COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: April 23, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit for the repair of a damaged road and stabilization of the adjacent hillside within the road right-of-way, adjacent to 1300 Lobitos Creek Cut-Off, in the unincorporated San Gregorio area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2014-00080
(San Mateo County Department of Public Works)

PROPOSAL

The applicant, San Mateo County Department of Public Works (DPW), is requesting a Coastal Development Permit for road repair work on Lobitos Creek Cut-Off road, approximately one mile east of State Highway 1 and adjacent to the driveway at 1300 Lobitos Creek Cut-Off. The project consists of the construction of slope stabilization improvements and repair of approximately 75 feet of Lobitos Creek Cut-Off road, which was damaged by a minor landslide. The landslide originated on the adjacent private property and has filled in the roadside v-ditch and uplifted portions of the road pavement.

RECOMMENDATION

Approve the Coastal Development Permit, County File Number PLN 2014-00080, by adopting the required findings and conditions of approval.

SUMMARY

As a County agency, the Department of Public Works is exempt from local building and zoning regulations (Government Code Section 53091); however, a Coastal Development Permit in compliance with Local Coastal Program Policy 2.1 is required for this project. Staff has completed a review of the project and all the submitted documents and reports against the applicable Local Coastal Program policies. Potential impacts to special status species and water quality were identified. Measures were proposed by the applicant to address these potential impacts and are included as Conditions of Approval 4-17 in Attachment A of this report.

For the purposes of compliance with CEQA, the County is the lead agency and the Department of Public Works has assumed the role of lead department. As such, DPW has prepared a Categorical Exemption under Section 15301 (*Repair of Existing Facilities*) of the CEQA Guidelines for your adoption.

The proposed project is necessary to address a slope failure on private property that is impacting the public right-of-way (Lobitos Creek Cut-Off) to the point where it is threatening public safety by reducing the safe travel way to less than one lane. Staff believes that if the project is implemented as proposed and with the conditions of approval contained in Attachment A, then the project will be in compliance with the County's Local Coastal Program.

MJS:fc – MJSY0256_WFU.DOCX

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: April 23, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, for the repair of a damaged road and stabilization of the adjacent hillside within the road right-of-way, adjacent to 1300 Lobitos Creek Cut-Off, in the unincorporated San Gregorio area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2014-00080
(San Mateo County Department of Public Works)

PROPOSAL

The applicant, San Mateo County Department of Public Works (DPW), is requesting a Coastal Development Permit for road repair work on Lobitos Creek Cut-Off road, approximately one mile east of State Highway 1 and adjacent to the driveway at 1300 Lobitos Creek Cut-Off. The project consists of the construction of slope stabilization improvements and repair of approximately 75 feet of Lobitos Creek Cut-Off road, which was damaged by a minor landslide. The landslide originated on the adjacent private property and has filled in the roadside v-ditch and uplifted a 50-foot section of the westbound lane. Water has been observed trickling through the cracks in the pavement and pooling on the road, creating a safety hazard for bicyclists and motorists.

In order to stabilize the site, the applicant is proposing to excavate the shoulder to a depth of 5 feet and a length of 75 feet. Multiple layers of geogrid materials and imported soil will then be placed in the excavated area. Two 4-inch diameter PVC drain pipes will be constructed beneath the road to accommodate minor seepage at the middle and the most downslope extent of the ground reinforcement. A concrete block retaining wall will be constructed just below the private property boundary to stabilize the slope. The damaged asphalt concrete v-ditch will be reconstructed to restore proper runoff control. Disturbed areas will be seeded with a native plant mix, mulched with sterile rice straw, and covered with an erosion control blanket. All work will be conducted according to conservation measures and best management practices detailed in the County of San Mateo Watershed Protection Program's Maintenance Standards.

RECOMMENDATION

Approve the Coastal Development Permit, County File Number PLN 2014-00080, by adopting the required findings and conditions of approval in Attachment A.

BACKGROUND

Report Prepared By: Michael Schaller, Senior Planner, Telephone 650/363-1849

Applicant: San Mateo County Department of Public Works

Owner: San Mateo County

Location: Adjacent to 1300 Lobitos Creek Cut-Off, San Gregorio

APN: Public right-of-way and adjacent to 066-320-040

Existing Zoning: PAD (Planned Agricultural District)

General Plan Designation: Agriculture-Rural

Existing Land Use: Public Road/Agriculture/Open Space

Flood Zone: The project site is located in an area of minimal flooding (Zone X), per FEMA Panel 06081C0270E, effective date October 16, 2012.

