could result in disturbance to badgers or their dens if they are present within the work area. Disturbance to soils could result in compaction of den and burrows if present. The presence of construction workers could preclude badgers from using the project area during the construction period. The impact on badgers from construction-related impacts could be significant.

Long-term use of the habitat by badgers within Stafford Lake Park is expected to continue with implementation of the Master Plan; however, badgers may utilize habitat away from human presence and potential noise disturbance. Stafford Lake Park and surrounding natural lands support habitat that would continue to be available for badgers, and the long-term impact would be less than significant.

Implementation of *Mitigation Measure BIO-5: Protect American Badger* would limit potential impacts on American badgers and their habitat by requiring preconstruction surveys and implementation of buffers to protect burrows and dens during project activities, ongoing monitoring, and wildlife exclusion fencing. Implementation of these measures would reduce potential impacts on American badger to less-than-significant levels.

***Mitigation Measure BIO-5: Protect American Badger***

Marin County Parks shall implement the following protection measures for American badger:

- Prior to construction, a qualified biologist shall complete an American badger survey one week prior to initiation of any vegetation clearing, ground disturbance, or other construction-related activities, including noise disturbance in areas that support suitable badger habitat. The survey shall be completed within the project area and a 250-foot buffer.
- If any badger burrows/dens are documented within the project area or within 250 feet of it, buffer zones shall be established and maintained until the badgers have vacated the area. A qualified biologist shall determine the appropriate setbacks; no work shall occur within the buffer zone until the area is cleared by a qualified biologist and it is determined the project activities will not harm badgers.
- If American badgers are known to be present in the project area or within 250 feet, a qualified biologist shall monitor construction activities to ensure impacts to species will be avoided. Temporary wildlife exclusionary fencing such as silt fence, which is a piece of synthetic filter fabric and is also called geotextile shall also be installed around work areas during construction, as determined by the qualified biologist. Openings in the exclusion fencing shall be restricted to areas of construction site access only. Fencing would preclude badgers from entering the construction area.

### **California Red-legged Frog**

Habitats within Stafford Lake Park could potentially support California red-legged frog. Focused surveys for frogs have not been completed within the park, and no frogs have been documented within the park. California red-legged frogs are known to occur on Mount Burdell within 3 miles of the park (MCOSD 2015). Frogs may use the pond, lake, and watercourses for breeding and the adjacent riparian and wetland vegetation for dispersal, cover, and foraging habitat, but the presence of fish within Stafford Lake may preclude this species from using portions of the site.

**Potential Impacts:** Project activities could result in disturbance, displacement, or mortality to California red-legged frogs if proposed park development occurs in areas that support frog habitat and frogs are present during construction. Construction activities in areas south of Novato Creek, near seeps, seasonal wetlands, and streams, and within the riparian corridor could impact California red-legged frogs if they are present in the work areas, and the impact could be significant.

Park infrastructure, including trails, picnic areas, roads, and restrooms already exist throughout the park. Implementation of the Master Plan would expand facilities and improve the condition of some existing facilities. Construction of new infrastructure, such as the creek boardwalk would improve existing conditions by limiting access through the riparian area and riparian setback along Novato Creek and instituting setbacks along all creeks and wetlands throughout the park. These setbacks would help preserve conditions of the riparian corridors and the habitat supported in them. However, a number of the proposed project components near wetlands and streams may cause frogs to alter their activity patterns along trail corridors and near park infrastructure if frogs were present in the park. For example, increased foot traffic and human presence near the Terwilliger Pond may restrict frogs from using the park over time or moving into the site from surrounding habitats. These potential effects could be minimized by ensuring trail corridor margins are vegetated to provide habitat.

Park and trail users and maintenance workers could inadvertently kill or harm individual frogs along trail corridors or within picnic and other use areas if frogs are present in the park. Frogs may be encountered by the public, and/or harmed by park staff during patrols in vehicles or completing site maintenance work. Since California red-legged frogs are largely nocturnal, direct encounters with frogs will likely be infrequent, and the impact is not expected to increase from implementation of the Master Plan.

Implementation of *Mitigation Measure BIO-6: Protect California Red-legged Frog* would limit potential impacts on California red-legged frogs and their habitat by requiring preconstruction surveys, implementation of buffers, construction monitoring, and wildlife exclusion fencing. Implementation of these measures would reduce potential impacts on California red-legged frog to less-than-significant levels.

#### **Mitigation Measure BIO-6: Protect California Red-legged Frog**

Marin County Parks shall ensure that the following protection measures for California red-legged frog are implemented during project activities:

- Complete a preconstruction California red-legged frog survey one week prior to initiation of any vegetation clearing, ground disturbance, or other construction-related activities for projects within 50 feet of any riparian corridor, Terwilliger Pond, Stafford Lake, or other watercourse. The

survey shall be completed within the project area and a 250-foot buffer around it by a qualified biologist. Surveys shall be completed year-round.

- If any California red-legged frogs are documented within the project area or within 250 feet of it, buffer zones shall be established and maintained until the frogs have vacated the area. A qualified biologist shall determine the appropriate setbacks; no work shall occur within the buffer zone until the area is cleared by the qualified biologist and it is determined the project activities will not harm California red-legged frogs. Frogs will only be relocated following consultation with USFWS and CDFW.
- If California red-legged frogs are known to be present in the project area or within 250 feet, a qualified biologist shall monitor construction activities to ensure impacts to species will be avoided. Temporary wildlife exclusionary fencing (e.g., silt fence, which is a piece of synthetic filter fabric [also called geotextile]) shall be installed around work areas during construction, as determined by a qualified biologist. Openings in the exclusion fencing shall be restricted to areas of construction site access only. Fencing would preclude California red-legged frogs from entering the construction area

### **Northwestern Pond Turtle**

The park supports northwestern pond turtle. This species has been documented in Terwilliger Pond and the seasonal wetland within the Park. Pond turtles may be found year-round within the park. Turtles may use Terwilliger Pond, Stafford Lake, watercourses, wetlands, and adjacent riparian and wetland vegetation for dispersal, cover, and foraging habitat and appropriate uplands and shoreline habitats for nesting. Construction of proposed park developments would occur in areas potentially occupied by northwestern pond turtle.

**Potential Impacts:** Construction activities could result in disturbance, displacement, or mortality to individuals or their nests if they are present in the work area during construction and the impact could be significant.

A number of the proposed project components near wetlands and streams and upland nesting sites could affect the long-term survival and use of the park by northwestern pond turtles. For example, increased foot traffic through the riparian corridor or increased human presence near the Terwilliger Pond may restrict turtles from using this park over time. The reduction in the availability of open annual grassland and presence of humans may destroy or disrupt nesting sites. Although turtles that utilize habitat in the park have adapted to the presence of recreationalists, maintenance works, and park staff, an increase of park infrastructure could have a significant impact on turtle population numbers or significantly alter use patterns.

Implementation of *Mitigation Measure BIO-7: Protect Northwestern Pond Turtle* would limit potential impacts on turtles and their habitat by requiring preconstruction surveys, adult relocations, establishment of nest site buffers, ongoing construction monitoring, and wildlife exclusion fencing. Implementation of these measures would reduce potential impacts on northwestern pond turtle to less-than-significant levels.

**Mitigation Measure BIO-7: Protect Northwestern Pond Turtle**

Marin County Parks shall ensure that the following protection measures for northwestern pond turtle are implemented during project activities:

- Construction that involves digging within 250 feet from any waterway at Stafford Lake Park, including Novato Creek, Terwilliger Pond, and Stafford Lake, should be delayed until outside of northwestern pond turtle nesting season: April 1 through August 31. Work that would occur September 1 through March 31 within 250 feet of a waterway shall require fencing and a daily biological survey to ensure no northwestern pond turtles are within the project area. Northwestern pond turtles found within the project area shall be relocated. A biological monitor shall be present during digging to ensure no northwestern pond turtles have burrowed.
- Any adults found within the project area shall be relocated to suitable off-site habitat within Stafford Lake Park by a qualified biologist. Marin County Parks would then notify CDFW of the relocation.
- Nest sites discovered during the preconstruction survey or anytime during construction shall be avoided until the nest is vacated, as determined by a qualified biologist. Buffer zones shall be established and maintained until nesting is complete. A qualified biologist shall determine the appropriate setbacks; no work shall occur within the buffer zone until the area is cleared by the biologist and it is determined the project activities will not harm turtle nests.
- If turtles are known to be present in the project area or within 250 feet, a qualified biologist shall monitor construction activities to ensure impacts to species are avoided. Temporary wildlife exclusionary fencing will also be installed around work areas during construction as determined by a qualified biologist.
- Establish a baseline northwestern pond turtle inventory for the area surrounding Novato Creek, Terwilliger Pond and areas along the shoreline of Stafford Lake prior to implementing park improvements in those areas. Monitor Northwestern pond turtle population changes as a result of infrastructure development and public use. Monitoring shall be conducted by a qualified biologist at regular intervals for the target species to inform ongoing public uses and development of an adaptive management strategy if negative impacts are detected such as education program and seasonal exclusion of park users.

**b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Less than Significant with Mitigation**

A large portion of the park supports sensitive riparian and wetland habitat, native grassland, and native oaks that are identified in local plans and/or regulated by both state and federal agencies. Brome/fescue and purple needlegrass native grasslands are both sensitive grasslands that are present in areas across the park. Seasonal wetlands are present across the landscape. Novato Creek and other smaller watercourses are present, and these waterways support riparian vegetation dominated by shining willow and red willow plant communities. Oak woodland occurs in the southern area of the park.

**Potential Impacts:** Proposed Master Plan components have been sited outside of these habitats and sensitive natural communities to the greatest extent feasible. However, some improvements are located in, close to, or within buffers for sensitive habitats, including new or expanded trails and boardwalks designed to provide public access across and through these sensitive habitats. Utilities installation may affect sensitive plant communities. Construction activities could result in a significant impact. Table 5 below indicates the sensitive natural communities potentially affected by each proposed Master Plan elements.

**Table 5: Proposed Master Plan Elements and Sensitive Habitat Types**

Master Plan Component	Sensitive Habitat Type			
	Riparian Vegetation	Native Grassland	Oak Woodland	Wetlands and Waters
<b>General Improvements</b>				
Pedestrian and Bicycle Paths	X	X	X	X
Utilities	X			X
<b>The Event Meadow</b>				
Special Event Camping	X			
Event Gardens	X			X
<b>Picnic Playground</b>				
Extended Walking Paths	X			X
<b>The Back Meadow</b>				
Roadway Extension, Bridge & Parking Lot	X			
Nature Play Pods	X			
Individual and Group Picnic Areas	X			
<b>Temporary Uses</b>				
BMX	X			X
Ropes Course	X			X
Ninja Obstacle Course	X			
<b>Misc. Amenities</b>				
Fishing Boardwalk				X
South Lake Edge Improvements & Star Deck		X		X
Bird Blind	X			X
Zip Line			X	
Alpine Slide		X		
Bike-In Camping	X			
Creek Boardwalk	X			
Single Track Bike Trail	X	X	X	X

As shown on Table 5, a number of project components could affect multiple sensitive and natural habitat types within the park. Construction in the sensitive natural communities would require general protection measures. *Mitigation Measure BIO-8: Protect Sensitive Natural Communities – General Protection Measures* would be applicable to construction activities to avoid soil compaction and to reduce runoff, soil erosion, and vegetation loss reduce construction-related impacts to less-than-significant levels.

***Mitigation Measure BIO-8: Protect Sensitive Natural Communities – General Protection Measures***

Marin County Parks shall protect sensitive natural communities during construction activities using the following protection measures.

- Prohibit equipment refueling, fluid storage, equipment maintenance, and road surfacing activities within sensitive natural communities. Inspect equipment and vehicles regularly for hydraulic and oil leaks, and do not allow leaking vehicles in the park. Drip pans will be placed underneath equipment stored on site. Vehicles and construction equipment will be maintained in good working condition.
- To minimize downslope erosion and sedimentation near sensitive natural communities maintain erosion- and sediment-control devices during ground-disturbing activities and until all disturbed soils have been stabilized. Materials shall be certified weed-free to prevent the introduction of wheat, barley, and other nonnative plant seeds. Erosion-control materials shall be constructed of natural fibers including coconut fiber mats, burlap and rice straw wattles.
- Limit or avoid using heavy equipment in areas with soils that are undisturbed, saturated, or subject to extensive compaction. Where staging of heavy equipment, vehicles, or stockpiles is unavoidable, the allowable disturbance footprint shall be limited and marked with flagging or fencing. Following the end of work, surface soils, if they no longer support native vegetation, shall be scarified and seeded with appropriate native species as directed by a qualified botanist or restoration specialist to retard runoff and promote rapid revegetation.
- Immediately rehabilitate areas where project actions have disturbed soil. Areas disturbed by equipment or vehicles shall be rehabilitated as quickly as possible to prevent erosion and discourage the colonization of invasive plants. For disturbed areas greater than 0.1 acre, prepare a project-specific revegetation or restoration plan.
- To the extent feasible, use locally collected native plant materials from the project footprint or from within the park or adjacent preserves for revegetation. Marin County Parks shall allow collection of no more than 5 percent of any native plant population to prevent over-collection of wild plant material sources, as per Marin County Parks and Open Space District's Vegetation and Biodiversity Management Plan, BMP – Special Status Plants 5 (2015). If sufficient local plant materials are not available for collection prior to project activities, geographically appropriate native plant materials will be purchased from a local nursery or seed supplier.
- Incorporate the removal of invasive species into site development. Remove, by hand or mechanical means, all non-natives within the project site and within 25 feet of the construction area. Dispose of any material with potential to germinate or re-sprout in a landfill. If substantial bare ground is left after removal, seed and/or plant with site-appropriate native species.

- Prevent the introduction and spread of invasive plant species.
  - Ensure that any seed, straw, mulch, gravel, or other imported materials are weed-free.
  - Clean construction vehicles and other landscaping or maintenance equipment of seed and soil from weed-infested locations before entering new areas.
  - Revegetate disturbed soil promptly after disturbance.
  - Use only native species from the Novato Creek watershed or Marin County for all site restoration and erosion control seeding when available and to the greatest extent feasible.
  - Monitor areas of ground disturbance for invasive species infestation after construction and revegetation efforts.
- Do not plant invasive, weedy species, or non-native species.
- Limit the introduction and spread of plant pathogens by:
  - Cleaning equipment, boots, truck tires, and any other exposed material with a 10 percent bleach solution or other disinfectant after working in infected areas and bringing materials into the park.
  - Avoiding pruning oaks or other affected trees in wet weather.
  - Avoiding work in wooded areas during the wet season when spores are being produced and infections are starting.
  - Leaving potentially infected downed trees in the park instead of transporting the material to an uninfected area.
  - Purchasing nursery stock for restoration plantings at nurseries that follows current Best Management Practices (BMPs) for preventing the spread of SOD. Consult the California Oak Mortality Task Force, [www.suddenoakdeath.org](http://www.suddenoakdeath.org), for current standards.
  - Inspecting all plant materials for symptoms of SOD before bringing any plants into the park.

### ***Riparian Vegetation***

**Potential Impacts:** Construction of some proposed Master Plan elements would occur in areas that support riparian vegetation, as shown in Table 5. Potential impacts from construction activities on riparian vegetation could include removal or pruning of plants; grading, compaction, or other disturbance to soil; introduction or facilitation of non-native species; and changes to the hydrologic conditions that support riparian plants.

The Master Plan has established setbacks beside watercourses that consist of a development setback on each side of the top of bank that is the greater of either: (a) 50 feet landward from the outer edge of woody riparian vegetation associated with the stream; or (b) 100 feet landward from the top of bank for permanent and intermittent streams. These setbacks are consistent with those called for by the CWP Policy BIO-4.1.

The Master Plan also provides for setbacks from ephemeral streams if they: (a) support riparian vegetation for a length of 100 feet or more, and/or (b) support special-status species and/or a sensitive natural

community type, such as native grasslands, regardless of the extent of riparian vegetation associated with the stream. For those ephemeral streams that do not meet these criteria, a minimum 20-foot development setback is required. Riparian setbacks are mapped on Figures 5a and 5b.

Implementation of Master Plan elements would be designed to align with CWP policies to the greatest degree feasible to minimize impact on riparian trees and riparian habitats to the greatest extent feasible. Should impacts to riparian trees and/or habitats be unavoidable for implementation of specific Master Plan projects, implementation of *Mitigation Measure BIO-9: Replace Riparian Trees* and *Mitigation Measure BIO-10: Protect Sensitive Riparian Habitat Areas* would reduce potential impacts to riparian areas to less than significant.

**Mitigation Measure BIO-9: Replace Riparian Trees**

Park improvements shall avoid impacts to native trees to the greatest extent feasible. However, if impacts cannot be avoided, Marin County Parks shall replace native riparian trees at the following ratios:

Native Riparian Trees.....	3 – 6 inches DBH .....	3:1
Native Riparian trees .....	6-inches + DBH.....	6:1
Non-native trees .....	any DBH .....	1:1

Revegetation should include only local plant materials native to the project area, unless local trees are not available. Should plants need to be obtained from a non-local source, information regarding the lack of local supplies and the non-local source shall be provided to CDFW as part of a permit application when a CDFW permit is required for the specific Master Plan project. If a CDFW permit is not required, this information shall be included in the project file.