Environmental Evaluation: The County is the lead agency and DPW has assumed the role of lead department, per the County CEQA Guidelines. DPW has filed a Notice of Exemption under Section 15301 (*Repair of Existing Facilities*) of the California Environmental Quality Act.

Setting: The project site is located in a rural area with rural residences/ranches on both sides of the road. Non-native annual grassland habitat surrounds the project site. The existing grassland habitat has been heavily disturbed by the introduction of non-native European grasses, cattle ranching, and agriculture operations. Within the project area, this habitat is mostly dominated by ruderal non-native roadside weeds such as milk thistle, Italian thistle, mustard, poison hemlock, brome, and June grass. Although the habitat within in the immediate construction area may be used to a minimal degree by wildlife such as pocket gophers and voles, the grassland habitat on the Marsh Ranch property can serve as nesting habitat for grassland-adapted bird species including western meadowlark and mourning dove.

No natural riparian habitat exists within or adjacent to the immediate construction area; however, an asphalt concrete-lined ditch exists within the roadway shoulder of Lobitos Creek Cut-Off and occasionally receives seasonal runoff water from the surrounding hillsides. As a result, sparse occurrences of immature California blackberry and willow growth exist adjacent to the ditch. Willow growth is minimal with a height of approximately 5 inches and less than half an inch of average stem diameter; its presence is primarily due to the amount of water which pools near the damaged section of the ditch and uplifted pavement.

The asphalt concrete-lined ditch along Lobitos Creek Cut-Off flows to an unnamed tributary of Tunitas Creek, located approximately 350 feet east of the project site. Riparian habitat exists within this tributary, which connects with Tunitas Creek roughly half a mile south of the project area. Within the project vicinity, the riparian zone of the unnamed tributary has been severely degraded by loss of riparian vegetation and cattle damage. No riparian vegetation exists along a 160-foot stretch within the parcel south of the project site.

No special status plant species were observed during site surveys and no occurrences have been reported to the California Natural Diversity Database (CNDDB) for the area within a 1/2 mile radius of the project site. Two special status animal species have the potential to occur in the project area:

San Francisco Garter Snake (SFGS)

The SFGS is listed as an Endangered species under the Federal Endangered Species Act (FESA) and the California Endangered Species Act. These semi-aquatic garter snakes are often found hunting in ponds and slow moving streams and living in abandoned rodent burrows. No CNDDB occurrences have been recorded within one mile of the project site. The stream channels adjacent to the project site could be potential migrational corridors between areas where SFGS could occur. Although no SFGS have been reported adjacent to the project site, several ponds occur on private land within the project vicinity, and could be potential habitat for SFGS. There are four ponds existing 400 to 1,000 feet from the project site. Work will take place during the dry season when the chance for encountering SFGS is at its lowest. No San Francisco garter snakes were observed within the project site during the biological assessment survey.

California Red-Legged Frog (CRLF)

The CRLF is listed as Threatened under FESA. CRLFs typically inhabit ponds and slow moving streams with a well-developed riparian canopy. The project is within USFWS designated CRLF critical habitat. The CNDDB shows two occurrences of CRLF within one mile of the project site. Both occurrences were of multiple “dead on road” CRLFs which were collected on Lobitos Creek Cut-Off and Tunitas Creek Road between January and March when winter and spring rains illicit CRLF movement toward reproduction and foraging sites. Although no suitable reproduction or rearing habitat exists within the immediate construction area, the adjacent grassland habitat and Lobitos Creek Cut-Off roadway could be used as a migration path for CRLF. In addition, several ponds occur on private land within the project vicinity and could be potential breeding and rearing sites for CRLF. As a result, extra emphasis on the potential for encountering migrating CRLF will be employed during the environmental awareness training for field personnel working at the site. Furthermore, construction will take place during the dry season when the likelihood for encountering CRLF is at its lowest. No California red-legged frogs were observed within the immediate construction area or the project vicinity during the February 2014 biological assessment survey.

DISCUSSION

A. KEY ISSUES

1. Conformance with the County General Plan and Zoning Regulations

Pursuant to Section 53091 of the California Government Code, projects undertaken by the Department of Public Works are exempt from review under the County's Zoning Regulations. However, the project is subject to the policies of the General Plan.

Vegetative, Water, Fish and Wildlife Resources Policies

Policy 1.27 – *Regulate Development to Protect Sensitive Habitats*. As discussed above, the grassland areas immediately adjacent to the project site could potentially serve as upland habitat for CRLF and to a lesser extent, the SFGS. To minimize potential impacts to these two species, the applicant is proposing to implement their Best Management Practices (BMPs) including:

- Timing the project to occur during the dry season (June 15 to October 15), when both species are least likely to be in the project area.

- Pre-construction surveys for special status semi-aquatic species and other wildlife at the project site and staging area by a qualified biologist each working day.

- Pre-construction briefing of all personnel involved in repair activities by a qualified biologist including sensitive species training and BMPs implementation

Implementation of these measures, as well as the other measures contained as conditions of approval in Attachment A, should reduce the potential of impact to these sensitive species to a negligible level.

2. Conformance with San Mateo County Local Coastal Program (LCP)

A Coastal Development Permit is required pursuant to San Mateo County Local Coastal Program Policy 2.1, which mandates compliance with the California Coastal Act for any government agency wishing to undertake development in the Coastal Zone. Development includes all public transportation facilities, including roads and highways and related facilities (Policy 2.2). Summarized below are the following sections of the LCP that are relevant to this project:

a. Sensitive Habitats Component

Policy 7.1 – *Definition of Sensitive Habitats*. This policy defines sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable; this includes all perennial and intermittent streams and their tributaries. As discussed above, the grassland areas immediately adjacent to the project site could potentially serve as upland habitat for CRLF and to a lesser extent, the SFGS. In addition, there are sparse occurrences of riparian vegetation within the asphalt-lined ditch that runs through the project site. However, the size and extent of this vegetation does not meet the threshold identified in Policy 7.7 (*Definition of Riparian Corridors*) to qualify as a riparian corridor.

Policy 7.3 – *Protection of Sensitive Habitats*. This policy requires that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade these resources. All uses shall be compatible with the maintenance of biologic productivity of the habitats. The primary goal of the project is to stabilize the adjacent slumping slope and repair the damaged roadway to allow for continued public access. If left alone, the hillside will continue to slump causing further damage to the road and generating sediment that will eventually work its way downslope into Tunitas Creek. To prevent off-site sedimentation as a result of this project, the applicant is proposing to implement their standard erosion control measures during construction. Also, as discussed previously, the grassland areas immediately surrounding the project site could be potential sensitive habitat. The applicant is proposing to minimize the area of work to only that which is necessary to stabilize the slope. Measures have been proposed by the applicant and included as conditions of approval (Conditions 4-17) that will protect any potential sensitive species, including nesting birds.

Policy 7.5 – *Permit Conditions*. This policy requires, as part of the development review process, that the applicant demonstrate that there will be no significant impact on sensitive habitats. This is achieved by having the applicant submit a biological report outlining what resources exist at the project location and how the project may impact those resources. As discussed above, the applicant submitted a biological report for the project, which identified potential impacts and recommended mitigation measures to minimize those impacts. The biotic report did not identify any special status plant species at the work site. No special status animal species were identified during site visits; however, the grassland areas immediately adjacent to the project site could provide upland aestivation sites for the CRLF and SFGS. Measures have been included by the applicant to ensure that no impact occurs to these two species during the construction work.

b. Visual Resources Component

Policy 8.18 – *Development Design*. This policy requires that development (1) blend with and be subordinate to the environment and the character of the area where located, and (2) be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area. The colors of exterior materials shall harmonize with the predominant earth and vegetative colors of the site. Materials and colors shall absorb light and minimize reflection. The project will include the construction of a 75-foot long concrete block retaining wall. When looked at from the adjacent road, the wall should have an approximately 7-foot tall face, but laid back approximately 10 degrees from vertical. The location and dimensions of the wall are dictated by the nature of the failing slope coming off the adjacent private property. The materials to be used for the wall (concrete blocks) are also dictated by several factors including cost and length of construction. To mitigate the potential visual impact of the wall, staff is recommending a condition of approval that requires the applicant to paint the wall in an earth-tone color prior to project completion. This should help reduce the visual impact of the new wall.

B. ENVIRONMENTAL REVIEW

The County is the lead agency and DPW has assumed the role of lead department, per the County CEQA Guidelines. DPW has filed a Categorical Exemption under Section 15301 (*Existing Facilities*) of the California Environmental Quality Act. This section of CEQA exempts "the repair of existing public or private structures involving negligible or no expansion of use" and includes existing highways and roads as a category of existing structures.

C. REVIEWING AGENCY

California Coastal Commission

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Location Map
C. Site Map
D. Project Cross-Section
E. Biotic Report
F. Department of Public Works' Categorical Exemption

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Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00080 Hearing Date: April 23, 2014

Prepared By: Michael Schaller, Senior Planner For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That this project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act, consisting of the repair of existing public or private structures involving negligible or no expansion of use.

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as discussed in the staff report under Section A.2, including protection of biological resources.

3. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. Specifically, the proposed repairs of the existing roadway are an allowed use within a sensitive habitat area, and that best management practices for development within and adjacent to sensitive habitat areas will be implemented.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission at the April 23, 2014 meeting. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.

2. This permit shall be valid for one year. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees 60 days prior to expiration.

3. The applicant shall paint the proposed retaining wall an earth-tone color to match the surrounding vegetation and exposed soil.

4. The applicant shall time their project to occur during the dry season (June 15 to October 15). Work shall not occur unless a zero precipitation forecast is obtained for the planned workdays.

5. If work is scheduled to begin prior to August 30, a qualified biologist shall conduct a pre-construction nesting bird survey. If nesting birds are detected near the project site, a 250-foot exclusion zone (1,000-foot for raptors) will be established for protection. If the exclusion zone is located within the immediate work area, construction will be delayed until the young have fledged and left the nest. If a site cannot be adequately surveyed for nesting birds, work at the site will be scheduled between August 30 and October 15.

6. The applicant shall have a qualified biologist perform pre-construction surveys for special status semi-aquatic species and other wildlife at the project site and staging area each working day. If sensitive semi-aquatic species (CRLF, SFGS) are observed near the project site, the appropriate agencies, California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS), will be notified immediately.

7. The applicant shall have a qualified biologist perform pre-construction surveys for San Francisco dusky-footed woodrat (SFDW) nests. If SFDW nests are found in the project area, then they shall be clearly marked/flagged and a 10-foot buffer will be designated around them. If nests are located within 10 feet of the active work area, a qualified biologist will be present during construction activities to ensure no SFDW nest is impacted.

8. Openings shall be covered at the end of the work day so as to avoid inadvertently trapping wildlife. If openings cannot be covered, then appropriate exclusion fencing will be erected around the project site to prevent wildlife from accessing the immediate construction area or an adequate escape ramp will be constructed to allow for wildlife to leave the opening.

9. Construction equipment and machinery will be stored on Lobitos Creek Cut-Off and in a vehicle storage area on the Deeney property (APN 066-320-200) immediately south of the site. The section of Lobitos Creek Cut-Off will be closed off at the construction site. Road closure notices will be delivered and posted near the site.

10. The applicant shall have a qualified biologist perform additional special status plant species surveys during peak blooming periods, in order to maximize the

likelihood of locating sensitive species in the immediate work area. If special status plants are identified, then they shall be clearly marked/flagged or temporary construction fencing shall be erected to designate the work area and delineate the areas to be avoided.

11. The applicant shall have a qualified biologist perform pre-construction briefings for all personnel involved in repair activities including sensitive species training and BMPs implementation.

12. Work shall not occur in any area in which CRLF or SFGS are present. If this species is detected within the active work area, repair activities shall stop until a permitted biologist relocates the animal or it leaves on its own.

13. All heavy equipment shall be operated from the roadway or roadside shoulders.

14. Fueling and maintenance of vehicles shall take place at least 65 feet away from all waterways.

15. Erosion control and containment BMPs (e.g., installation of sandbags, silt fencing, and/or natural fiber tightly woven straw wattles, street sweeping, etc.) shall be installed to prevent delivery of pollutants into nearby waterways.

16. The removal of wetland and riparian vegetation shall be minimized. When possible, wetland and riparian vegetation shall be trimmed as opposed to removed.

17. Vegetation, sediment, debris, and trash will not be stockpiled on-site and shall be removed from the project site at the end of each workday.