**Mitigation Measure BIO-10: Protect Sensitive Riparian Habitat Areas**

Park improvements shall avoid encroachment into riparian habitat to the greatest extent feasible. However, if the riparian habitat cannot be avoided, and the removal of riparian vegetation is required, Marin County Parks shall implement the following measures:

- Mitigation shall occur at a minimum 1:1 ratio, based on area of impact. Exact mitigation ratios shall be determined after analyzing the total percent of habitat removed from the project; local sensitivity and diversity of the habitat type; significance of likely temporal losses while the restored area is establishing; and proximity of the mitigation area to the impact site. On-site mitigation shall be prioritized. CDFW may require greater than 1:1 mitigation ratio for off-site mitigation.
- Mitigation in riparian areas shall include planting suitable native species (determined by a qualified botanist or biologist) along an unaffected edge of the affected area. If there is insufficient area within the riparian habitat at Stafford Lake Park to complete the mitigation, then SCAs on other suitable Marin County open space or park parcels can be planted in order to complete the mitigation requirement. In addition, unforested portions of the riparian area shall be planted with native willow trees if the area is suitable, or native tree species including coast live oak, valley oak, California bay, California buckeye, and/or big-leaf maple between park improvements and the edge of the riparian canopy to increase the effectiveness of the riparian buffer.
- A planting plan shall be developed for installing trees within the riparian area between the existing riparian canopy and the proposed park improvements. The planting plan shall show the locations

of the tree planting and shall provide techniques for tree planting. The planting plan shall indicate performance standards and the contents of an as-built report. Monitoring the success of the plantings shall occur for at least 5 years. Annual reports shall be submitted to CDFW when a CDFW permit is required for the specific Master Plan project. Otherwise, annual reports shall be included in the project file.

### **Native Grassland**

Purple needlegrass and brome/fescue native grasslands are mapped in areas south of Novato Creek as shown on Figure 4b. Several proposed park improvements may be located in or adjacent to these grasslands. The disc golf course, where improved trail connections are planned, is located within purple needlegrass grassland. The Alpine Slide, pedestrian and bike trails, and South Lake Edge improvements are planned to pass through or near native grassland.

**Potential Impacts:** Construction of these facilities could result in a loss of acreage and diversity of sensitive native grassland. Use of heavy equipment during construction and other ground disturbance during construction could also reduce native plant survivorship and reproduction in these grasslands. Many existing trails pass through purple needlegrass grassland. Increased use of these trails, trail widening, and/or trail maintenance could reduce native grassland extent or increase non-native species. The impact from a reduction in the grassland extent, a change in grassland composition, or the spread of non-native species into native grassland areas could be significant.

Implementation of *Mitigation Measure BIO-11: Protect Native Grassland* would reduce potential impacts to native grassland to less than significant by avoiding direct impacts where feasible and mitigating the loss of native grassland. For invasive species control measures, see Section (e).

### **Mitigation Measure BIO-11: Protect Native Grassland**

Marin County Parks shall avoid permanent impacts on native grasslands to the greatest extent feasible, meaning that specific Master Plan projects shall be designed and constructed outside of native grassland and the boundaries of sensitive natural communities. Sensitive habitats such as the brome/fescue native grassland shall be identified during the design process for the specific Master Plan project so that these sensitive areas can be avoided to the greatest extent possible. Prior to the initiation of construction activities, an exclusion zone shall be established. Construction equipment, personnel, material storage, and staging activities shall be prohibited within the exclusion zone. If impacts to native grassland cannot be avoided, Marin County Parks shall implement the following measures:

- Impacts on native brome/fescue grassland shall be mitigated by establishing native brome/fescue grassland species within non-native grassland; impacts on purple needlegrass grassland shall be mitigated by establishing purple needlegrass grassland species within non-native grassland.
- Mitigation shall occur at a minimum 1:1 ratio, to be determined by a qualified biologist after analyzing the total percent of habitat removed from the project; local sensitivity and diversity of the habitat type; significance of likely temporal losses while the restored area is establishing; and proximity of the mitigation area to the impact site. On-site mitigation shall be prioritized. CDFW may require greater than 1:1 mitigation ration for off-site mitigation.
- A revegetation plan shall be developed that will identify areas for re-establishing the native grassland, techniques used to reestablish the grassland, performance standards, and monitoring techniques. The performance standards shall include replacing the grassland lost with native

grassland of similar species composition and cover of grassland lost to park improvements. Annual reports shall be submitted to CDFW when a CDFW permit is required for the specific Master Plan project. Otherwise, annual reports shall be included in the project file.

### **Oak Woodland**

Proposed Master Plan improvements, such as the Zipline, the single-track bike trail, and pedestrian and bike paths, are proposed within areas that include oak woodland.

**Potential Impacts:** Construction and operation of proposed facilities would affect oak woodland and its habitat values. Siting and building facilities such as the towers supporting the Zipline could result in tree removal and/or trimming within the tree canopy, soil compaction around oaks, and loss of understory vegetation. These impacts could reduce the extent of the oak woodlands and/or impact individual trees in the oak woodland community, and the impacts could be significant.

Implementation of *Mitigation Measure BIO-12: Protect Oak Woodland and Individual Oak Trees* would reduce oak woodland impacts to less than significant by siting facilities to minimize oak removal or pruning and developing and implementing a revegetation plan to replace damaged or removed trees and understory species at suitable ratios.

### **Mitigation Measure BIO-12: Protect Oak Woodland and Individual Oak Trees**

Marin County Parks shall ensure that park improvements are designed and implemented to avoid encroachment on oak woodlands to the greatest extent feasible.

- The Root Protection Zone (RPZ), defined as 1.5 times the dripline radius and 3 feet below the soil surface, of all native trees, shall be identified on design plans for specific Master Plan projects. Temporary protective fencing shall be installed around RPZs or, at a minimum, the dripline perimeter of trees near work areas in the field prior to the initiation of construction-related activities.
- Changes in drainage and soil compaction within protected tree perimeters shall be avoided to the extent feasible.
- Heavy equipment, vehicles, and/or construction materials shall not be parked or stored beneath trees or operated within the delineated protected perimeter.

If placement of facilities in oak woodlands cannot be avoided, Marin County Parks shall implement the following measures:

- Proposed facilities, such as the Zipline, trails, and paths, shall be sited to minimize damage to the trees of the oak woodland and other native trees. Zipline facilities shall be located above the tree canopy to minimize impacts to trees when feasible. If needed, individual trees shall be pruned prior to installation of the Zipline facility to avoid injury. Tree pruning shall be directed by a certified arborist. Zipline components shall not be in contact with tree trunks.

- Any native tree in which at least 1/3 of its canopy or root system is damaged from construction or operation of proposed facilities shall be mitigated through replacement of the same species at the following ratios:

oaks .....	5 - 10 inches DBH.....	4:1
oaks .....	10 – 15-inches DBH.....	5:1
oaks .....	15-inch + DBH .....	15:1

- Trees shall be planted at a suitable location identified by a qualified biologist, preferably at the interface of oak woodland and non-native grassland at the park edge near the Indian Valley Golf Club. Associated native understory species from the impact area shall also be replaced, to the extent feasible, along with the trees in the restoration area. A restoration plan shall be developed that will identify areas for re-establishing the oak woodland, techniques used to reestablish the oak woodland, performance standards, and monitoring techniques. The performance standards shall include replacing the oak woodland lost with native oak woodland of the same species composition and cover of oak woodland lost to park improvements. Annual reports shall be submitted to CDFW when a CDFW permit is required for the specific Master Plan project. Otherwise, annual reports shall be included in the project file.

**c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? Less than Significant with Mitigation**

The proposed Fishing Deck would result in direct impacts to jurisdictional wetlands and waters of Stafford Lake, with fill for support piers/piles installed in the lakebed. Other improvements, included in Table 5, are proposed in proximity to wetland areas and/or within buffer areas and could result in fill of jurisdictional wetlands or waters depending on the precise location and design of these features. Fill of wetlands or jurisdictional waters would be a significant impact.

Removal of native vegetation, soil compaction, or alterations to local hydrology from these improvements could also have a significant effect on wetlands. Implementation of Mitigation Measure BIO-13 would reduce potential impacts on wetlands to less than significant by providing for wetland delineation, permitting, and implementation and development of a mitigation plan approved by the appropriate regulatory agencies for wetland impacts.

**Mitigation Measure BIO-13: Protect Wetlands and Watercourses**

Marin County Parks shall avoid fill of jurisdictional wetlands and waters, to the extent feasible, including avoiding the modification of the bed and/or bank of Stafford Lake, Terwilliger Pond, and Novato Creek. Preconstruction surveys shall identify waters and wetlands according to state and federal regulations. If fill cannot be avoided, Marin County Parks shall mitigate for these impacts by creation, restoration, or preservation of wetlands and waters.

- Prior to construction, a formal wetland delineation shall be prepared for all areas of the park subject to the specific Master Plan project. The wetland delineation shall be used to determine the extent of fill to waters of the United States including wetlands, and waters of the State. Marin County Parks shall review the wetland delineation and associated upland features with the regulatory agencies including CDFW, REQCB, and USACOE as needed to confirm jurisdiction.

Jurisdictional areas to be filled or avoided shall be clearly shown on construction plans for specific improvements.

- Prior to construction of improvements resulting in fill of jurisdictional areas, appropriate permits from the Corps, RWQCB, and CDFW shall be obtained.
- An application for a Lake or Streambed Alteration Agreement pursuant to Fish and Game Code §1600 shall be submitted to the CDFW for any modification of the bed and/or bank of Stafford Lake, Terwilliger Pond, and Novato Creek resulting from construction of proposed improvements, including the Fishing Deck and Creek Boardwalk and potentially the Bird Blind and Bird Viewing Vista Area. Any loss of riparian vegetation shall be replaced on-site at a ratio agreed upon with regulatory agencies.
- Temporary impacts in wetlands and waters shall be restored and may include removal of sediments and foreign materials deposited during construction activities, restoration of disturbed areas to their original contour and hydrologic condition, stabilization of disturbance areas prior to the onset of winter, reestablishment of riparian woodland and stands of sensitive wetland plant cover using native seed stock, container plants, and/or cuttings collected from as close to the impact vicinity as possible, and protection and conservation of topsoil within riparian woodland and stands of sensitive wetland plant cover.
- If wetland areas cannot be avoided, Marin County Parks shall mitigate for the loss. Compensatory mitigation may include onsite, in-kind replacement, or purchase of wetland credits. Onsite wetland mitigation shall consist of creating wetland acreage at a ratio determined by regulatory agencies, preferably at the edge of existing wetlands onsite. A wetland mitigation plan shall be developed for any required mitigation, except for purchase of wetland credits. The wetland mitigation plan shall include monitoring and reporting methods and performance standards for the mitigation wetlands. The site shall be monitored for 5 years; additional monitoring may be required if performance standards are not met during that time. If required, the results of the monitoring shall be reported in annual reports submitted to the applicable regulatory agencies.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? Less than Significant**

Fish and wildlife need to be able to move among varied habitat types and patches in order to survive, breed, raise young, and maintain healthy populations over time. This movement may be through wildlife corridors or habitat linkages. A wildlife corridor is an area of habitat connecting wildlife populations otherwise separated by human activities or structures including roads, and other development. Wildlife corridors are typically linear or relatively narrow strips of land that allow an exchange of individuals between populations separated by habitat fragmentation. This exchange helps prevent the negative effects of inbreeding and reduced genetic diversity that often occur within isolated populations. Habitat linkages refer to broader regions of connectivity that allow for the movement of multiple species, maintenance of ecological processes, and provide routes for colonization of new habitat lands. Native wildlife nursery sites are specific areas where certain species return yearly to breed, birth, and raise young.

Stafford Lake Park provides a variety of wildlife movement opportunities and nursery sites. The park supports a number of vegetation communities including non-native grassland, brome/fescue native grassland, purple needlegrass grassland, seasonal wetland, riparian willow groves, and oak woodland that support a diverse assemblage of wildlife species, which are described in the Setting section. Stafford Lake and the seasonal wetland likely serve as a key resource for local wildlife populations, and is an important wildlife corridor, connecting Indian Tree, Little Mountain, Verissimo Hills, and Mount Burdell Open Space Preserves. It is also adjacent to the Indian Valley Golf Course. These open areas provide key habitat for many of Marin County's wildlife species and can support a variety of wildlife through part or all of their life cycles.

Stafford Lake Park receives substantial visitation and supports existing site development. The park hosts an array of programs, ranging from family picnics to large-scale music events and other festivals. Picnic areas are heavily used, especially during the summer months. Stafford Lake Park is a very popular wedding venue and also has a diverse set of ranger-led and community group-organized park programs including outdoor movie screenings, educational, and stargazing events. Stafford Lake Park accommodates high traffic volumes to accommodate the existing uses. The number of park users is not expected to increase significantly as stated on page 61 of the Master Plan, *“implementation of the Master Plan is expected to result in a minimal increase in visitation and associated vehicle trips to the plan area”* (Stafford Lake Master Plan page 61)

The proposed Master Plan would develop park and recreation improvements within the existing park boundaries, and implementation of the proposed Master Plan elements is not expected to interfere with the movement of wildlife from park lands to surrounding habitat connections to adjacent preserves. Improvements at Stafford Lake Park would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites within the park or the surrounding area. Under existing conditions, resident wildlife have likely habituated to human activity within the park. Park improvements would not result in significant impacts on wildlife movement activity in the surrounding area because none of the proposed improvements would remove large swaths of vegetation or block flows of creek channels. While public uses of the park may increase, Stafford Lake Park will continue to operate only during daylight hours. The park will continue to be closed at night and the vehicle entrance locked. Human presence and noise disturbance will not occur at night. The project would not block wildlife corridors or migration routes; therefore, the impact would be less than significant.

Construction-related disturbance would not cause significant impacts on wildlife movement activity at Stafford Lake Park. Wildlife may leave the immediate area surrounding the trail during construction activities; however, the impacts will be short-term and only occur during construction and would not affect migration.

The Master Plan includes installation of a minor amount of fencing, which would primarily be located around the picnic playground. The fence would be ranch style, split rail fence constructed with wood and metal mesh. The small amount of proposed fencing would not interfere with wildlife movement across the park or through the fence itself as wildlife can pass through split rail fence.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? No Impact**

The Marin CWP includes goals and policies to protect natural resources and manage the spread of invasive species and plant pathogens (MCCDA 2007). Public agencies, including Marin County Parks, is exempt from the CWP policies and local ordinances, including the tree protection ordinance, per Marin County Code Section 22.06.050 – Exemptions from Land Use Permit Requirements. Nonetheless, Marin County Parks would incorporate the intent of the CWP policies as part of standard practices, implementation of the proposed Master Plan elements are aligned with goals and policies of the CWP.

***Wetland Protection***

The Master Plan has established setbacks beside watercourses that consist of a development setback on each side of the top of bank that is the greater of either: (a) 50 feet landward from the outer edge of woody riparian vegetation associated with the stream; or (b) 100 feet landward from the top of bank for permanent and intermittent streams. These setbacks are consistent with the CWP, policy BIO-3.1, establishes Wetland Conservation Areas (WCA) to protect wetlands and upland buffers (MCCDA 2007).

***Stream Conservation Areas***

The Master Plan includes protections stream setbacks that are consistent with the CWP.

***Native Tree Protection***

Marin County Parks is exempt from the CWP policies and local ordinances, including the tree protection ordinance, per Marin County Code Section 22.06.050 – Exemptions from Land Use Permit Requirements. Nonetheless, Marin County Parks would incorporate the intent of the CWP policies as part of standard practices. Implementation of *Mitigation Measure BIO-9* and *Mitigation Measure BIO-12* would limit impacts on native trees by requiring avoidance of impacts where feasible, and replacement of any trees removed.

***Invasive Plant Species Management***

Although Marin County Parks is exempt from CWP policies, the invasive species control measures included in the Master Plan comply with CWP policies BIO-1.6 and 1.7, which call for the control of the spread and removal of invasive exotic plants (MCCDA 2007).

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? No Impact**

Habitat conservation plans (HCPs) are planning documents required as part of an application for an Incidental Take Permit. They describe the anticipated effects of the proposed taking; how those impacts would be minimized or mitigated; and how the HCP is to be funded. HCPs can apply to both listed and non-listed species, including those that are candidates or proposed for listing. HCPs are required to meet the permit issuance criteria of Endangered Species Act of 1973.” (USFWS 2019b). There are no applicable HCPs in Marin County (USFWS 2019a).

A Natural Community Conservation Planning program (NCCP) is a State led effort to take a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. It is broader in its orientation and objectives than the California and federal Endangered Species Acts, as these laws

are designed to identify and protect individual species that have already declined in number significantly. An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity.” (CDFW 2019b). There are 14 approved NCCPs in the State. There are no adopted NCCPs in Marin County.

There are no applicable HCPs or NCCPs in Marin County; therefore, there would be no impact.

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## Appendix A Special-status Plants Evaluated for the Stafford Lake Park Master Plan

Based on the background literature review, a number of special-status plants were identified with potential to occur in the project area. Species with reported observations in close proximity to the project site and/or in habitat types of relevance are evaluated in the table below.

Scientific Name Common Name	Listing Status <sup>10</sup> USFWS/CDFW/CRPR	Life Form, Blooming Period, and General Habitat	Potential for Species Occurrence within the Park <sup>11</sup>
<i>Allium peninsulare</i> var. <i>franciscum</i>  Franciscan onion	--/--/ 1B.2	Perennial bulbiferous herb. Blooms May-June. Woodland, grassland (clay, volcanic, often serpentinite). 52-300 m.	Low. No documented occurrence within 5 miles, only marginally suitable habitat present.
<i>Alopecurus aequalis</i> var. <i>sonomensis</i>  Sonoma alopecurus	FE/--/ 1B.1	Perennial herb. Blooms May-July. Freshwater marshes and swamps, riparian scrub. 5-365 m.	Low. No documented occurrence within 5 miles, only marginally suitable habitat present.
<i>Amorpha californica</i> var. <i>napensis</i>  Napa false indigo	--/--/ 1B.2	Perennial deciduous shrub. Blooms April-July. Broadleafed upland forest (openings), chaparral, woodland. 120-2000 m.	Low. Potentially suitable habitat present and known occurrences within several miles, but species not observed by LSA in April 2018 survey.
<i>Amsinckia lunaris</i>  bent-flowered fiddleneck	--/--/ 1B.2	Annual herb. Blooms March-June. Coastal bluff scrub, cismontane woodland, valley and foothill grassland. Typically on gravelly slopes, grassland, openings in woodland, often serpentine. 3-500 m.	Low. Potentially suitable habitat present but species not observed by LSA in April 2018 survey, and only known occurrence in region is historic.
<i>Arctostaphylos virgate</i>  Marin manzanita	--/--/ 1B.2	Perennial evergreen shrub. Blooms January-March. Sandstone or granite. Broadleafed upland forest, close-cone coniferous forest, chaparral, and North Coast coniferous forest.	Low. Typically occurs in chaparral or conifer forest, not present on site; and species not observed.