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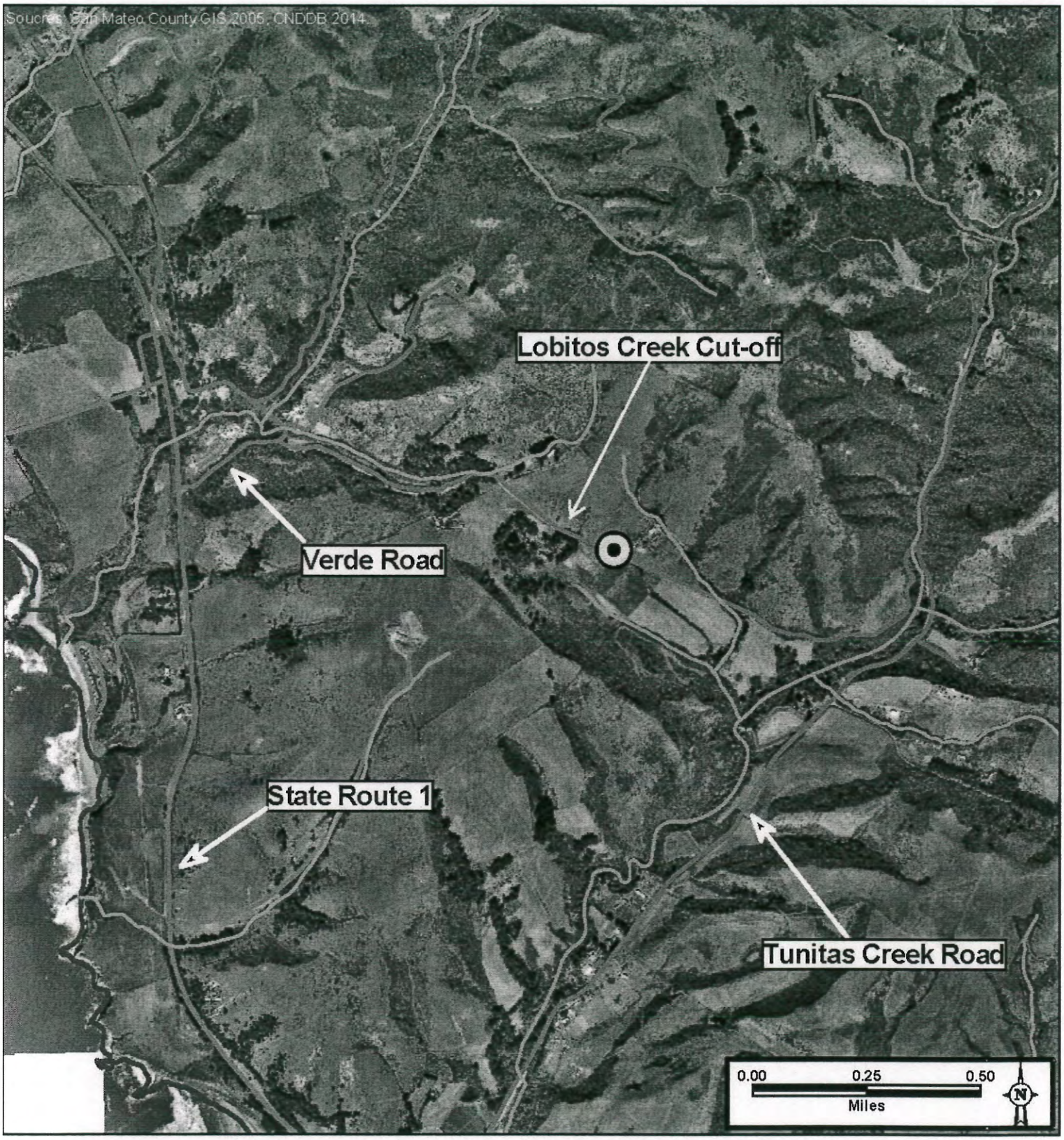
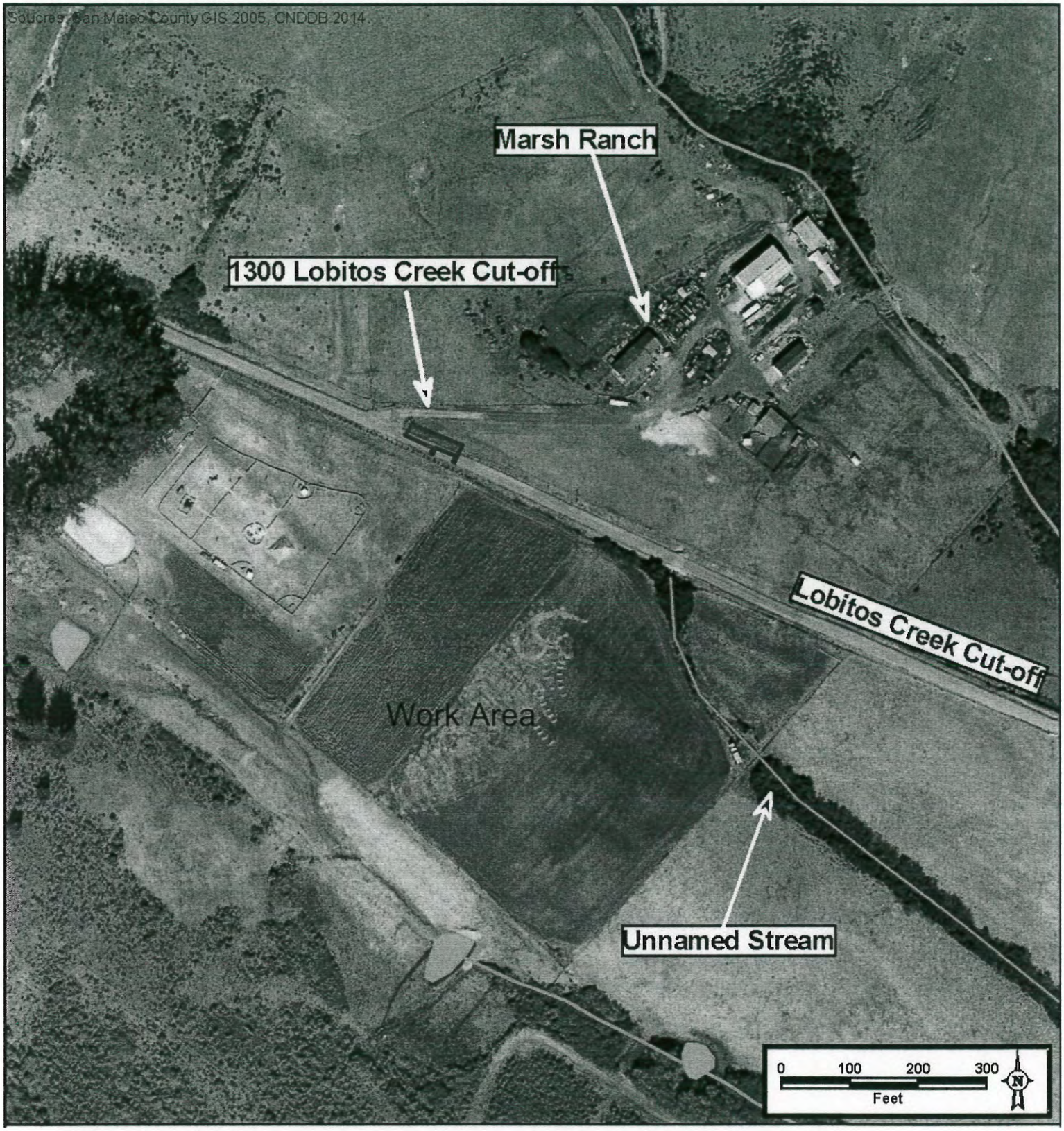