<sup>10</sup> **Listing Status:** FE-federally listed as endangered, FT-federally listed as threatened, SE-state listed as endangered, ST-state listed as threatened, Candidate SE-state candidate to be listed as endangered under CESA Candidate, ST-state candidate to be listed as threatened under CESA, CR-state listed as rare; California Rare Plant Rank (CRPR): 1A – Presumed extinct in California and rare/extinct elsewhere, 1B – Rare, threatened, or endangered in California and elsewhere, 2A – Presumed extirpated in California, more common elsewhere, 2B – Rare, threatened, or endangered in California, more common elsewhere, 3 - Plants for which we need more information, 4 – Plants of limited distribution. Suffixes: .1 Seriously endangered in California, .2 Fairly endangered in California, .3 Not very endangered in California.

<sup>11</sup> **Special-status Species Evaluation Criteria:** Special-status species were evaluated for their potential to occur within the park. Potential for occurrence was classified as not present, low, moderate, high, or present based on the following criteria: **Not Present** – Suitable habitat is not present within the park, species definitively not observed; **Low** – One or more key habitat components is absent from the park; no known occurrences in vicinity, or habitat present but species not observed during field surveys that would be expected to discover species, if present, based on season and level of effort. Species is unlikely to occur within the park; **Moderate** – Some of the habitat components required by this species are present within the park and/or marginally suitable habitat is present within surrounding areas. Species may occur within the park; **High** – All of the habitat components required by this species are present within the park and/or it is known to occur in surrounding areas. Species is likely to occur within the park; **Present** – Species has reported occurrences within the park and/or was observed within the project site during field surveys.

Scientific Name Common Name	Listing Status <sup>10</sup> USFWS/CDFW/CRPR	Life Form, Blooming Period, and General Habitat	Potential for Species Occurrence within the Park <sup>11</sup>
<i>Castilleja affinis</i> ssp. <i>Neglecta</i> Tiburon paintbrush	FE/ST/ 1B.2	Perennial herb (hemiparasitic). Blooms April-June. Serpentine grassland. 60-400 m.	Low. No serpentine present.
<i>Delphinium bakeri</i> Baker's larkspur	FE/SE/ 1B.1	Perennial herb. Blooms March- May. Decomposed shale, often mesic, settings in broadleaved upland forest, coastal scrub, and valley and foothill grassland.	Low. Not known from this part of Marin, no decomposed shale present, and species not observed in LSA April 2018 survey.
<i>Delphinium luteum</i> golden larkspur	FE/SR/ 1B.1	Perennial herb. Blooms March- May. Rocky locations in chaparral, coastal prairie, coastal scrub. 0-100 m.	Low. Potentially suitable habitat present but species not observed by LSA in April 2018 survey, and no documented occurrences within 5 miles.
<i>Dirca occidentalis</i> western leatherwood	--/--/ 1B.2	Perennial deciduous shrub. Blooms January-March. Broadleaved upland forest, closed-cone coniferous forest, chaparral, woodland, North Coast coniferous forest. 50- 395 m.	Low. No documented occurrences within 5 miles and species not observed.
<i>Entosthodon kochii</i> Koch's cord moss	--/--/1B.3	Moss. Woodland, on open soil. 180-1000 m.	Moderate. Documented occurrences within 5 miles. Potentially suitable habitat present.
<i>Erigeron biolettii</i> streamside daisy	--/--/ 3	Perennial herb. Blooms June- October. Dry slopes, rocks, and ledges along rivers in broadleaved upland forest, woodland, North Coast coniferous forest. 30-1100 m.	Moderate. Documented occurrence on Mount Burdell. Potentially suitable habitat present. LSA April 2018 survey outside of blooming period.
<i>Eriogonum luteolum</i> var. <i>caninum</i> Tiburon buckwheat	--/--/ 1B.2	Annual herb. Blooms May- September. Serpentine, sandy to gravelly locations in chaparral, woodland, coastal prairie, and grassland. 0-700 m.	Low. Documented occurrence within several miles but no serpentine present.
<i>Fritillaria lanceolata</i> var. <i>tristulis</i> Marin checker lily	--/--/ 1B.1	Perennial bulbiferous herb. Blooms February-May. Coastal bluff scrub, coastal prairie, coastal scrub. 15-150 m.	Low. No documented occurrences within 5 miles; typically more coastal, and species not observed during LSA April 2018 survey.
<i>Fritillaria liliacea</i> fragrant fritillary	--/--/ 1B.2	Perennial bulbiferous herb. Blooms February-April. Woodland, coastal prairie, coastal scrub, valley and foothill grassland (often serpentine). 3-410 m.	Present. Four populations and 1 individual mapped by County Park staff in March 2018. See text for discussion.
<i>Helianthella castanea</i> Diablo helianthella	--/--/ 1B.2	Perennial herb. Blooms March- June. Usually rocky, axonal soils, often in part shade. Broadleaved upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland.	Low. Only marginally suitable habitat present, no documented occurrences within 5 miles, and species not observed in LSA April 2018 survey.

Scientific Name Common Name	Listing Status <sup>10</sup> USFWS/CDFW/CRPR	Life Form, Blooming Period, and General Habitat	Potential for Species Occurrence within the Park <sup>11</sup>
<i>Hemizonia congesta</i> <i>ssp. Congesta</i> white seaside tarplant (congested-headed hayfield tarplant)	--/--/ 1B.2	Annual herb. Blooms April- November. Valley and foothill grassland, sometimes roadsides. 20-560 m.	Moderate. Documented occurrences within 5 miles, and suitable habitat present. Not observed in LSA April 2018 survey but survey early in typical blooming period.
<i>Hesperolinon</i> <i>congestum</i> Marin western flax	FT/CT/ 1B.1	Annual herb. Blooms April- July. Serpentine chaparral and grassland. 5-370 m.	Low. Documented occurrences within 5 miles but no serpentine soil present. Species not observed in LSA April 2018 survey.
<i>Hosackia gracilis</i> harlequin lotus	--/--/4.2	Annual herb. Blooms March - July. Wetlands, roadsides in many habitat types (grassland, forest, scrub).	Moderate. Potentially suitable habitat present. Species known from several miles to southwest.
<i>Lasthenia conjugens</i> Contra Costa goldfields	FE/--/ 1B.1	Annual herb. Blooms March- June. Woodland, alkaline playas, grassland, vernal pools (mesic). 0-470 m.	Low. Nearest documented occurrence over 10 miles to east. Marginally suitable habitat present, but species not observed during LSA April 2018 survey.
<i>Leptosiphon acicularis</i> Bristly leptosiphon	--/--/4.2	Annual herb. Blooms April - July. Grassland, woodland, and chaparral.	Present. One population observed in park south of Novato Creek. <sup>12</sup> Additional habitat present. See text for discussion.
<i>Micropus amphiboles</i> Mt. Diablo cottonwood	--/--/ 3.2	Annual herb. Blooms March- May. Bare, grassy, or rocky slopes in broadleaved upland forest, chaparral, woodland, and grassland. 45-825 m.	Low. Known from Mt. Burdell. Potentially suitable habitat present but species not observed by LSA in April 2018.
<i>Microseris paludosa</i> marsh microseris	--/--/ 1B.2	Perennial herb. Blooms April- June (rarely July). Closed-cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland. 5-300 m.	Low. No documented occurrences within 5 miles; only historic occurrences within 10 miles. Species not observed during LSA April 2018 survey.
<i>Navarretia cotulifolia</i> broadleaved navarretia	--/--/4.2	Annual herb. Blooms May- June. Adobe soils in chaparral, foothill woodland, grassland, wetland-riparian.	Low. Reported from Mt. Burdell. Only marginally suitable habitat present. LSA April 2018 survey outside of blooming period.
<i>Navarretia</i> <i>leucocephala ssp.</i> <i>Bakeri</i> Baker's navarretia	--/--/ 1B.1	Annual herb. Blooms April- July. Vernal pools and swales; adobe or alkaline soils, in woodland, lower montane coniferous forest, meadows/seeps, valley and foothill grassland. 5-1740 m.	Low. No true vernal pool habitat present, and species not observed by LSA in April 2018 survey.
<i>Pentachaeta</i> <i>bellidiflora</i> white-rayed pentachaeta	FE/SE/ 1B.1	Annual herb. Blooms March- May. Woodland, grassland (often serpentine). 35-620 m.	Low. Potentially suitable habitat present, but species not observed by LSA in April 2018 survey. No CNDDB occurrences within 5 miles.

<sup>12</sup> 2018-05-01. Personal communication between LSA and Adam Craig, MCOSD.

Scientific Name Common Name	Listing Status <sup>10</sup> USFWS/CDFW/CRPR	Life Form, Blooming Period, and General Habitat	Potential for Species Occurrence within the Park <sup>11</sup>
<i>Plagiobothrys glaber</i> hairless popcorn-flower	--/--/ 1A	Annual herb. Blooms March-May. Coastal salt marshes and alkaline meadows. Presumed extinct in California. 5-180M.	Low. Only marginally suitable habitat present, species not observed, and species believed extinct.
<i>Plagiobothrys mollis</i> <i>var. vestitus</i>  Petaluma popcornflower	--/--/ 1A	Perennial herb. Blooms June-July. Coastal salt marshes and mesic grassland.	Low. Marginally suitable habitat present but species believed extinct.
<i>Pleuropogon</i> <i>hooverianus</i>  North Coast semaphore grass	--/ST/ 1B.1	Perennial rhizomatous herb. Blooms April-August. Wet, grassy usually shady areas, sometimes freshwater marsh; associated with forest environments. 10-671 m.	Low. Potentially suitable habitat present but species not observed in LSA April 2018 survey.
<i>Quercus parvula</i> <i>var.</i> <i>tamalpaisensis</i>  Tamalpais oak	--/--/ 1B.3	Perennial evergreen shrub. Blooms March-April. Lower montane coniferous forest. 100-750 m.	Low. No suitable habitat present, not known from this part of Marin County, and species not observed.
<i>Ranunculus lobbii</i>  <i>Lobb's aquatic</i> <i>buttercup</i>	--/--/4.2	Annual aquatic herb. Blooms February-May. Vernal pools. 15-470 m.	Low. Known from Mt. Burdell, but no vernal pools present and species not observed by LSA in April 2018.
<i>Rhynchospora</i> <i>californica</i>  California beaked-rush	--/--/ 1B.1	Perennial rhizomatous herb. Blooms May-July. Bogs and fens, lower montane coniferous forest, seeps, freshwater marshes and swamps. Typically freshwater seeps and open marshy areas. 45-1010 m.	Low. No documented occurrences within 5 miles. Marginally suitable habitat present. LSA April 2018 outside of blooming period.
<i>Streptanthus</i> <i>glandulosus</i> <i>var.</i> <i>pulchellus</i>  Mt. Tamalpais bristly jewel-flower	--/--/ 1B.3	Annual herb. Blooms May-July. Serpentine in chaparral and grassland.	Low. No serpentine present.
<i>Trifolium amoenum</i>  two fork clover	FE/--/ 1B.1	Annual herb. Blooms April-June. Coastal bluff scrub, valley and foothill grassland (sometimes serpentine). Open, sunny sites, swales. 5-415 m.	Low. Historic occurrences within 10 miles but species not observed in LSA April 2018 survey.

## Appendix B. Special-status Animals Evaluated for the Stafford Lake Park Master Plan

Based on the background literature review, a number of special-status animals were identified with potential to occur in the project area. Species with reported observations in close proximity to the project site and/or in habitat types of relevance (e.g., grassland, woodland, grassland, wetland, riparian) are evaluated in the table below. Species (e.g., California least tern, green sea turtle, Delta smelt, tidewater goby) that only occur in habitats not present within the park (e.g., marine, estuarine) are not discussed further.

Common Name <i>Scientific Name</i>	Listing Status <sup>13</sup> (Federal/ State)	Description	Potential for Occurrence within the Park <sup>14</sup>
<b>Amphibians</b>			
California giant salamander <i>Dicamptodon ensatus</i>	-p-/SSC	Occur in wet coastal forests near permanent and semi-permanent streams and springs. This species is one of the largest terrestrial salamanders in North America. Breeding occurs mostly in spring, but sometimes fall. Eggs are laid in water and larvae exhibit an enlarged tail fin for swimming with external gills. They transform into land dwelling salamanders with lungs around 18 to 24 months. They consume a wide variety of animals from small invertebrates to salamanders, rodents, and lizard – they exhibit a sit and wait feeding style. This species is endemic to California.	Moderate. Potential habitat present in Novato Creek within the park. There are CNDDDB records within 3.5 miles in the Lucas and Nicasio Valleys.
California red-legged frog <i>Rana draytonii</i>	FT/SSC	Largest native frog in the western U.S. with females reaching up to 5¼ inches in length and males being slightly smaller. They are most common in marshes, streams, lakes, reservoirs, ponds, and other water sources with plant cover. Breeding occurs in deep, slow-moving waters with dense shrubby or emergent vegetation from late November through April. Floating egg masses are	Moderate. Potential habitat is present within the park. California red-legged frogs are known to occur within 3 miles at Mt. Burdell OSP.

<sup>13</sup> **Listing Status** (CDFW 2019d): FE-federally listed as endangered, FT-federally listed as threatened, BCC-Bird of Conservation Concern, SE-state listed as endangered, ST-state listed as threatened, Candidate SE-state candidate to be listed as endangered under CESA Candidate ST-state candidate to be listed as threatened under CESA, FP-State of California fully-protected species, SSC-California Species of Special Concern, and WL-Watch List.

<sup>14</sup> **Special-status Species Evaluation Criteria:** Special-status species were evaluated for their potential to occur within the park. Potential for occurrence was classified as not present, low, moderate, high, or present based on the following criteria: **Not Present** – Suitable habitat is not present within the park, species definitively not observed; **Low** – One or more key habitat components is absent from the park; no known occurrences in vicinity, or habitat present but species not observed during field surveys that would be expected to discover species, if present, based on season and level of effort. Species is unlikely to occur within the park; **Moderate** – Some of the habitat components required by this species are present within the park and/or marginally suitable habitat is present within surrounding areas. Species may occur within the park; **High** – All of the habitat components required by this species are present within the park and/or it is known to occur in surrounding areas. Species is likely to occur within the park; **Present** – Species has reported occurrences within the park and/or was observed within the project site during field surveys.

Common Name <i>Scientific Name</i>	Listing Status <sup>13</sup> (Federal/ State)	Description	Potential for Occurrence within the Park <sup>14</sup>
		attached to emergent vegetation near the water's surface. Tadpoles require 3½ to 7 months to attain metamorphosis. During the non-breeding season, California red-legged frogs can remain at the breeding site (in the presence or absence of water) or move into surrounding non-breeding habitats. Adults eat invertebrates and small vertebrates. Larvae are algal grazers.	
foothill yellow-legged frog <i>Rana boylei</i>	--/Candidate ST, SSC	In or near partly shaded rocky streams that are shallow, slow, and moderately size from sea level to 6,300 feet. Breeding occurs from spring to early summer after high flows have receded. Eggs are laid at downstream end of rocks. Tadpoles require 3 to 4 months to attain metamorphosis. During all season, never found far from water.	Not present. Although habitat occurs in Novato Creek, no known records in the vicinity. There is a CNDDDB occurrence approximately 3 miles from park along Arroyo Sausal Creek and Point Reyes Petaluma Road.
<b>Reptiles</b>			
northwestern pond turtle <i>Actinemys marmorata</i>	--/SSC	A year-round resident of Marin County, found in or near permanent or semi-permanent water sources (e.g., ponds, lakes, rivers, streams) with suitable basking sites and underwater retreats. Eggs are laid in shallow holes dug by the female from April through August. Eggs hatch in late summer or fall. In northern California, hatchlings can remain buried until the following spring. Turtles may use uplands for overland migration (movements up to 5 km) and nesting sites (nesting can occur over 500 m from water).	Present. Documented in Terwilliger Pond and the seasonal wetland. May use the uplands and shoreline for nesting. Habitat also present in Novato Creek and Stafford Lake.

<b>Birds</b>			
tricolored blackbird <i>Agelaius tricolor</i>	BCC/ST (listing warranted by CFGC in 2018), SSC (nesting colony)	Colonial-nesting bird in fields, pastures, and wetlands. Nests in tules, cattails, and to a lesser degree willow and brambles. Breeding occurs from mid-April into late July. Typically forage on the ground in large flocks. Year-round resident in Marin County, more common in winter. Breeding distribution within the County is limited to northern Marin.	Present. Species documented at Terwillger Pond. Park provides suitable foraging habitat. However, there are no known nesting occurrences nearby and the likelihood of nesting is low.
great egret <i>Ardea alba</i>	--/-- (nesting colony) Not formally listed, rookies are considered a protected resource under MBTA and California Fish and Wildlife Code.	Medium to large wading bird, commonly seen in marshes, ponds, shores, and mudflats where they feed primarily on fish and smaller animals. Courtship can begin in early January and breeding extends into June to August. Nests are a large bulky platform of sticks, colonial nester. Grassland and shallow wetland habitats in the County are common foraging habitat for this species. The nearest active rookery is at the Petaluma Wastewater Plant, 8 miles to the northeast of the project site (Audubon Canyon Ranch 2017).	High. Great egrets may forage within the park. A historic great blue heron rookery was present on the island in Stafford Lake, but has been inactive since 1993. Suitable rookery habitat is present on the island and birds could colonize this site.
great blue heron <i>Ardea herodias</i>	--/-- (nesting colony) Not formally listed, rookies are considered a protected resource under MBTA and California Fish and Wildlife Code.	Large wading bird, commonly seen in freshwater and saline habitat and open grasslands where they feed primarily on fish and smaller animals. Courtship can begin in early January to March and breeding extends into June to August or later. Colonial nests are built in large trees or snags, often in association with great egrets. The nearest active rookery is along the bay on Channel Drive, less than 7 miles east of the project site (Audubon Canyon Ranch 2017).	High. Great blue herons may forage within the project site. A historic great blue heron rookery was present on the island in Stafford Lake, but has been inactive since 1993. Suitable rookery habitat is present near the project site; bird could potentially reestablish this site.
burrowing owl <i>Athene cuniculari</i>	BCC/SSC (burrowing and some wintering sites)	A small, ground-dwelling species of grasslands, prairies, rolling hills, and ranchlands. Subterranean nesters that utilize abandoned burrows of ground squirrels and other mammals. Feed on a variety of prey items, including ground insects and small vertebrates. Historically, this species bred in Marin County along the baylands, but now occurs seasonally, mostly as winter resident (Shuford and Gardali 2008).	Low. Limited wintering habitat present within the park. Suitable burrows may be present, but no local observations for this species have been reported for Stafford Lake (eBird 2019).
oak titmouse <i>Baeolophus inornatus</i>	BCC/-- (nesting)	Small, gray-brown bird of oak woodlands. Characterized by small pointed crest and nasal tsick-a-dee-dee call that resonates through woodland habitats. Forages for insects and seeds, hopping from branch to branch. Nests in cavities in trees or nest boxes. Oak titmice are a year-round resident in Marin County.	Present. Species documented within the park. Suitable foraging and nesting habitat present.

marbled murrelet <i>Brachyramphus marmoratus</i>	FT/SE (nesting)	Uncommon permanent resident of the west coast from California to Alaska. This species is permanent resident along the Marin Coast, but sightings are uncommon during the breeding season from May through July. This seabird forages for small fish and plankton in offshore areas and along the rocky coastline. It has an unusual nesting behavior. Unlike most alcids, it does not nest in burrows or cliff colonies, but uses old-growth forests dominated by conifers and redwoods. Nesting may occur as far as 45 miles inland. A single egg is laid on a platform of lichen and moss on large tree limbs. Adult movements to and from the nest occur most often at dusk and dawn. Breeding success is very low. The decline of this species has been attributed to the loss of old-growth forests.	Not present. Suitable old-growth forest habitat not present within the park.
northern harrier <i>Circus hudsonius</i>	--/SSC (nesting)	Occupies wide-open habitats from grasslands to marshes. A slender, medium sized raptor. Fly low to ground hunting for small animals. Rely heavily of sense of hearing to detect prey. Nests are constructed on the ground in well concealed vegetation or clumps of vegetation. A year-round resident in Marin County.	Moderate. Suitable foraging and nesting habitat present within the park. Harriers have been observed at Stafford Lake (eBird 2019).
western yellow-billed cuckoo <i>Coccyzus americanus occidentalis</i>	BCC, FT/SE (nesting)	A rare summer resident of valley foothill and desert riparian woodlands. Requires extensive thickets with low growing understory vegetation adjacent to water. Open cup nest constructed on horizontal branch from 2 to 25 feet off the ground. Breeds from June to July departing for South America in late August to early September. Feeds primarily on insects, but will also consume frogs, lizards, and fruit. Cuckoos have declined from former range due to a loss of riparian habitat. Historically may have nested in Marin County (Shuford 1993).	Low. Suitable nesting habitat may be present along Novato Creek, but this species is extirpated from the County and unlikely to occur within the park.
white-tailed kite <i>Elanus leucurus</i>	--/FP (nesting)	Raptor of semi-open areas. Forages for mostly small rodents by hovering and diving. Nests in trees and tall bushes. Year-round resident in Marin County in open woodlands, bottomlands, and agricultural grasslands. Kites are known to breed in lowland and grassland habitats in Marin County (Shuford 1993).	Moderate. Suitable foraging and nesting habitat present within the park. Kites have been observed at Stafford Lake (eBird 2019).
San Francisco common yellowthroat <i>Geothlypis trichas sinuosa</i>	BCC/SSC	The common yellowthroat is a wide spread migrant breeding throughout California. The subspecies <i>sinuosa</i> is endemic to the San Francisco Bay region. They occur in salt marshes, riparian thickets, and wetlands in the San Francisco Bay area. Nests are constructed close to the ground or water. They feed primarily on insects.	High. Suitable foraging and nesting habitat present in the park. There is a small population of yellowthroats at Stafford Lake (Shuford and Gardali 2008).

bald eagle <i>Haliaeetus leucocephalus</i>	Delisted, BCC/SE, Fully Protected  (nesting and wintering)	Coastal and inland waterways including rivers, lakes, seashores. Feeds primarily on fish and waterfowl. Nests in large trees near water. Breeds from February through July. Average clutch size is 2. Eggs are incubated for up to 36 days. Bald eagles have continued to expand their range and have become more common in Marin County in recent years. There are no nesting records for bald eagles in Marin County (Shuford 1993), but it is within their historic range.	Moderate. Stafford Lake provides suitable foraging habitat and this species has been documented frequently at Stafford Lake (eBird 2019). However, there are no known nesting occurrences nearby and the likelihood of nesting is low.
Nuttall's woodpecker <i>Picoides nuttallii</i>	BCC/--	Permanent, resident woodpecker of woodland habitats, prefers oak and streamside habitats. Characterized by black and white barring on backside. Probes for insects in tree bark and crevices. Nests in live or dead tree cavities excavated by males of the species, typically. Nuttall's woodpeckers are a year-round resident in Marin County.	Present. Species documented within the park. Suitable foraging and nesting habitat present.
yellow warbler <i>Dendroica petechia</i>	BCC/SSC (nesting)	A bright yellow bird of riparian woodlands with willows, alders and/or cottonwoods. Typically nests along stream courses but can occur in a variety of habitats during migration. Nests constructed in fork of a tree or small shrub. Gleans vegetation for insects. Summer resident in Marin County in particular along riparian groves.	Moderate. Suitable foraging and nesting habitat present within the park. Yellow warblers have been observed at Stafford Lake (eBird 2019).
northern spotted owl <i>Strix occidentalis caurina</i>	FT/ST	Dense forest habitats in northern California. Requires multi-layered canopy cover for roosting sites. Nesting sites include tree or snag cavities or broken tops of large trees. Nocturnal hunter eating mostly small mammals. Year-round resident in Marin County where it is known from breeding occurrences in old-growth and mixed forest habitats. Species occupies a large territory, approximately 5 square miles. A pair of owls may utilize the same nesting site for five to 10 year.	Low. Spotted owls have documented territories and nest sites approximately 1.75 miles south of the park in the Indian Tree OSP. These sightings are reported in more densely wooded areas. Suitable habitat is not present within the park.
<b>Mammals</b>			
pallid bat <i>Antrozous pallidus</i>	--/SSC Western Bat Working Group high priority species	Grassland, shrubland, forest, and woodland habitats at low elevations up through mixed coniferous forests. A social species forming small colonies. Roosting sites include caves, mines, crevices, buildings, and hollow trees during day, more open sites used at night. Pallid bats feed on large flightless arthropods. A yearlong resident throughout most of its range. During non-breeding season, both sexes may be found roosting in groups of 20 or more	Moderate. Suitable roosting habitat present in mature trees, may forage over project site. CNDDB occurrences within 0.8 miles east of Stafford Lake. Species also documented at Mount Burdell in similar habitat types (Townsend 2016).

		individuals. One to three (typically twins) pups born from April to July.	
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	--/SSC Western Bat Working Group high priority species	Low to mid-elevation mesic habitats including riparian, mixed forest, coniferous forest, prairies, and agricultural lands. Utilizes edge habitats for foraging. Roosting sites include caves, mines, tunnels, buildings, and other man-made structures. Mating typically occurs in winter with single young born in May or June. Maternal roosts consist of a small number of females with young, typically less than 100 individuals.	Moderate. Suitable roosting habitat present in mature trees, may forage over project site. No CNDDB occurrences within 5 miles. Species documented at Mount Burdell in similar habitat types (Townsend 2016).
western red bat <i>Lasiurus blossevillei</i>	--/SSC Western Bat p high priority species	Occurs throughout California in forested and riparian habitat, typically along edges, field, and urban areas. A solitary bat, coming together only during mating and migration. A foliage dwelling species – roosting in leaves of trees and leaf litter in winter. Rarely enter buildings. Mate in flight during August and September. One to four pups born in late spring through early fall.	Present. Suitable roosting habitat present in mature trees, may forage over project site. No CNDDB occurrences within 5 miles. Species documented at Mount Burdell in similar habitat types (Townsend 2016).
American badger <i>Taxidea taxus</i>	--/SSC	Occur in a variety of habitat types (e.g., herbaceous, shrub, or forest habitats) with dry, friable soils. Badgers are carnivorous and dig their own burrows. Consume primarily fossorial rodents but will also eat reptiles, insects, eggs, birds, and carrion. They are active year-round, although less active in winter. Mating occurs in summer and early fall with young (average 2 to 3) born in early spring.	Present. Documented within the park in 2013. May continue to utilize the park. No recent observations.
<b>Invertebrates</b>			
San Bruno Elfin Butterfly <i>Callophrys mossii bayensis</i>	FE/--	Coastal, mountainous areas with grassy ground cover. All known locations restricted to San Mateo County. Host plant is Pacific sedum ( <i>Sedum spathulifolium</i> ) (eggs laid on plant and caterpillars feed on sedum). Adult flight season is late February to mid-April.	Not present. Suitable habitat not present within the park.
Myrtle's silverspot butterfly <i>Speyeria zerene myrtleae</i>	FE/--	Historically, occupied coastal dune, prairie habitat, dunes, and bluffs from San Mateo County north to the Russian River in Sonoma County. Four remaining populations occur in western Marin County and southwestern Sonoma County. Similar in appearance and life history to Behren's silverspot butterfly. Larvae typically feed on violets ( <i>Viola adunca</i> ) where eggs are laid. Adult flight season from late June to early September. Adults known to use a number of nectar plants [i.e., gum plant, yellow sand verbena, mints ( <i>Monardella</i> spp.), seaside daisy, and nonnative bull thistle and false dandelion].	Not present. Suitable habitat not present within the park.

Fish			
steelhead – central California coast DPS  <i>Oncorhynchus mykiss irideus</i>	FT/--	Spawn in fresh water and mature at sea. Steelhead generally spend their first and sometimes second year of life in freshwater creeks and then one to four years at sea. They return to spawn in their natal streams as many as four times as they do not always die after spawning like other salmonids. Juvenile steelhead generally occupy glides and riffles and less frequently pools. Adult steelhead spawn from December through April in cool, clear, well-oxygenated streams with pea to apple-sized gravel, usually at the head of a riffle. Federal listing applies to all coastal runs from Russian River south to Soquel Creek; it includes San Francisco and San Pablo Bay basins but excludes the Sacramento-San Joaquin Rivers.	Not present. Novato Creek supports a small run of steelhead (Jones 2000, Leidy et al. 2005). However, the Stafford Lake dam acts as a complete barrier for steelhead migration upstream. Suitable habitat not present.



**STAFFORD LAKE PARK MASTER PLAN  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
RESPONSES TO COMMENTS  
2019-09-27**

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This document includes copies of the comments received on the draft Initial Study/Mitigated Negative Declaration for the Stafford Lake Master Plan and the responses to those comments.

**North Marin Water District**

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set back at least five feet behind the peak flood elevation.

- SECTION 3, PROPOSED PROJECT – **3.4. The Back Meadow, Swimming Lagoon** (page 24)

More information is needed in regard to the bio remediation of the swimming lagoon. In addition, NMWD has concerns about handling wastewater in the proposed restroom and changing facility. Ensuring no cross-contamination between Stafford Lake and the proposed swimming lagoon, restrooms and locker rooms and waste disposal is of utmost importance. Flood protection to prevent discharge of swimming lagoon water to Stafford Lake is necessary.

- SECTION 3, PROPOSED PROJECT – **3.5 Miscellaneous Amenities, Fishing Boardwalk** (page 25 )

We note that the Boardwalk ostensibly would provide access to deeper waters within the lake and more spaces for fishing overall. However, this is a shallow area of the lake and may not be sited appropriately. Additionally, it is distant from restroom facilities and we are concerned about the potential for contamination of the Stafford Lake water supply.

- SECTION 6, CIRCULATION AND REVIEW – **6.2 Responsible Agencies** – North Marin Municipal Water District (page 30).

Please correct the North Marin Water District name (not North Marin Municipal Water District).

- SECTION 9, ISSUES – **9.4 Water** (page 50)

The project is “required to comply with section E.12 of the Small MS4 Phase II General Permit,” which requires implementation of low impact development (LID) standards. NMWD notes that LID design typically uses more water to keep plants alive during summer months (non-storm water season) and this should be considered in the IS/MND.

- SECTION 9, ISSUES – **9.4 Water, Mitigation Measure 4.A** (page 51).

Note that NMWD comment #12 in our August 3, 2015 letter (included in attachment) requested to incorporate sediment collection with the proposed vehicular bridge and boardwalk and we request this function be addressed in the IS/MND.

- **SECTION 9, ISSUES – 9.10 Hazards, b). Possible Interference with an Emergency Response Plan or Emergency Evacuation Plan?** (page 92)

This section states that “Implementation of the Master Plan would improve an existing recreational facility; it would not interfere with Emergency response plans or Emergency evacuations Plans.” Please note that NMWD has a Risk Management Plan for the Stafford Lake Water Treatment Plant (STP) and needs to know the frequency and size of populations attending events as result of the Master Plan facilities to appropriately update the STP Risk Management Plan.

- **SECTION 9, ISSUES – 9.13 Utilities and Service Systems, c) Local or regional water treatment or distribution facilities?** (page 100)

This section states: “Water demand would be slightly increased over the existing level of demand due to proposed improvements.” NMWD requests calculations showing the projected water demand increases be included in the IS/MND. Additionally, the NMWD letter dated August 3, 2015, comment #13, requested a new potable water line be extended to Stafford Lake Park. Said facilities should be addressed in the IS/MND.

- **SECTION 9, ISSUES – 9.13 Utilities and Service Systems, d) Sewer or septic tanks?** (page 101)

This section states that a new sewer line could be installed to Novato Sanitary District in place of the existing holding tanks. This is consistent with NMWD’s request stated in our letter dated August 3, 2015. This section also states “A permit and approval from Marin County Environmental Health Services would be required for construction of any additional septic systems at the park.” The District is against any septic system expansion. If no connection is provided to Novato Sanitary District, NMWD will continue to request that all wastewater

handling is through the use of NMWD approved holding tanks with no on-site disposal.

- **SECTION 9, ISSUES – 9.13 Utilities and Service Systems, e) Storm Water Drainage? (page 101)**

The NMWD Stafford Lake Taste and Odor Control Strategy report identifies methods for reduction of nutrients entering tributaries to Stafford Lake including wetlands, plants and harvesting. Storm water retention areas could support this type of operation if designed appropriately. However, there is little information included in the Master Plan or IS/MND to substantiate such provisions.

Thank you for the opportunity to comment on the subject IS/MND. Please contact me should you have any questions.

Sincerely,



Drew McIntyre  
General Manager

Enclosure NMWD IS/MND comment letter dated September 21, 2016

DM: tk  
t:\gm\marin county\2018 stafford lake master plan is comments.doc



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September 21, 2016

Craig Richardson, Sr. Open Space Planner  
Marin County Parks  
3501 Civic Center Dr. Suite 260  
San Rafael, CA 94903

Re: NMWD comments on the Marin County Parks Initial Study/Mitigated Negative Declaration for Marin County Stafford Lake Park Master Plan

Dear Mr. Richardson:

Thank you for the opportunity to comment on the subject Marin County Parks Initial Study for Marin County Stafford Lake Park Master Plan (IS/MND). Please note that North Marin Water District (NMWD) has previously commented on the consultant presentation prepared for workshops occurring in July 2015 regarding the master plan. Those comments are attached for your ready reference.

District comments on the IS/MND follow:

1. II. PROJECT DESCRIPTION, Environmental Setting – d. **Drainage and Flood Control** (page 3)

Paragraph 2 is incorrect and should be restated "the Stafford Dam spillway crest is measured at an elevation of +198.5 (NAVD-88), thus setting the normal high water line (maximum peak flood elevation is 13ft. above the normal high water line)."

Applicable exhibit maps included in the Master Plan and IS/MND should show normal and maximum high water levels and all permanent structures should be set back at least five feet behind the peak flood elevation.

2. II. PROJECT DESCRIPTION, Proposed Project – d. **The Back Meadow, Swimming Lagoon** (page 8)

Please respond to NMWD comments #1, #3, #9 and #12 provided in our letter dated August 3, 2015 (Attached). More information is needed in regard to the bio remediation of the swimming lagoon. Ensuring no cross-contamination between Stafford Lake and the proposed swimming lagoon, restrooms and locker rooms and waste disposal is of utmost importance. Flood protection to prevent discharge of swimming lagoon water to Stafford Lake is necessary.

DIRECTORS: JACK BAKER • RICK FRAITES • STEPHEN PETERLE • DENNIS RODONI • JOHN C. SCH  
OFFICERS: CHRIS DEGABRIELE, General Manager • KATHY YOUNG, Secretary • DAVID L. BENTLEY, Auditor-Controller •

3. II. PROJECT DESCRIPTION, Proposed Project – e. **Miscellaneous Amenities, Fishing Boardwalk** (page 8 )

We note that the Boardwalk ostensibly would provide access to deeper waters within the lake and more spaces for fishing overall. However, this is a shallow area of the lake and may not be sited appropriately. Additionally, it is distant from restroom facilities and we are concerned about the potential for contamination of the Stafford Lake water supply.

4. III. CIRCULATION AND REVIEW – B. **Responsible Agencies – North Marin Municipal Water District** (page 21).

Please correct the North Marin Water District name (not North Marin Municipal Water District). We also note that emergency response agencies have not been included on the distribution.

5. IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES – D. **Water** (page 39)

The project is “required to comply with section E. 12 of the Small MS4 Phase II General Permit,” which requires implementation of low impact development (LID) standards. NMWD notes that LID design typically uses more water to keep plants alive during summer months (non-stormwater season) and this should be considered in the IS/MND.

6. IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES – D. **Water, Mitigation Measure 4.A** (page 39).

Note that NMWD comment #12 in our August 3, 2015 letter requested to incorporate sediment collection with the proposed vehicular bridge and boardwalk and we request this function be addressed in the IS/MND.

7. IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES – D. **Water** (page 42)

Monitoring Measure 4B states: “Implementation of the Master Plan would result in a slight increase in water demand over existing levels.” NMWD requests calculations showing the projected water demand increases be included in the IS/MND.

8. IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES – J. **Hazards, b. Possible Interference with an Emergency Response Plan or Emergency Evacuation Plan** (page 70)

This section states that "Implementation of the Master Plan would improve an existing recreational facility; it would not interfere with Emergency response plans or Emergency evacuations Plans." Please note that NMWD has a Risk Management Plan for the Stafford Lake Water Treatment Plant (STP) and needs to know the frequency and size of populations attending events as result of the Master Plan facilities to appropriately update the STP Risk Management Plan.

9. IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES – M. Utilities and Service Systems c.) Local or regional water treatment or distribution facilities? and d.) Sewer or septic tanks? (page 78)

The NMWD letter dated August 3, 2015, comment #13, requested a new potable water line be extended to Stafford Lake Park. Said facilities should be addressed in the IS/MND.

Additionally, NMWD's letter dated August 3, 2015 requested a new sewer connection be included in the Master Plan and this should also be addressed. See also comment #7 (page 42). There is no discussion here of water/wastewater needs of the proposed swimming lagoon and this should be addressed.

10. IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES – M. Utilities and Service Systems – e.) Storm Water Drainage? (page 79)

The NMWD Stafford Lake Taste and Odor Control Strategy report identifies methods for reduction of nutrients entering tributaries to Stafford Lake including wetlands, plants and harvesting. Stormwater retention areas could support this type of operation if designed appropriately. However, there is little information included in the Master Plan or IS/MND to substantiate such provisions.

Thank you for the opportunity to comment on the subject IS/MND. Please contact me should you have any questions.

Sincerely,



Chris DeGabriele  
General Manager

CD/kly

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April 29, 2019

MARIN COUNTY  
PARKS  
PRESERVATION RECREATION



OPEN SPACE DISTRICT  
REGIONAL PARKS & PATHWAYS  
COMMUNITY PARKS  
LANDSCAPE SERVICES

Max Korlen  
DIRECTOR AND  
GENERAL MANAGER

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Mr. Drew McIntyre, General Manager  
North Marin Water District  
999 Rush Creek Place  
PO Box 146  
Novato, CA, 94948

**RE: Stafford Lake Master Plan Initial Study/Mitigated Negative Declaration**

Dear Mr. McIntyre:

Thank you for your comment letter dated November 7, 2018 on the Stafford Lake Draft Master Plan and Draft Initial Study. The purpose of this correspondence is for to provide responses to those comments and address concerns.

**1. Environmental Setting**

**Section 2.1 - Location, Figure 2 (page 7).** NMWD requested that Figure 2 be updated to show NMWD's approximate 10-acre parcel at the northeastern corner of the main park boundary and NMWD's 6.2-acre parcel, which makes up a portion of the project site boundary shown below Stafford Lake. Figure 2 has been updated accordingly.

**Section 2.4 - Drainage and Flood Control (page 10).** NMWD requested that the text be amended regarding the elevation of the spillway. The text has been amended as follows:

The Stafford Dam spillway crest is measured at an elevation of +198.5 (NAVD-88) outlet is measured at an elevation of +197.87 (NAVD-88), thus setting the maximum high-water line. The park experiences occasional flooding during large storm events, especially near riparian areas and drainage corridors. North Marin Water District typically begins drawing reservoir water from Stafford Lake around April to supplement drinking water, though lake water levels fluctuate throughout the year due to a number of factors.

**2. Proposed Project**

**Section 3.4 - The Back Meadow, Swimming Lagoon (page 34).** NMWD expressed concerns regarding the swimming lagoon and stated that more information is needed to evaluate this component of the proposed Master Plan. Marin County Parks has decided to remove this component from the proposed Master Plan. If Marin County Parks revisits the swimming lagoon concept in the future, project-level California Environmental Quality Act (CEQA) compliance would be completed.

**Section 3.5 - Miscellaneous Amenities, Fishing Boardwalk (page 35).** MNWD commented on the proposed fishing boardwalk and expressed concerns regarding the potential for contamination of the Stafford Lake water supply. Marin County Parks

will coordinate with NMWD regarding the most desirable location for portable toilets to address this issue.

**3. Circulation and Review**

**Section 6.5 - Responsible Agencies (page 30).** North Marin Municipal Water District has been corrected to North Marin Water District.

**4. Water**

**Section 9.4 – Water (page 50).** NMWD commented that low impact development (LID) techniques may require additional water, which should be described in the IS/MND. LID includes specific techniques, tools, and materials to control the amount of impervious surface, increase infiltration, improve water quality by reducing runoff from developed sites, and reduce costly infrastructure. LID practices include bioretention facilities or rain gardens, grass swales and channels, vegetated rooftops, rain barrels, cisterns, vegetated filter strips, and permeable pavements. Many of these practices do not require additional water use and at this time, Marin County Parks does not envision installing LID components that would increase water demand. Overall, implementation of the Master Plan would substantially reduce the amount of irrigated grass, which would offset any increases in water demand.

**Section 9.4 – Water, Mitigation Measure 4.A (page 51).** NMWD requested that the design of the vehicular bridge and boardwalk be amended to incorporate sediment collection and that it be addressed in the IS/MND. This comment is noted. As the design of the vehicular bridge has not been selected, Marin County Parks proposes to continue conversations about the bridge design as implementation of this proposed Master Plan element progresses. Implementing a sediment collection system would likely introduce additional permitting considerations and would have to undergo extensive agency coordination with the Regional Water Quality Control Board, Army Corps of Engineers, and California Department of Fish and Wildlife.

**5. Hazards**

**Section 9.10(b) – Possible Interference with an Emergency Response Plan or Emergency Evacuation Plan (page 92).** NMWD noted their Risk Management Plan for the Stafford Lake Water Treatment Plant (STP) and requested information regarding the frequency and size of populations who would be expected to attend events as result of the Master Plan facilities so that the STP Risk Management Plan could be appropriately updated. This information is provided in Section 5 of the IS/MND, Operation, page 30:

*“Similar to existing conditions, the Park would provide recreation opportunities to the community, including a variety of large and small-scale events. The Park would be open daily to informal use, including hiking, biking, and use of general park facilities. The Park would continue to host a variety of programs, ranging from family picnics and day hikers to large-scale music events and other festivals. Picnic areas would continue to be heavily used during the summer months for group events such as family reunions, large group picnics, weddings, and other events. Other activities would include ranger-led and community group-organized park programs including outdoor movie screenings, educational, and stargazing events. Large-scale events would include music concerts and festivals, athletic races, and other large events drawing as many as 8,000 people and 1,200 cars. Maintenance activities would be similar to existing conditions and would be performed by existing Marin County Parks staff. Maintenance activities include mowing, facility cleaning, vegetation management, and maintenance of bike park trails, jumps and other features. ~~such as the swimming lagoon.~~”*

## 6. Utilities and Service Systems

**Section 9.13 (c) Local or regional water treatment or distribution facilities (page 100).** NMWD requested calculations showing the projected water demand increases that would occur with implementation of the proposed Master Plan elements, and that the projected water demand be analyzed in the IS/MND. The text has been revised as follows:

The County would require the use of water for construction, maintenance, and operation of proposed improvements. As described in the Master Plan, existing water service extends to most of the picnic areas, three restroom facilities, and the maintenance yard/trailer residence. To implement proposed improvements, utility extensions would be needed. However, these extensions would not be considered "major" lines because they would be connected to existing water supply infrastructure. Because these improvements would be made as additions to existing water supply infrastructure, they would constitute a less-than-significant impact. Water demand ~~may~~ would be slightly increased over the existing level of demand due to proposed improvements. However, over the past five years of water use demonstrates a downward trend in water use at the park (Appendix B). Total water use for the five-year period of 2014 to 2018 was 1,519,936 gallons or 4.67 acre feet. Water use in 2013 was 380,782 gallons, in 2014 was 437,580 gallons, in 2015 was 270,776 gallons, in 2016 was 187,000 gallons, and in 2018 was 243,848 gallons. Generally, water use in each billing period was consistent except for three readings over 150,000 each. Two of these occurred during July and August, the other (the highest) was for September and October. The timing for all three would typically indicate that the water was being used for irrigation. Prior to the new pump installation in 2017, the old pump could no longer pump when the lake dropped below certain level. The large spikes probably occurred when lake dropped below that level. Overall, water demand has been decreasing compared to prior historic use. Implementation of the master plan is not expected to require more potable water than was used during the previous five-year period when potable water was used to irrigate the park when the previous pump was disabled. New water use would be limited to new restrooms, which would use ultra-high efficiency toilets (UHET), using no more than 0.8 gallons per flush, and drinking fountains/bottle fillers. Even with the new restrooms, NMWD has indicated the state may allow use of raw water for toilet flushing in the manner that recycled water is used now, where available. Overall, the increase in demand would not be significant and would not affect local or regional water distribution facilities. Park staff would work with NMWD to ensure adequate water service to the park. Therefore, this impact would be less than significant.

NMWD also requested a new potable water line be extended to Stafford Lake Park and that this facility be addressed in the IS/MND. Additional language has been added to the project description, page 27 of the IS/MND, to disclose this:

- **Utilities and Infrastructure.** Currently, minimal utilities exist within Stafford Lake Park. Water service extends to most of the picnic areas, the three restroom facilities, and the maintenance yard/trailer residence. Electrical service is available at Group Picnic Areas 1 and 2 and the maintenance yard/trailer. No sewer connections exist at the park. The restrooms and residence rely on individual holding tanks to handle waste. Implement the proposed master plan improvements, would require extended utility connections, in addition to increased transformer capacity. Additionally, the main waterline providing potable water to the park will likely need to be replaced

some time during implementation of the Master Plan but no additional information is available at this time.

**9.13 (d) Sewer or septic tanks (page 101).** NMWD states that they are against any septic system expansion, and that they will continue to request that all wastewater handling is through the use of NMWD approved holding tanks with no on-site disposal if no connection is provided to Novato Sanitary District. This comment is noted and the text on page 101 of the IS/MND has been amended as follows:

No sewer connection exists at the park. The restrooms and residence rely on individual holding tanks to handle waste. To implement proposed improvements, a sewer line connection could be installed to Novato Sanitary District in place of the existing holding tanks. The County would need to further investigate a possible sewer connection. Any proposed sewer connection would need to be reviewed and approved by Novato Sanitary District prior to issuance of a building permit for specific improvements. Any additional sewer demand would be handled through the use of NMWD approved holding tanks with no on-site disposal. ~~A permit and approval from Marin County Environmental Health Services would be required for construction of any additional septic systems at the park.~~ Compliance with these regulatory requirements would ensure that no impacts associated with sewer or septic tanks would result from implementation of the Master Plan. Therefore, the project would not result in a significant impact related to this issue.

**Section 9.13 (e) Storm Water Drainage (page 101).** NMWD commented that *"the Stafford Lake Taste and Odor Control Strategy report identifies methods for reduction of nutrients entering tributaries to Stafford Lake including wetlands, plants and harvesting. Storm water retention areas could support this type of operation if designed appropriately. However, there is little information included in the Master Plan or IS/MND to substantiate such provisions."* Marin County Parks is happy to continue conversations with NMWD to explore potential opportunities at Stafford Lake Park to reduce nutrients entering the lake.

I hope responses to comments addresses the concerns associated with the draft Stafford Lake Park Master Plan and IS/MND, and I look forward to our continued collaboration.

Sincerely yours,



Max Korten  
Director and General Manager



State of California – The Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
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*EDMUND G. BROWN JR., Governor*  
*CHARLTON H. BONHAM, Director*



November 16, 2018

Ms. Kristina Tierney  
 Marin County Parks  
 3501 Civic Center Drive  
 San Rafael, CA 94903

Dear Ms. Tierney:

Subject: Stafford Lake Master Plan, Mitigated Negative Declaration, SCH # 2016082041,  
 County of Marin

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) for the Stafford Lake Park Master Plan (Project) located in unincorporated Marin County pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines<sup>1</sup>. The IS/MND was received at our offices on October 12, 2018. On November 8, 2018, Marin County Parks provided an extension to CDFW to submit comments until November 16, 2018.

CDFW appreciates the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

**CDFW ROLE**

CDFW is a Trustee Agency with responsibility under CEQA (Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 and for commenting on projects that could impact fish, plant and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) or Native Plant Protection Act permit, a Lake and Streambed Alteration (LSA) Agreement, or other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

**PROJECT DESCRIPTION**

Stafford Lake Park (Park) is in unincorporated Marin County, approximately 3 miles west of downtown Novato and Highway 101 at 3549 Novato Boulevard. The Park occupies approximately 139 acres of land along the western edge of Stafford Lake, in the rural lands east of Novato. Marin County owns the Park except for 10 acres in the northeastern corner of the Park, which is owned by the North Marin Water District (NMWD). Marin County Parks has an easement on the NMWD lands within the Park.

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with 15000.

*Conserving California's Wildlife Since 1870*

The proposed Master Plan would be constructed incrementally over approximately 25 years. Projects to be implemented annually would depend on budgetary, permitting, and planning requirements. It is assumed that projects would largely be constructed sequentially, with approximately one or two projects being constructed each year.

The Master Plan improvements include five (5) general categories, including: general park improvements, the Event Meadow, the Picnic Playground, the Back Meadow, and miscellaneous amenities.

Proposed General Park Improvements include reconfiguration of vehicular circulation, new pedestrian and bicycle paths, improved trails, and new picnic areas. The Event Meadow proposed improvements include a new gatehouse, a new 4,000 square foot (sf) event center structure, a new 60-space parking lot and an informal stage surrounded by an open meadow providing picnic areas and which may be used as overflow parking for 150 vehicles.

A destination playground with climbing structures, water zone, willow hut village, and play stage is the centerpiece for the proposed Picnic Playground together with new picnic areas, walking paths, maintenance yard and staff offices. The Back Meadow improvements include a proposed swimming lagoon, bouldering course, nature play pods and picnic and parking areas, which would be reached by a proposed roadway extension and new bridge. Additional proposals in the Back Meadow include options for either a BMX track with loop trail, a ropes course, or a ninja warrior obstacle course.

Miscellaneous amenities proposed include a 1,100 sf lake pavilion at the mouth of Novato Creek with a 2,600 sf wooden deck, a 200-foot long fishing boardwalk to provide access to deeper waters in Stafford Lake, a 2,000 sf star deck, a bird blind structure, a zip-line, alpine slide, tree camping, picnic area improvements, bike-in camping areas, creek boardwalk, tot-lot, bike trail, and improvements to and extension of the utilities to service proposed improvements.

#### COMMENTS AND RECOMMENDATIONS

CDFW offers the below comments and recommendations to assist Marin County Parks in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts to special-status species, sensitive natural communities and aquatic resources.

##### Special-Status Species

① Section 2.5 of the IS/MND states that special-status wildlife observed at the Project site include tri-colored blackbird (*Agelaius tricolor*), a candidate for state listing as threatened (not a Species of Special Concern as listed in Table 8.B); bald eagle (*Haliaeetus leucocephalus*) a California fully protected species; western pond turtle (*Emys marmorata*) and American badger (*Taxidea taxus*), both CDFW Species of Concern. Special-status plants observed at the Project site include fragrant fritillary (*Fritillaria lilacea*), a California Native Plant Society (CNPS) List 1B plant, and bristly leptosiphon (*Leptosiphon acicularis*), a CNPS List 4 plant.

② Further, Section 9.8 identifies State-listed threatened or endangered, candidate, fully protected and Species of Special Concern wildlife species that are known to occur in the Project vicinity,

or have the potential to occur in or near the Project site, including, but are not limited to, northern spotted owl (*Strix occidentalis caurina*), white-tailed kite (*Elanus leucurus*), burrowing owl (*Athene cunicularia*), steelhead (*Oncorhynchus mykiss*), Pacific giant salamander (*Dicamptodon ensatus*), California red-legged frog (*Rana draytonii*), foothill yellow-legged frog (*Rana boylei*), pallid bat (*Antrozous pallidus*), Townsends big-eared bat, (*Corynorhinus townsendii*), and western red-bat (*Lasiurus blossevillii*). Several plants have the potential to occur, including, but not limited to, Marin western flax (*Hesperonlinan congestum*) and white-rayed pentachaeta (*Pentachaeta belidiflora*) which are State listed as threatened.

3.

CESA prohibits the unauthorized take of threatened and endangered species. Therefore, if "take" or adverse impacts to listed or candidate species cannot be avoided either during Project activities or over the life of the Project, a CESA permit must be obtained (pursuant to Fish and Game Code § 2080 *et seq.*). Issuance of a CESA permit is subject to CEQA documentation; therefore, the CEQA document should specify impacts, mitigation measures, and a mitigation monitoring and reporting program for both construction activities and for life of the overall Park improvements. If the proposed Project will impact any CESA-listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain a CESA permit. More information on the CESA permitting process can be found on the CDFW website at <https://www.wildlife.ca.gov/Conservation/CESA>.

4.

CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles and fish pursuant to Fish and Game Code Sections 3511, 4700, and 5050. "Take" of any fully protected species is generally prohibited. Therefore, the MND is advised to include measures to ensure complete take avoidance of these fully protected species.

Fish and Game Code Sections protecting birds, their eggs and nests include 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory non-game bird).

6.

Impact 8.A.1 states construction of the Master Plan could potentially affect plant and animal species if they are present in the area of proposed improvements. Please clarify between, Mitigation Measure 8.A.1, which states that "improvements shall be designed to avoid those species and their habitats" (referring to species listed in Tables 8.A, *Special-Status Plant Species Potentially Occurring at Stafford Lake Park* and 8.B., *Special-Status Animal Species Potentially Occurring at Stafford Lake Park*), and a statement indicating species will be avoided "to the greatest extent possible."

6.