San Mateo County Planning Commission Meeting

Owner/Applicant: **SMCo. Department of Public Works** Attachment: **B**

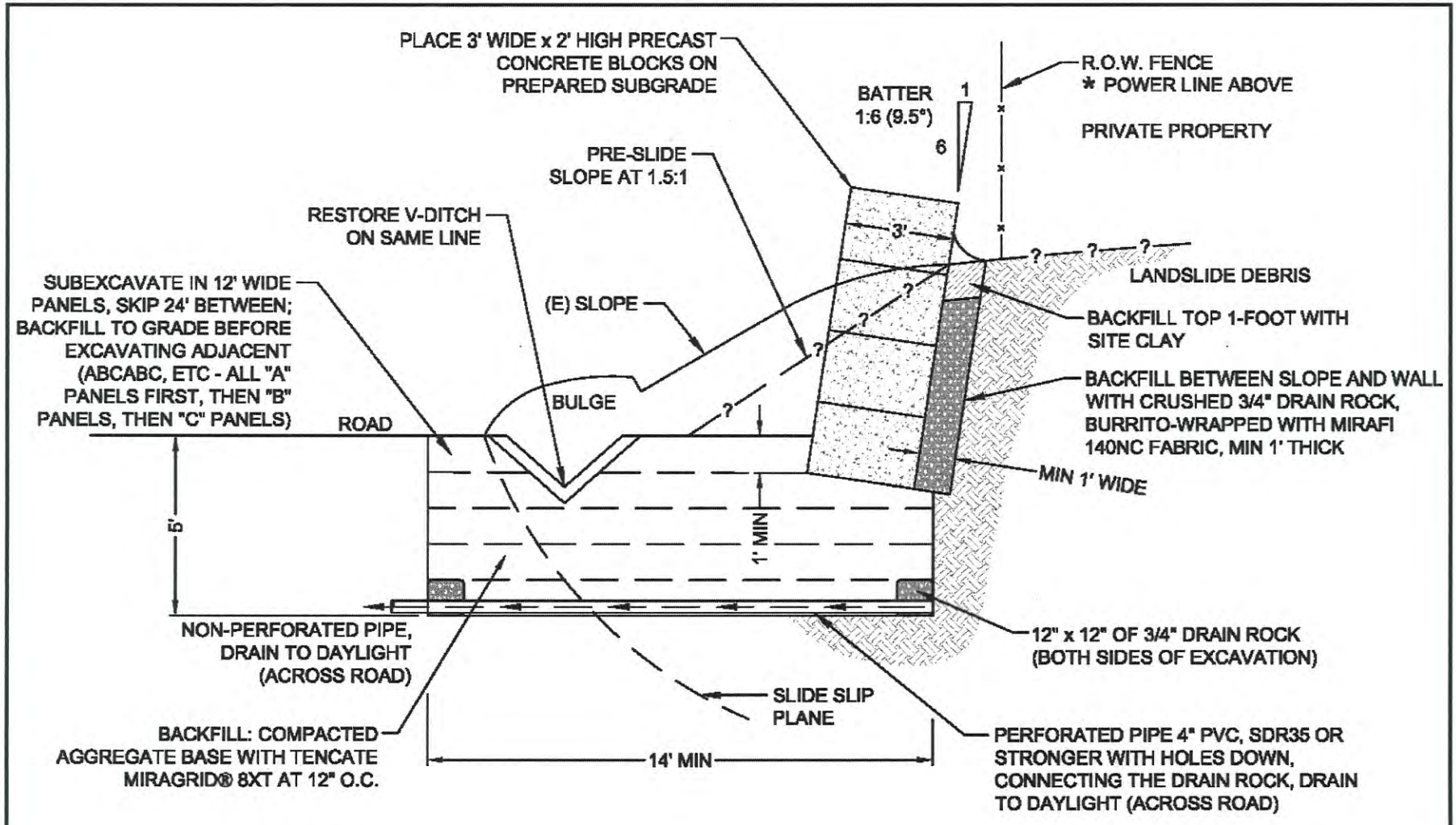
File Numbers: **PLN 2014-00080**



San Mateo County Planning Commission Meeting

Owner/Applicant: **SMCo. Department of Public Works** Attachment: **C**

File Numbers: **PLN 2014-00080**



Notes: -

CONSTRUCTION TESTING SERVICES		PROPOSED BIG BLOCK WALL LANDSLIDE REPAIR LOBITOS CREEK CUTOFF ROAD SAN MATEO COUNTY, CALIFORNIA	PLATE 9
Drawn by: JRS / DFD CTS Job: J8985	Date: 8/5/13 File:		

San Mateo County Planning Commission Meeting

Owner/Applicant: **San Mateo County Department of Public Works** Attachment: **D**

File Numbers: **PLN 2014-00080**

County of San Mateo - Planning and Building Department

ATTACHMENT E

San Mateo County Planning Division
Department of Environmental Management

455 County Center, 4th Floor
Redwood City, CA 94063
Phone: (650) 363-4161

LOBITOS CREEK CUT-OFF LANDSLIDE REPAIR PROJECT

BIOLOGICAL IMPACT FORM

For compliance with: **LOCAL COASTAL PROGRAM**
POLICY 7.5

Filing Date:	
Public Hearing:	
Approval Date:	

1. Project Location:

The Lobitos Creek Cut-off Landslide Repair Project (Project) is located on Lobitos Creek Cut-off in unincorporated San Mateo County (Appendix A, Figures 1 and 3). The Project site is mapped as occurring on the United States Geological Survey (USGS) Half Moon Bay 7.5' topographic quadrangle map (lat: 37:22:45.22, long: -122:23:15.32).

2. Assessor's Parcel Number and Any Applicable Planning Permit Numbers:

The Project site is located within the County of San Mateo right-of-way for Lobitos Creek Cutoff Road, near parcels 066320040 and 066320200.

3. Owner/Applicant: County of San Mateo, Department of Public Works
c/o Joseph LoCoco, Deputy Director, Road Services.
Address: 555 County Center, 5th Floor, Redwood City, CA. 94063-1665
Phone: (650) 363-4102

4. Principal Investigator: Michael Huynh, Biologist, Utilities-Flood Control-Watershed Protection.

Address: 555 County Center, 5th Floor, Redwood City, CA. 94063-1665

Phone: (650) 599-1417

Fax: (650) 361-8220

5. Report Summary:

The County of San Mateo Department of Public Works (County) proposes to repair landslide damages along an approximate 75-foot section of Lobitos Creek Cut-off, in unincorporated San Mateo County. Repairs will consist of excavating and improving ground stability within the roadway shoulder and the construction of a concrete block retaining wall. In addition, two 4-inch diameter drain pipes will be installed beneath the Lobitos Creek Cut-off roadway to provide seepage from the retaining wall to daylight.

The Project site consists primarily of ruderal annual grassland and a heavily used cattle pasture south of the road. The potential for special status plant species to occur within the Project site is discussed in Section 10, below. Special status animal species that may potentially occur within the Project vicinity include coho salmon (*Oncorhynchus kisutch*), steelhead (*Oncorhynchus mykiss*), San Francisco garter snake (SFGS) (*Thamnophis sirtalis tetrataenia*), pacific pond turtle (*Actinemys marmorata*), California red-legged frog (CRLF) (*Rana draytonii*), San Francisco dusky-footed woodrat (SFDW) (*Neotoma fuscipes annectens*), yellow warbler (*Dendritic petechial*), and saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*). However, California red-legged frog is the only species known to occur within the Project limits. No sensitive plants or animal species were observed during the biological assessment survey in February 2014.