Note that CEQA Guidelines Sections 15070 and 15071 require the document to analyze if the Project may have a significant effect on the environment as well as review if the Project will "avoid the effect or mitigate to a point where clearly no significant effects would occur." As written, "[i]f any special-status plant or animal species occurs within an area proposed for development, the improvements shall be designed to avoid those species and their habitat." If impacts to special-status species or their habitat are not avoidable, CDFW recommends that the IS/MND include measures to minimize impacts and compensate for the loss of plants/impacts to fish and wildlife or its suitable habitat by included mitigation measures.

CDFW recommends following survey guidelines and protocols available at <https://www.wildlife.ca.gov/Conservation/Survey-Protocols>. CDFW staff are available to assist with determination of appropriate habitat assessments and surveys that should be conducted.

7.

Mitigation Measure 8.A.1 states that, "A buffer of 1,000-feet, measured from the edge of the area occupied by special-status plants shall be established to avoid special-status plant species" and also states "a buffer of at least 100 feet around special-status plant populations" be established. CDFW recommends that the buffer for special-status plants be a minimum of 1,000 feet, unless a qualified botanist determines a smaller buffer is adequate in coordination with CDFW. This section should also address buffers to special-status animals.

Measure 8.A.1 states that, "[s]urveys will be conducted within 14 days of the start of active ground disturbing activities." CDFW recommends that surveys for special-status plant species, including those listed by CNPS, should be conducted by a qualified botanist during the appropriate blooming season for each species to determine the extent of special-status plant species within each Project area and prior to construction of proposed individual projects. Plant surveys should be in floristic in nature. Focused surveys that are limited to habitats known to support special-status plants or that are restricted to lists of likely potential special-status plants are not considered floristic in nature and are not adequate to identify all plants in a project area to the level necessary to determine if they are special-status plants. Surveys should be conducted in accordance with CDFW's *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

8.

Impact 8.A.2 indicates that proposed Master Plan improvements could potentially affect special-status bats roosting in trees at Stafford Lake Park. Bats (including pallid bat and Townsend's big-eared bat) may occur in trees and/or other structures, such as buildings, bridges, culverts and structures (both used and abandoned). CDFW recommends adding structures to the analysis of potential survey locations and impacts when implementing Mitigation and Monitoring Measure 8.A.2. CDFW also recommends conducting surveys within a minimum of 30 days prior to the beginning of Project construction.

9.

CDFW recommends revisions to some of the avoidance measures outlined in Section 8 and 9. Specifically, nesting seasons are typically defined as March 15 to August 30 for smaller bird species such as passerines and February 15 to September 15 for raptors. Northern spotted owls and burrowing owls have nesting seasons from February 1 to August 31. White-tailed kites may nest thru October if they produce a double clutch.

10.

Mitigation Measure 8.A.3 establishes a 200-foot buffer for raptors, CDFW recommends a larger buffer for raptors. A Qualified Biologist should develop buffer recommendations that are site-specific and at an appropriate distance, that protects normal bird behavior to prevent nesting failure or abandonment. The buffer distance recommendation should be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. A qualified biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by Project construction work. Nest monitoring shall continue during construction until the young have fully

fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified biologist.

#### **Wildlife Movement**

Section 9.1 of the IS/MND states that Stafford Lake is an important wildlife corridor connecting Indian Tree, Little Mountain Verissimo Hills, and Mount Burdell open space preserves and is part of the Bay Area Open Space Council areas of essential conservation goals. The Project area contains both transitory and permanent wildlife populations.

11. Aspects of the Project could create physical barriers to wildlife movement from direct or indirect Project-related activities. Monitoring Measure 8.B.1 states that, "wildlife within the riparian area may be impacted due to the proximity of human activity (e.g., noise, lighting at night, and the very presence of people that deters wildlife from an area). However, the IS/MND also states that proposed Project would not substantially interfere with wildlife movement due to existing fencing between the park and adjacent private property. CDFW recommends that on-site features that contribute to habitat connectivity and wildlife movement and corridors both within and outside of the park be evaluated, and any impacts be avoided to the maximum extent possible, if not completely avoided. The CEQA document should identify any potential wildlife movement or dispersal impacts (such as the existing fencing barrier), mitigation measures, and a mitigation monitoring and reporting program for both construction activities and developed Park improvements.

#### **Vegetation/Habitats**

Sections 2.5 and 9.8 list seven vegetation communities and habitats at Stafford Lake Park including riparian woodland, oak woodland, purple needlegrass grassland, brome/fescue native grasslands, seasonal wetlands, watercourses (swales and creeks) and non-native grasslands. CDFW recommends a more detailed discussion of vegetation communities and sensitive habitats, including total acres within the Project area, such as outlining the freshwater marsh which may be habitat for tri-colored blackbird.

12. Mitigation Measure 8.B.1 states that a LSA application shall be submitted to CDFW for any modification to Stafford Lake, Terwilliger Pond and Novato Creek. Section 2.5 states that, "Non-jurisdictional watercourses include swales dominated by non-native upland species." CDFW recommends site-specific review of these features as they may be regulated under Fish and Game Code § 1600.

#### **Vegetation Impacts and Replacement**

Mitigation Measure 8.B.1 states that any loss of riparian vegetation shall be replaced on-site at a 1:1 ratio and Mitigation Measure 8.B.3 states riparian vegetation will be replaced on-site if there is sufficient area or off-site if there is not.

CDFW recommends that all temporary and permanent impacts to sensitive habitats (e.g., oak woodlands, riparian freshwater and seasonal wetlands, ponds and lakes) should be minimized to the greatest extent possible, if not fully avoided all together.

13. For unavoidable impacts to sensitive vegetation and habitats, CDFW recommends that mitigation ratios for each sensitive community be identified independently after analyzing the total percent of habitat removed from the Project, local sensitivity, species diversity; temporal loss to replace the fully functioning ecosystem, and proximity of mitigation to the impact site. CDFW recommends restoring on-site; CDFW may request higher mitigation ratios for off-site restoration.

14. Mitigation Measure 8.B.2 states that riparian trees be replaced at a 2:1 ratio. CDFW recommends that trees be replaced at a 3:1 ratio for natives between 3 and 6 inches in diameter at breast height and 6:1 for native trees greater than 6 inches in diameter at breast height. Non-native trees may be replaced at a ratio of 1:1 ratio. Revegetation should include only local plant materials native to the Project area, unless otherwise approved by CDFW.

15. Impact 8.B.4 states that acreage of native grassland would be reduced due to construction of the proposed improvements and that recreational facilities, such as the zip-line, shall not be constructed in areas that would lead to reduction of brome/fescue native grassland but that instead would be conducted in, "less sensitive habitats such as adjacent woodlands or non-native grasslands." Oak woodlands are important to a wide range of wildlife species and have higher levels of biodiversity than virtually any other terrestrial ecosystem in California. CDFW recommends that that oak woodlands be avoided to the maximum extent possible for all proposed projects.

If impacts to oak woodland are unavoidable, a planting and restoration plan should be submitted to CDFW for review and approval. Mitigation Measure 8.B.5 indicates that oak trees damaged from construction or operation of the proposed improvements be mitigated at a 3:1 ratio. CDFW recommends that at a minimum, individual oaks trees be mitigated at the following ratios: 4:1 replacement for impacted trees 5 to 10 inches in diameter; 5:1 replacement for impacted trees greater >10 to 15 inches in diameter; trees greater than 15 inches in diameter are considered old-growth oaks and should be mitigated at a ratio of 15:1. Preference should be given to oak woodland habitat existing on-site.

16. Impact 8.C.1 addresses potential introduction of non-native ornamental plant species and non-native pathogens. CDFW recommends that only native plants be used for revegetation and landscaping activities.

#### **Lake and Streambed Alteration Agreement**

17. CDFW requires an entity to notify CDFW before commencing any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed. This includes ephemeral and/or intermittent streams (that are dry for periods of time or only flow during periods of rainfall). CDFW may require an LSA Agreement with the applicant, pursuant to §1600 et seq. of the Fish and Game Code. Issuance of an LSA Agreement is subject to CEQA. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSA Agreement notification

Ms. Kristina Tierney  
November 16, 2018  
Page 7

process, please access our website at <https://www.wildlife.ca.gov/conservation/lisa> or to request a notification package, contact CDFW's Bay Delta Regional Office at (707) 428-2002.

#### **Master Plan**

18.

As this IS/MND is a Master Plan, each future Project will need to be reviewed in light of site-specific details to determine whether it is within the scope of this IS/MND. Additional projects and activities may take place which are not covered by this MND and may require analysis and disclosure in a subsequent CEQA document.

#### **Filing Fees**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

#### **CONCLUSION**

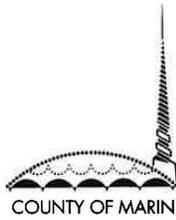
CDFW appreciates the opportunity to provide comments on the draft IS/MND for the proposed Project and is available to meet with you to discuss our concerns. To ensure significant impacts are adequately mitigated to a level less-than-significant, CDFW recommends the feasible mitigation measures described above be incorporated as enforceable conditions into the final CEQA document for the Project. If you have any questions, please contact Ms. Deborah Waller, Environmental Scientist, at (707) 576-3880 or [deborah.waller@wildlife.ca.gov](mailto:deborah.waller@wildlife.ca.gov); or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at [karen.weiss@wildlife.ca.gov](mailto:karen.weiss@wildlife.ca.gov).

Sincerely,



Gregg Erickson  
Regional Manager  
Bay Delta Region

cc: State Clearinghouse #2016082041



October 10, 2019

MARIN COUNTY  
PARKS  
PRESERVATION RECREATION



OPEN SPACE DISTRICT  
REGIONAL PARKS & PATHWAYS  
COMMUNITY PARKS  
LANDSCAPE SERVICES

Max Korten  
DIRECTOR AND  
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**RE: Stafford Lake Master Plan Initial Study/Mitigated Negative Declaration**

Dear Ms. Waller,

The purposes of this correspondence are to provide responses to the comments received from the California Department of Fish and Wildlife (CDFW) in the comment letter dated November 16, 2018 regarding the Stafford Lake Draft Master Plan Draft Initial Study, and to advise you that the Marin County Board of Supervisors will conduct a public hearing associated with certification of the Mitigated Negative Declaration on November 5, 2019.

Based on CDFW's comments, Marin County Parks revised the Biological Resources chapter of the Initial Study to clarify the impact analysis and revise the mitigation measures. The revised mitigation measures clarify the original measures and add detail to provide more effective protection measures and consistent with the State California Environmental Quality Act (CEQA) Guidelines, recirculation of the environmental document is not required.

Marin County Parks itemized the comment letter, which is attached. The response to comments letter summarizes each of the numbered comments and then provides a response.

**Comment 1 – Tri-colored Blackbird Listing Status**

The comment stated that tri-colored blackbird (*Agelaius tricolor*) is mis-categorized as a Species of Special Concern in Table 8.B: Special-status Animal Species Potentially Occurring at Stafford Lake Park.

**Marin County Parks Response:** Marin County Parks corrected the listing status of tri-colored blackbird to state threatened.

**Comment 2 – California Endangered Species Act Permit**

The comment states that Marin County Parks would be required to obtain a California Endangered Species Act (CESA) permit from CDFW if "take" or adverse impacts to listed or candidate species cannot be avoided. The CEQA document should specify impact, mitigation measures, and a mitigation monitoring and reporting program for construction activities and the life of the improvements.

**Marin County Parks Response:** Marin County Parks added information regarding compliance with the California Endangered Species Act in the Setting section.

**Comment 3 – Include Measures to Avoid Take of Fully Protected Species**

The comment states that the CEQA document should include measures to ensure complete take avoidance of fully protected species.

**Marin County Parks Response:** Marin County Parks will design and implement Master Plan projects to avoid take of fully protected species. Revised Mitigation Measure BIO-1: Protect Special-Status Plans and Mitigation Measure BIO-2: Protect Special Status Wildlife and Habitat – General Measures require Marin County Parks to conduct reconnaissance-level surveys for special-status species during the planning and design phase for specific Master Plan project, with the intent of designing projects to avoid special-status species.

**Comment 4 – Clarify Mitigation Measures 8.A and 8.B**

The comment requested clarification between Mitigation Measure 8.A.1 statement that *“improvements shall be designed to avoid those species and their habitats”* (referring to tables 8A and 8B that depict special-status plant and animal species that have the potential to occur at Stafford Lake Park, and a statement indicating *“species will be avoided to the greatest extent possible.”*

**Marin County Parks Response:** Marin County Parks has replaced Mitigation Measures 8.A.1 with the following mitigation measures to clarify how potential impacts to plant and wildlife species would be avoided, minimized, and/or compensated.

- BIO-1: Protect Special-status Plants
- BIO-2: Protect Special-Status Wildlife and Habitat – General Measures
- BIO-3: Protect Special-Status and Nesting Birds
- BIO-4: Protect Special-Status and Common Bats
- BIO-5: Protect American Badger
- BIO-6: Protect California Red-legged Frog
- BIO-7: Protect Northwestern Pond Turtle
- BIO-8: Protect Sensitive Natural Communities – General Protection Measures
- BIO-9: Replace Riparian Trees
- BIO-10: Protect Sensitive Riparian Habitat Areas
- BIO-11: Protect Native Grassland
- BIO-12: Protect Oak Woodland and Individual Oak Trees
- BIO-13: Protect Wetlands and Watercourses

Regarding the statements referenced in CDFW’s comments, Marin County Parks intends to avoid impacts to plant and animal species to the greatest extent possible by first conducting reconnaissance-level surveys during the planning and design phase of specific Master Plan projects then designing the project to avoid impact.

**Comment 5 – Mitigation Measures for Loss of Plants, Fish, Wildlife, and Suitable Habitat**

The comment stated that if impacts to special-status species or their habitat are not avoidable, the CEQA document should include mitigation measures to minimize impacts and compensate for the loss of plants, impacts to fish and wildlife, or suitable habitat.

**Marin County Parks Response:** Marin County Parks revised the mitigation measures to clarify how impacts to special-status plant and animal species and their respective habitats would be minimized and compensated in the event that impacts cannot be completely avoided.

**Comment 6 – Mitigation Measure 8.A.1 Buffer**

The comment stated that Mitigation Measure 8.A.1 should include a buffer for special-status plants and animals should of a minimum of 1,000 feet unless a qualified botanist or biologist determines in coordination with CDFW that a smaller buffer is adequate.

**Marin County Parks Response:** Marin County Parks included a 100-foot buffer, measured from the edge of the area occupied by special-status plants, in Mitigation Measure 8.A.1 and has included this buffer in revised Mitigation Measure BIO-1: Protect Special-Status Plants. A 1,000 foot buffer was determined to be excessive because at this distance, most areas of Stafford Lake Park are beyond the habitat and potential habitat for special-status plants.

**Comment 7 – Mitigation Measure 8.A.1 Plant Surveys**

The comment stated that the plant surveys required in Mitigation Measure 8.A.1 should be floristic in nature to identify all plants in a project area to the level necessary to determine if they are special-status plants, conducted in accordance with CDFW’s *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities.*

**Marin County Parks Response:** Marin County Parks included this provision in Mitigation Measure 8.A.1 and has included this buffer in revised Mitigation Measure BIO-1: Protect Special-Status Plants.

**Comment 8 – Mitigation Measure 8.A.2 Bat Structures**

The comment stated that Mitigation Measure 8.A.2 should add structures should be added to the analysis of potential bat survey locations and impacts, and bat surveys should be conducted within a minimum of 30 days prior to the beginning of construction activities.

**Marin County Parks Response:** Marin County Parks included these provisions in revised Mitigation Measure BIO-4: Protect Special-Status and Common Bats.

**Comment 9 – Avoidance Measures**

The comment stated that the avoidance measures outlined in Sections 8 and 9, nesting seasons should be defined as follows:

Northern spotted owl and burrowing owl .....	February 01 – August 31
Raptors .....	February 15 – September 15
Smaller birds, including passerines .....	March 15 – August 30
White-tailed kite, double clutch .....	(February 1) - October 31

**Marin County Parks Response:** Marin County Parks added Table 4: Guideline Buffers by Species or Guild, to guide implementation of Mitigation Measure BIO-3: Protect Special-Status and Nesting Birds. This table provides the recommended buffer and the nesting season for various bird species. The nesting seasons identified in CDFW's comment letter are generally reflect in Table 4, but there are some differences. For example, Marin County Parks identifies the nesting season for Northern spotted owl as February 01 – July 31. The USFWS protocol clearly states nesting season for this species as concluding July 15; however, Marin County Parks extends this to July 31<sup>st</sup> to ensure no impact to this species would occur. Similarly, Marin County Parks has based the nesting season dates included in Table 4 on data from multiple sources including Point Blue which do not reflect the nesting season dates included in the CDFW comment letter. These sources provide timing of the breeding season for various species specific to the North Bay.

**Comment 10 – Mitigation Measure 8.A.3 Buffer Areas**

The comment stated that Mitigation Measure 8.A.3 should expand the buffer area for raptors developed by a qualified biologist that are site-specific and at an appropriate distance, that protect normal bird behavior to prevent nesting failure or abandonment, specifically buffer area for raptors and develop the buffer distance recommendation after conducting field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. A qualified biologist should monitor the behavior of the birds, adults and young, when present, at the nest site to ensure that they are not disturbed by construction activities. Continue nest monitoring during construction activities until the young have fully fledged.

**Marin County Parks Response:** Marin County Parks recommended a buffer of 100 meters (330 feet) for diurnal raptors. This, and the other recommended buffer included in Table 4: Guideline Buffers by Species or Guild, were developed by a Marin County Parks biologist who meets the definition of a qualified biologist. The recommended buffers were determined to be at an appropriate distance to protect normal bird behavior to prevent nesting failure and/or abandonment. Consistent with implementation of the applicable mitigation measures, a qualified biologist would adjust the recommended buffers specific to the project area after conducting field investigations.

**Comment 11 – Wildlife Movement**

The comments recommends that on-site features that contribute to habitat connectivity and wildlife movement and corridors within and outside of Stafford Lake Park be evaluated and that impacts should be avoided completely or to the maximum extent possible; potential wildlife movement or dispersal impacts such as existing fencing barrier should be identified; and a mitigation monitoring and reporting program for construction-related activities and developed improvement should be prepared.

**Marin County Parks Response:** Marin County Parks included Mitigation Measure 8.B.1 to address potential impacts to wetlands. Potential impacts to wildlife movement was included under the discussion associated with riparian areas and concluded that wildlife behavior may be altered to the extent that common wildlife and some special-status wildlife such as the yellow warbler may leave the affected portion of the riparian vegetation due to the proximity of human activity including noise, night lighting, and the very presence of people that deters wildlife from an area. The revised analysis concludes that implementation of the proposed Master Plan elements is not expected to interfere with the movement of wildlife from park lands to surrounding habitat connections to adjacent preserves because resident wildlife has habituated to human activity with Stafford Lake Park under existing conditions. Additionally, none of the proposed Master Plan projects would remove large swaths of vegetation or block flows of creek channels. And while public uses of Stafford Lake Park may increase, the hours of operation will remain the same as current conditions meaning that only daytime public use is permitted. Since the proposed Master Plan would not block wildlife corridors or migration routes, no significant impacts associated with wildlife movement are expected to result from implementation of proposed Master Plan projects.

**Comment 12 – Mitigation Measure 8.B.1 Wetlands**

The comment recommends that Mitigation Measure 8.B.1 should include a site review with CDFW of wetlands that subject to CDFW permitting under Fish and Game Code § 1600.

**Marin County Parks Response:** Marin County Parks included Mitigation Measure 8.B.1 to address potential impacts to wetlands, including preparing a wetland delineation to include CDFW jurisdiction pursuant to Fish and Game Code § 1600 and obtaining a Lake or Streambed Alteration Agreement from CDFW when needed. The revised Biological Resources section includes Mitigation Measure BIO-13: Protect Wetlands and Watercourses includes the following language: *“Marin County Parks shall review the wetland delineation and associated upland features with the regulatory agencies including CDFW, REQCB, and USACOE as needed to confirm jurisdiction.”*

**Comment 13 – Mitigation Measure 8.B.1 Sensitive Habitats**

The comment recommends that Mitigation Measure 8.B.1 identify mitigation ratios for each sensitive community independently after analyzing the total percent of habitat removed, local sensitivity, species diversity, temporal loss to replace the fully functioning ecosystem, and proximity of mitigation to the area of impact. On-site restoration is preferred. Higher mitigation ratios may be required for off-site restoration.

**Marin County Parks Response:** Marin County Parks has included the following mitigation measures to address potential impacts to sensitive habitats:

- BIO-8: Protect Sensitive Natural Communities – General Protection Measures
- BIO-9: Replace Riparian Trees
- BIO-10: Protect Sensitive Riparian Habitat Areas
- BIO-11: Protect Native Grassland
- BIO-12: Protect Oak Woodland and Individual Oak Trees

Mitigation Measure BIO-10: Sensitive Habitat Areas includes the following language: *“Mitigation shall occur at a minimum 1:1 ratio. Exact mitigation ratios shall be determined after analyzing the total percent of habitat removed from the project; local sensitivity and diversity of the habitat type; significance of likely temporal losses while the restored area is establishing; and proximity of the mitigation area to the impact site. On-site mitigation shall be prioritized. CDFW may require greater than 1:1 mitigation ratio for off-site mitigation.”*

**Comment 14 – Mitigation Measure 8.B.2 Replacement Ratios for Riparian Trees**

The comment recommends Mitigation Measure 8.B.2 include the following replacement ratios for riparian trees:

Native trees.....3 – 6 inches DBH .....	3:1
Native trees.....6-inches + DBH .....	6:1
Non-native trees.....any DBH .....	1:1

Revegetation should include only local plant materials native to the project area, unless otherwise approved by CDFW.

**Marin County Parks Response:** Marin County Parks has included revised Mitigation Measure BIO-9: Replace Riparian Trees, which includes the ratios recommended by CDFW and the following language: *“Revegetation should include only local plant materials native to the project area, unless local trees are not available. Should plants need to be obtained from a non-local source, information regarding the lack of local supplies and the non-local source shall be provided to CDFW as part of a permit application when a CDFW permit is required for the specific Master Plan project. If a CDFW permit is not required, this information shall be included in the project file.”*

**Comment 15 – Impact 8.B.4 – Oak Woodlands**

The comment states that if impacts to oak woodlands cannot be avoided, Marin County Parks should submit a planting and restoration plan to CDFW for review and approval. Replacement ratios for oak trees damaged from construction-related activities or park operation should be as follows:

oaks.....5 - 10 inches DBH .....	4:1
oaks.....10 – 15-inches DBH .....	5:1
oaks.....15-inch + DBH .....	15:1

**Marin County Parks Response:** Marin County Parks has included Mitigation Measure BIO-12: Protect Oak Woodland and Individual Oak Trees to replace Mitigation Measure 8.B.5. The revised mitigation measure includes the tree replacement ratios recommended by CDFW and requires a restoration plan be developed to re-establish grassland.

**Comment 16 – Native Plant Revegetation**

The comment recommends that Mitigation Measure 8.C.1 should require only native plants should be used for revegetation and landscaping activities.

**Marin County Parks Response:** Marin County Parks would use native plants for native plant revegetation and restoration activities. Since the facility is a county park as compared to an open space preserve, non-native plants may be utilized in recreational areas if Marin County Parks determines it appropriate to do so. Under existing conditions, species including (*Grevilla robusta*), Acer 'autumn blaze' (*Acer x freemanii* 'Jeffersred'), and Cercis 'forest pansy' (*Cercis canadensis*) have been planted in the bike park area to provide shade. These species were selected over natives for aesthetics, including tree structure, and for their adaptability to the growing conditions including existing soil and low water requirements.

**Comment 17 – Lake and Streambed Alteration Agreement**

The comment stated that Marin County Parks should notify CDFW before commencing any activity subject to a Lake and Streambed Alteration Agreement pursuant to Fish and Game Code §1600.

**Marin County Parks Response:** Marin County Parks will obtain regulatory permits, including Lake or Streambed Alteration Agreements from CDFW pursuant to Fish and Game Code §1600 when needed prior to commencing specific Master Plan projects.

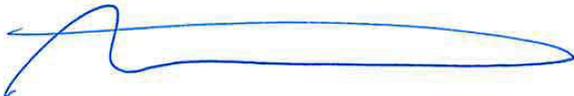
**Comment 18 – Future Projects**

The comment stated that the IS/MND should note that each future project would need to be reviewed in light of site-specific details to determine whether it is within the scope of the IS/MND. Additional projects and activities may take place that are not covered by the IS/MND which would require subsequent CEQA analysis.

**Marin County Parks Response:** Marin County Parks has included the following language to Section 4 – Construction to clarify implementation of Master Plan elements relative to the IS/MND: *“Master Plan elements should not be construed as a promise to construct, as implementation, particularly for the conceptual elements, depends on a variety of factors including urgency due to public safety or resource protection, available funding, Marin County Parks system-wide priorities, recreational needs, and staffing. As Master Plan elements become individual projects for implementation, the design details would be developed. The individual project would then be evaluated to determine if it is within the scope of the IS/MND. If no new significant environmental impacts would occur and no new mitigation measures would be required, then Marin County Parks could determine that the individual project is within the scope of the IS/MND and no additional CEQA compliance would be required. If the individual project could result in potentially significant environmental impacts that were not addressed in the IS/MND, or if new mitigation measures would be required to minimize the effect of newly identified impacts, then Marin County Parks would conduct additional CEQA analysis associated with the newly identified environmental impact(s) and/or new mitigation measure(s).”*

I hope these responses to comments addresses the concerns associated with the draft Initial Study/Mitigated Negative Declaration for the Stafford Lake Park Master Plan, and I look forward to our continued collaboration.

Sincerely,



Max Korten  
Director and General Manager

Cc Karen Weiss, Senior Environmental Scientist, CDFW



**Access4Bikes Comments on the draft Stafford Lake Master Plan and IS/MND**

November 12, 2018

Dear County Parks representatives,

It is our pleasure to have the opportunity to comment on the draft Master Plan. Most of our comments will all fall into the topic of General Park Improvements.

From Pages 41-42 of the IS - Environmental Policies in the Marin Countywide Plan

*Consistent. The proposed Master Plan would include new pedestrian and bicycle paths to supplement existing pathways. Additionally, improved trail connections within the existing Terwilliger Trail and disc golf course trails are proposed. Therefore, the Master Plan would be consistent with CWP policies TR2.1, TR-2.2 and TR-2.4.*

While we agree that the improvement to existing pathways for pedestrian and bicycles is consistent with the MCP, we believe that the plan does not adequately address TR 2.1, where that policy states: *Improve the Bicycle and Pedestrian Network. Promote adequate bicycle and pedestrian links, to the extent feasible, throughout the county, including streetscape improvements and standards that are safe and pedestrian and bicycle friendly.*

Policy 2.1 directs county to create links between county properties, which the plan does not propose.

In the draft Master Plan, page 23, Local Connectivity it states: *A number of County Open Space Preserves and Novato City parks are located within a 3-mile radius of the park, providing opportunities for better interconnectivity between open spaces and other parks (see Figure 1.2.4). Park patrons have expressed the desire to connect Stafford Lake Park with these neighboring spaces, especially the redwood groves at nearby Indian Tree Open Space Preserve. Currently, there is little direct connection between various open spaces and preserves. The Novato Boulevard multiuse path directly connects between Stafford Lake Park and O'Hair Park/ Dogbone Meadow, but regional trail connection is spotty and not well marked. There is potential to connect Stafford Lake Park with neighboring trails and open spaces but would require easement agreements with North Marin Water District and adjacent private property owners*

The public has already expressed improved connectivity to neighboring open space but the plan doesn't address that need. Again this is supported by MCP 2.1 therefore the Master Plan must explore how to leverage access to NMWD property and access via private easements. ] 1

In the draft Master Plan, Circulation, page 29, it states: *Unfortunately, though nearby trails exist outside the park that connect to the Indian Tree Open Space Preserve and beyond, Terwilliger Trail does not connect with them (see Figure 1.2.4). Additionally, there are currently no trails that fully loop around Stafford Lake. There is potential for a loop, however negotiation with neighboring properties like the Indian Valley Golf Course and North Marin Water District would be necessary*

1 The plan needs to do better in advancing a plan for the above stated condition. Where is the trail around the lake in the draft Master Plan? The golf course is leased from NMWD. This provides an opportunity to amend that lease in the public's best interest. It is no secret that golfing is not as popular as in the past and not in keeping with current known environmental impacts of maintaining turf for golfing and the water use. What is known about the pesticides entering the drinking water from the golf course and wouldn't public trails be a better use of publicly held properties?

In the draft Master Plan, 1.4, page 35, Constraints and Opportunities it very clearly states: *There is also potential to connect beyond the park itself, linking trails to open space preserves and other local parks.*

2 Stafford Lake Park has no public transportation and poor bike connectivity. There are no public access points from Vineyard Road, which is home to thousands of Novato residents. A thorough environmental analysis must contemplate the impact of relying solely on vehicular traffic to access the park and all on Novato Blvd, a dangerous road for hikers and bikers.

3 Consider this an opportunity. With the acquisition of Bowman ranch, we can now plan new trails. One could ride/hike from the summit of Burdel, down Bowman Canyon, across to Stafford Lake, and on to Verissimo Hill's preserve and then onto Indian Tree preserve. This would be a nice compliment to the Bay Area Ridge trail and remove the 'interim' routes that have been in place for bikes for 20 years. This is also a goal of the Marin County Plan.

One additional comment on the Initial Study 3.5, Miscellaneous Amenities, Single Track Bike Trail: *A new 5-foot wide multi-use dirt trail would be located in and around the disc golf course area. The trail would be designated for use by hikers, bicyclists, and occasional bicycle race events.*

4 5 feet wide is not the standard used by Open Space for a "single Track" hike and bike trail. The only instances where 5 feet is the standard is when adding horses. In fact a two foot standard is currently being used in areas like the Giacomini Preserve where hike/bike trails are being developed. Building a 5 foot trail increases the environmental footprint and therefore the impact. It also requires larger mechanized equipment. We recommend only creating a 5 foot trail where it is anticipated that bikes need to pass bikes in a one way direction. Narrower trails have the benefit of not only lesser environmental impact but they slow the rider down, thereby decreasing conflict with other users.

Again, Thanks for the opportunity to comment,

Vernon Huffman and the board of Access4Bikes



# STAFFORD LAKE PARK MASTER PLAN

## INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

### RESPONSES TO ACCESS4BIKES COMMENT LETTER

2019-09-27

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Marin County Parks received a comment letter from Access 4 Bikes during the public review period for the draft IS/MND. The comments requested improved access to Stafford Lake Park from public roads and other open space properties, improved and new trails within Stafford Lake Park, public transportation access, and a different width for the single-track trail. None of the comments addressed the adequacy of the IS/MND or raised significant environmental issues. The responses are keyed to the comment letter, which follows this response.

#### **Comment 1 – Improved Connectivity to Neighboring Open Space**

The comment suggests the Master Plan explore access to North Marin Water District property and private easements and asks why the Master Plan does not include a trail around Stafford Lake Park.

**Marin County Parks Response:** The Indian Valley Golf Course is currently located on the North Marin Water District (NMWD) adjacent to Stafford Lake Park. The golf course is leased to a private operator. There is no trail access within the golf course. Trail easements through private ranches is not possible at this time. For these reasons, the Master Plan does not include a recommendation to provide a trail around the entirety of Stafford Lake. Should this become possible in the future, Marin County Parks would conduct planning efforts and complete environmental compliance documents.

#### **Comment 2 – Public Transportation and Bike Connectivity**

This comment addresses the lack of public transportation, lack of public access from Vineyard Road, and that Novato Road is dangerous for hikers and bikers.

**Marin County Parks Response:** Currently, there is no direct public transportation to Stafford Lake Park. The closest bus stop is located at Novato Boulevard and San Marin Drive via Golden Gate Transit Route 54 or Marin Transit Route 251. From the stop, park visitors would walk or bike approximately two miles to the easternmost entry of the park.

Regarding the suggestion for a trail to connect Vineyard Road with Stafford Lake Park, North Marin Water District (NMWD) owns the property on which the Indian Valley Golf Course is located and the golf course is leased to a private operator. There is no trail access within the golf course.

#### **Comment 3 – Acquisition of Bowman Ranch**

This comment requests new trails that incorporate the Bowman Ranch property, Mount Burdell, Verissimo Hill Open Space Preserve, and Indian Tree Open Space Preserve to provide access to Stafford Lake Park and would complement the Bay Area Ridge Trail.

**Marin County Parks Response:** Marin County Open Space District acquired 167 acres in August 2018, which increased the total size of Mount Burdell Open Space Preserve to 1,794 acres. In May 2019, Marin County Open Space District entered in to an Option to Purchase Agreement (Option Agreement) to purchase an additional 688.33 acres, which would increase the total size of Mount Burdell Open Space Preserve to 2,482.33 acres. The term of the Option Agreement is 18 months, subject to extension if agreeable by both parties. Currently, Marin County Parks is seeking funding to support purchase of the 688.33 acres subject to the Option Agreement. Regardless of the outcome of acquiring this additional area, any additional trails within and/or connecting to Mount Burdell, including additional Bay Area Ridge Trail segments, would be subject to future planning efforts and California Environmental Quality Act compliance.

There are Bay Area Ridge Trail segments between Indian Tree Open Space Preserve and Little Mountain Open Space Preserve, which are managed by Marin County Open Space District and O'Hair Park, which is managed by the City of Novato south of Novato Boulevard. Most of these segments equestrian/hiking only – no bicycles are permitted. The Indian Tree Fire Road in Indian Tree Open Space Preserve and the Doe Hill Fire Road in Little Mountain Open Space Preserve are multi-use segments on which bicycles are also permitted. The Stafford Lake Trail is an equestrian/hiking only trail that is partially within Verissimo Hills Open Space Preserve, which is managed by Marin County Open Space District, and partially on NMWD property.

There are Bay Area Ridge Trail segments between Mount Burdell Space Preserve, which is managed by Marin County Open Space District and Olompali State Historic Park, which is managed by the California State Parks north of Novato Boulevard. Most of these segments equestrian/hiking only – no bicycles are permitted. The San Andreas Fire Road, Deer Camp Fire Road, and Cobblestone Fire Road in Mount Burdell Open Space Preserve are multi-use segments on which bicycles are permitted along with hikers and equestrians.

**Comment 4 – Width of Single-Track Trail**

The comment recommends developing 5-foot wide trails where it is anticipated that bikes need to pass other bikes in a one-way direction or when there is equestrian users, and developing narrower 2-foot wide trails for single-track hiking and biking trails to reduce environmental impact, minimizing user conflict, and slowing riders.

**Marin County Parks Response:** Marin County Parks will consider this comment when the single-track trail recommendation becomes a project. Final design would be completed at that time, as well as any additional environmental impact analysis, if needed.

FRIENDS OF STAFFORD LAKE BIKE PARK

November 2, 2018

Re: **Comments on the draft Stafford Lake Master Plan and IS/MND**

County Parks representatives,

The Friends welcomes the opportunity to comment on the draft Master Plan. Our comments address many of the facets of the Master Plan and, in most cases, are meant to augment the current plan.

**INTRA & INTER PARKCONNECTIVITY**

1 { We are in support of public transit to the Stafford Lake Park. The closest bus stop is approximately 2 miles from the entrance of the park. Although we understand this is not in the jurisdiction of Marin County Parks, we will work with the Parks to advocate for this service.

2 { In addition, we are in favor with improving the existing multi-use pathway. It is in dire need of repair and needs enhancement for both pedestrian and bicycle utilization. Several of the public outreach summaries high-lighted this issue. These infrastructure improvements are noted in the Marin Countywide Plan (MCP) specifically policy TR2.1: Improve the Bicycle and Pedestrian Network. Promote adequate bicycle and pedestrian links, to the extent feasible, throughout the county, including streetscape improvements and standards that are safe and pedestrian and bicycle friendly.

{ We would like the Parks to continue to aggressively pursue opportunities for better interconnectivity between the Park and the neighboring open space areas, water districts and property of private owners. Easements may need to be established but we feel this is a real opportunity for safe transportation to and from the park.

3 { Lastly, within the park, there should be improved trail connections. We realize that Marin County Parks is constrained by land boundaries and geographical deterrents such as elevation gains and losses, and environmental sensitivities, however, we would like the Master Plan to make bike and pedestrian circulation a priority. We believe the proposed framework on page 61 should be enhanced to include a trail around the entire lake (necessitates easements with the Indian Valley Golf Course and the North Marin Water District) as well as a "cross country" specific trail (necessitates modifications to the current disc golf course and the Terwilliger Trail).

4 { The loop trail can conform to the studies recommendation for a 5-foot wide multi-use dirt trail, however, we feel strongly that the "cross country" trail for hikers, bikers and occasional race events should be less than 3-feet wide and preferably 2-feet wide as is standard for most single-track trails on open space lands. We also support the use of directional segments on this trail i.e. one way climbing and one way descending.

FRIENDS OF STAFFORD LAKE BIKE PARK

BIKE PARK ENHANCEMENTS

5

We continue to support enhancements at the Bike Park and/or adjacent to the Bike Park. We are anxious to begin Phase III to design and build a larger viewing area with a shade structure and/or additional viewing areas with shade structures. We support the creation of a strider area with features intended for younger, beginner riders. This is not mentioned in the Master Plan however, we want to express our support.

In addition, we would like to see a BMX track either located inside the Bike Park close to where the terrain park and intermediate/advanced pump tracks are to be build or in the Back Meadow area as specified in the Master Plan (page 80 Options) in conjunction with a group picnic/viewing area.

Thank you so much for your consideration. We very much appreciate the working relationship we have with Marin County Parks and look forward to continued projects to benefit our user groups.



Julia Vloich

President of the Friends of the Stafford Lake Bike Park



# STAFFORD LAKE PARK MASTER PLAN

## INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

### RESPONSES TO FRIENDS OF STAFFORD LAKE BIKE PARK COMMENT LETTER

2019-09-27

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Marin County Parks received a comment letter from the Friends of Stafford Lake Bike Park during the public review period for the draft IS/MND. The comments requested improved access to Stafford Lake Park from public roads and other open space properties, improved and new trails within Stafford Lake Park, public transportation access, and a different width for the single-track trail. None of the comments addressed the adequacy of the IS/MND or raised significant environmental issues. The responses are keyed to the comment letter, which follows this response.

#### **Comment 1 – Public Transportation and Bike Connectivity**

This comment expresses support for advocating for public transit to Stafford Lake Park.

**Marin County Parks Response:** Marin County Parks appreciates support from the Friends of Stafford Lake Bike Park regarding this issue. Currently, there is no direct public transportation to Stafford Lake Park. The closest bus stop is located at Novato Boulevard and San Marin Drive via Golden Gate Transit Route 54 or Marin Transit Route 251. From the stop, park visitors would walk or bike approximately two miles to the easternmost entry of the park.

#### **Comment 2– Trail Improvements**

This comment states support for the Master Plan recommendation to improve the existing multi-use pathway for pedestrian and bicycle utilization.

**Marin County Parks Response:** Marin County Parks appreciates support from the Friends of Stafford Lake Bike Park regarding improvement of existing pathways and development of new pathways. The Master Plan recommends general improvements to the existing pathways and the development of new pedestrian and bicycle pathways to create internal loops that are compliant with the Americans with Disabilities Act guidelines. Trail improvements would create continuous loops from existing dead-end trails and provide connections with existing and proposed amenities.

#### **Comment 3 – Improve Connectivity to Neighboring Open Space and Trail Encompassing Stafford Lake**

The comment suggests the Master Plan explore access to North Marin Water District property and private easements and include a trail around Stafford Lake Park.

**Marin County Parks Response:** The Indian Valley Golf Course is currently located on the North Marin Water District (NMWD) land adjacent to Stafford Lake Park. The golf course is leased to a private operator. There is no trail access within the golf course. Trail easements through private ranches is not possible at this time. For these reasons, the Master Plan does not include a recommendation to provide a trail around the entirety of Stafford Lake. Should this become possible in the future, Marin County Parks would conduct planning efforts and complete environmental compliance documents.

#### **Comment 4 – Develop a “Cross Country” Trail Instead of a “Single Track”**

The comment suggests a “cross country” loop trail in place of the “single-track” trail currently recommended in the Master Plan, with a 2 -r 3-foot wide width instead of the proposed 5-foot width. The comment expresses support for one-way direction.

**Marin County Parks Response:** Marin County Parks will consider this comment when the single-track trail recommendation becomes a project. Final design would be completed at that time, as well as any additional environmental impact analysis, if needed.

#### **Comment 5 – Bike Park Enhancements**

The comment expresses support for the Master Plan recommendation for a BMX track with a loop trail and viewing and picnic area. The comment also expresses support for Phase III of the bike park that would include a larger

viewing area with a shade structure and development of a bike park feature to support beginner riders, and asks why these are not mentioned in the Master Plan

**Marin County Parks Response:** Marin County Parks appreciates support from the Friends of Stafford Lake Bike Park regarding bike park enhancements. The BMX track with a loop trail is one of the optional Master Plan recommendations in the Back Meadow focus area. Features included Bike Park Master Plan are still being developed. The Bike Park Master Plan was approved by the Marin County Board of Supervisors on November 15, 2011 and is separate from the subject Stafford Lake Master Plan.



# STAFFORD LAKE PARK MASTER PLAN

## INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

### ONLINE COMMENTS AND RESPONSES

2019-09-27

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Marin County Parks received online comments from nine individuals during the public review period for the draft IS/MND. The comments requested improved access to Stafford Lake Park from public roads and other open space properties, improved and new trails within Stafford Lake Park, a reduced entrance fee, camping, and more local events. None of the comments addressed the adequacy of the IS/MND or raised significant environmental issues. The comments are presented in alphabetical order based on the last name of the commenter.

#### **Carbonell, David**

There is a lack of connectivity to the Stafford Lake Bike Park. Diverting cyclists onto Novato boulevard is dangerous and poses unnecessary risk. Why not connect to Vineyard Lane and Little Mountain Preserve? This would increase connectivity and improve recreation. A precedent for this plan is already laid out in the County trail plan. Please make our roads and trails safer for all users by considering these changes.

**Marin County Parks Response:** Marin County Parks appreciates this comment and concern for cyclists on Novato Boulevard. The trail connection suggested in the comment would traverse the Indian Valley Golf Course, which is located on North Marin Water District (NMWD) land and leased to a private operator. There is no trail access within the golf course. The trail connection referenced in the comment is shown as a proposed Class III route in the Marin County Unincorporated Area Bicycle and Pedestrian Master Plan, which was adopted by the Marin County Board of Supervisors on February 27, 2018 and is implemented by the Marin County Public Works Department. A Class III route provides for shared use with on-street vehicular traffic. Marin County Parks does not implement the Marin County Unincorporated Area Bicycle and Pedestrian Master Plan, which can be viewed online at [http://www.walkbikemarin.org/documents/BMP/2018%20Plan/BPMP\\_Adopted022718r.pdf](http://www.walkbikemarin.org/documents/BMP/2018%20Plan/BPMP_Adopted022718r.pdf)

#### **Clark, Wyatt**

Although my son and I often ride our bikes to the bike park from our house in Novato, it is not a ride I like do with him due to the danger of crossing the road to the golf course (Indian Valley) that T's into Novato Blvd. Cars often make the turn onto this road at a high rate of speed, and pedestrians coming off the pathway to cross the road have very little visibility to drivers. Coming back from the park, young kids are traveling down hill as they approach this intersection. It would be nice if this route to the park was safer. I'd also like to see the pathway that runs along Novato Blvd. be protected (by a curb or some sort of barrier) so that there is less of a chance that a distracted driver veers into the pathway (something I've actually witnessed before), but I believe this is outside of your jurisdiction.

**Marin County Parks Response:** Marin County Parks appreciates this comment and concern for cyclists on Novato Boulevard. These comments will be considered if and when improvements to Novato Boulevard bicycle lane are planned.

#### **Del Ponte, Angela**

I would like to have access to more of the open space in Novato. Please do the reports you need to make sure animals and plants are not too displaced or wind blown and erosion is considered, but we have many outdoor enthusiasts in this part of the county and we have many respectful people that would love access to the trails. We need more places to hike, bikes, walk, and be in the open space. Why isn't there a trail that can connect the end of Center to Stafford Lake? That is a gorgeous piece of property. Why can't we share it? If there is concern, open it part time and see how it goes? Please look for the compromise with the community and what the community wants and needs and what we can set up for our future generations. Access to our lands. It is our tax dollars.

**Marin County Parks Response:** Marin County Parks appreciates these comments. The Master Plan was developed with public input including workshops and visitor surveys. It includes recommendations for improved trail connections, additional trail connections and pathways as well as other recommendations that support outdoor recreation with a vision to provide features and programs that would draw diverse populations and activate underutilized areas of the park which would be implemented over the next 20 years. Marin County Parks prepared an Initial Study pursuant to the California Environmental Quality Act that analyzed and

discussed the potentially significant environmental impacts that could result from implementation of the Master Plan recommendations. This analysis included biological resources such as plants and animals, erosion, and many other categories. The determination after conducting the Initial Study is that no potentially significant environmental impacts would result from implementation of the Master Plan recommendations so long as the recommended mitigation measures are also implemented.

Regarding the suggestion for a trail to connect Center Road with the end of Stafford Lake, North Marin Water District (NMWD) owns Indian Valley Golf Course, which is leased to a private operator. There is no trail access within the golf course.

**Gaffney, Maureen**

Hi! Please work to connect the Park to Novato via bike/ped paths, bike lanes and trails. This is so very important. There is an existing if a bit deteriorated Class I path leading out of the park, but as you know it peters out leaving no safe way for kids or anyone without a car to get to Stafford. I know the private property owner has been holding things up, but please work hard to find a way. Also please connect to Vineyard. You've done a great job with the park, with the new bike park facilities, but we need to make sure our kids can go safely enjoy it sans car. Thank you very much,

**Marin County Parks Response:** Marin County Parks appreciates this comment and concern for cyclists on Novato Boulevard.

The trail connection suggested in the comment would traverse the Indian Valley Golf Course, which is located on North Marin Water District (NMWD) land and leased to a private operator. There is no trail access within the golf course.

**McMillan, Tina**

I am concerned about the safety of children, teens and families trying to reach Stafford Park with only one point of egress from Novato, Novato Blvd. Currently there are trails that can be ridden by horseback or hiked that begin at O'Hair Park and go through the back roads to reach the park. If these trails were enhanced to include Mt. Bikes it would reduce the impact of auto traffic on Novato Blvd and provide a safe means of biking to and from Stafford Lake Park.

**Marin County Parks Response:** Marin County Parks appreciates the concern about safety when accessing Stafford Lake Park, particularly regarding vehicle traffic on Novato Boulevard. O'Hair Park, which is managed by the City of Novato connects to Little Mountain Open Space Preserve, which is managed by Marin County Open Space District, which connects to North Marin Water District (NMWD) land. NMWD owns Indian Valley Golf Course, which is leased to a private operator. There is no trail access within the golf course.

**Miller, Stephanie**

1) perhaps reduce entrance fee, prohibitive for low income. 2) Add Camping for tents with tables, water & bathrooms. 3) add better trails and signs. We got lost trying to hike into up into the hills from this park. Maybe, add more trails. 4) Encourage more local events like bands and fund raisers.

**Marin County Parks Response:** Marin County Parks appreciates these suggestions.

Regarding camping, The Master Plan includes recommendations for special event camping in the Event Meadow focus area and bike-in camping along Novato Creek. Special event camping is an existing use at Stafford Lake Park. The Master Plan recommends dedicating space along the southern edge of the meadow to accommodate groups of approximately 50 people. Bike-in camping would be created in the 16-acre lot east of Stafford Lake that is an open meadow utilized as overflow parking. The open meadow and overflow parking use would remain with the exception of a small areas that would be cleared to provide overnight camp sites. These sites would be close to the main bike path and would be oriented to bike-in and walk-in camping only. The Master Plan included a recommendation for tree camping, however, Marin County Parks has since removed this recommendation because the cost associated with implementing and on-going operation would not be feasible.

Regarding fees, Marin County Parks reduced the entrance fee to Stafford Lake Park, McNear's Beach Park, and Paradise Beach Park for non-vehicle asses on weekends and holidays from \$10 to \$5 and eliminated the \$5 admission fee for the swimming pool at McNear's Beach in June 2019. These fee reductions were proposed

by Marin County Parks and approved by the Marin County Board of Supervisors to make the facilities more accessible to lower-income visitors. The fee reduction was made possible by the success of Measure A, the quarter-cent sales tax approved by voters, which included a promise to reduce Parks facility entry fees. After its approval in 2015, Measure A provided the way to eliminate entrance fees for non-vehicular access to Marin County Parks during the summer on weekdays. Additionally, free park passes are available for check out at all Marin County libraries.

Regarding better trails and signs, the Master Plan includes recommendations for improved trail connections, additional trail connections and pathways. Marin County Parks and Open Space is currently implementing a program to improve signage within its facilities. The program is funded through Measure A, and between 2017 and 2019, 443 sign structures and over 560 entry signs and wayfinding posts have been installed. The next priority is to install way-finding signage at internal trail junctions.

Regarding local events, Stafford Lake Park hosts a variety of programs that are open to the public include music events, festivals, ranger-led and community group-organized park programs, and outdoor movie screenings, educational, and stargazing events. Stafford Lake Park is also a popular venue for private events including weddings and picnics.

**Quinn, Ryan**

I am writing in support of creating new connector trails to Stafford Lake via the Verissimo, Indian Tree and Little Mountain Preserves. Cyclists and pedestrians need an alternative to Novato Blvd in order to access the park. By creating new ways to reach park from the areas noted above, more Novato residents will be able to enjoy our local park without getting in a car.

**Marin County Parks Response:** Marin County Parks appreciates this comment and concern for cyclists on Novato Boulevard. There are Bay Area Ridge Trail segments between Indian Tree Open Space Preserve and Little Mountain Open Space Preserve, which are managed by Marin County Open Space District and O’Hair Park, which is managed by the City of Novato south of Novato Boulevard. Most of these segments equestrian/hiking only – no bicycles are permitted. The Indian Tree Fire Road in Indian Tree Open Space Preserve and the Doe Hill Fire Road in Little Mountain Open Space Preserve are multi-use segments on which bicycles are also permitted. The Stafford Lake Trail is an equestrian/hiking only trail that is partially within Verissimo Hills Open Space Preserve, which is managed by Marin Count Open Space District, and partially on NMWD property.

The trail connection suggested in the comment would traverse the Indian Valley Golf Course, which is located on NMWD land and leased to a private operator. There is no trail access within Indian Valley Golf Course.

**Ross, Julia**

Outside of improving the water quality, I’d like to see one nice improvement. Please link the Big Trees hiking trail to Stafford Lake to create a ridge/loop trail. Get an easement from ranchers/farmers. No bikes or horses. Thank you.

**Marin County Parks Response:** Marin County Parks appreciates this suggestion to create a ridge/loop trail. A trail connection between the Big Trees hiking trail to Stafford Lake would require trail easements through private ranches, which is not possible at this time.

**Westbrook, Liz**

On pp. 35 in the draft Master Plan the constraints and opportunities states: There is also potential to connect beyond the park itself, linking trails to open space preserves and other local parks. The Bay Area Ridge Trail is one of those trails in this area that links parks and preserves throughout the region. The Stafford Lake Park Master Plan and the Bowman Canyon Ranch acquisition create a great opportunity to improve multi-use regional trails connections in Marin County and beyond. The Bay Area Ridge Trail has a goal of creating a 550-mile trail encircling the nine Bay Area Counties along the ridgelines. There are over 375 miles completed today. There is a multi-use trail gap in the Ridge Trail from Indian Hill to Mt Burdell that we believe could be examined and eventually completed through this planning process.

**Marin County Parks Response:** Marin County Parks appreciates this comment and suggestion regarding future Bay Area Ridge Trail connections. There are Bay Area Ridge Trail segments between Indian Tree Open Space Preserve and Little Mountain Open Space Preserve, which are managed by Marin County Open Space

District and O'Hair Park, which is managed by the City of Novato south of Novato Boulevard. Most of these segments equestrian/hiking only – no bicycles are permitted. The Indian Tree Fire Road in Indian Tree Open Space Preserve and the Doe Hill Fire Road in Little Mountain Open Space Preserve are multi-use segments on which bicycles are also permitted. There is no trail access within Indian Valley Golf Course, which is leased from the North Marin Water District (NMWD). There are Bay Area Ridge Trail segments between Mount Burdell Open Space Preserve, which is managed by Marin County Open Space District and Olompali State Historic Park, which is managed by the California State Parks north of Novato Boulevard. Most of these segments equestrian/hiking only – no bicycles are permitted. The San Andreas Fire Road, Deer Camp Fire Road, and Cobblestone Fire Road in Mount Burdell Open Space Preserve are multi-use segments on which bicycles are permitted along with hikers and equestrians.

Marin County Open Space District acquired 167 acres in August 2018, which increased the total size of Mount Burdell Open Space Preserve to 1,794 acres. In May 2019, Marin County Open Space District entered in to an Option to Purchase Agreement (Option Agreement) to purchase an additional 688.33 acres, which would increase the total size of Mount Burdell Open Space Preserve to 2,482.33 acres. The term of the Option Agreement is 18 months, subject to extension if agreeable by both parties. Currently, Marin County Parks is seeking funding to support purchase of the 688.33 acres subject to the Option Agreement. Regardless of the outcome of acquiring this additional area, any additional trails within and/or connecting to Mount Burdell, including additional Bay Area Ridge Trail segments, would be subject to future planning efforts and California Environmental Quality Act compliance.

All County publications are available in alternative formats (Braille, Large Print, or CD), upon request. Requests for accommodations may be made by calling (415) 473-4381, TTY (415) 473-2495, CRS dial 711, e-mail at [disabilityaccess@marincounty.org](mailto:disabilityaccess@marincounty.org).