Potential impacts to biological resources from the proposed Project have been identified, such as reduced water quality to aquatic species, disturbance of nesting birds, and negative impacts on special status species. Potential Project-related impacts will be minimized or avoided by the implementation of best management practices (BMPs) and protection and minimization measures. The Project includes restrictions on construction timing, pre-construction sensitive species surveys by a qualified biologist, erosion control, containment BMPs, and revegetation of disturbed areas following construction activities.

6. Projects and Property Description:

The Project consists of repairing roadway and ditch damages, which occurred when a landslide originating from the Marsh Ranch property (located at 1300 Lobitos Creek Cut-off) damaged an approximate 50-foot section of Lobitos Creek Cut-off. The slide material has filled in the asphalt concrete-lined ditch and uplifted the pavement material along the westbound traffic lane. A 75-foot length of roadway shoulder will be rebuilt with geogrid materials in order to stabilize the ground within the slide area. Two 4-inch diameter drain pipes, extending from the reinforced ground to the property south of the road, will be installed to allow for minor seepage beneath the road. A concrete block retaining wall will be constructed within the stabilized ground in order to reduce damage done to the road by future slide events. Ground improvement construction dimensions are approximately 72'L x 14'W x 5'D (Appendix A, Figure 5). Road width in the undamaged section is approximately 15 feet. Currently, westbound and eastbound motorists have to utilize the eastbound traffic lane at the damaged portion of the road.

Construction machinery and building materials will be stored on the Lobitos Creek Cut-off roadway and in

the disturbed vehicle storing area on the Deeney property (APN: 066320200) immediately south of the road. If necessary, the large turnout located at the intersection between Lobitos Creek Cut-off and Tunitas Creek Road may be used for staging equipment. The portion of Lobitos Creek Cut-off within the Project site is maintained by the County. The Project is anticipated to take approximately 3 to 4 weeks to complete. A brief description and details of the proposed work for the Project site are presented below in Section 8.

Best Management Practices and Conservation Measures

Potential impacts to beneficial uses and biological resources at the Project site will be prevented by the use of the following BMPs and conservation measures:

- Project timing during the dry season (June 15 to October 15). Work shall not occur unless a zero precipitation forecast is obtained for the planned work days.
- If work is scheduled to begin prior to August 30, a qualified biologist shall conduct a pre-construction nesting bird survey.
    - If nesting birds are detected near the Project site, a 250-foot exclusion zone (1000-foot for raptors) will be established for protection. If the exclusion zone is located within the immediate work area, construction will be delayed until the young have fledged and left the nest.
    - If a site cannot be adequately surveyed for nesting birds, work at the site will be scheduled between August 30 and October 15.
- Pre-construction surveys for special status semi-aquatic species and other wildlife at the Project site and staging area by a qualified biologist each working day.
    - If sensitive semi-aquatic species (CRLF, SFGS) are observed near the Project site, the appropriate agencies, California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS), will be notified immediately.
- Pre-construction surveys for SFDW nests by a qualified biologist.
    - If SFDW nests are found in the Project area, nests shall be clearly marked/flagged and a 10-foot buffer will be designated. If nests are located within 10-feet of the active work area, a qualified biologist will be present during construction activities to ensure no SFDW nest is impacted.
- Openings will be covered at the end of the work day so as to avoid inadvertently trapping wildlife.
    - If openings cannot be covered, the appropriate exclusion fencing will be erected around the Project site to prevent wildlife from accessing the immediate construction area or an adequate escape ramp will be constructed to allow for wildlife to leave the opening.
- Construction equipment and machinery will be stored on Lobitos Creek Cut-off and in a vehicle storage area on the Deeney property (APN: 066320200) immediately south of the site. The section of Lobitos Creek Cutoff will be closed off at the construction site. Road closure notices will be delivered and posted near the site.
- Additional special status plant species surveys will be conducted during peak blooming

periods, in order to maximize the likelihood of locating sensitive species in the immediate work areas. Special status plants will be clearly marked/flagged or temporary construction fencing will be erected to designate the work area and delineate the areas to be avoided (Section 9, below).

- Pre-construction briefing of all personnel involved in repair activities by a qualified biologist including sensitive species training and BMP implementation (Appendix C Sensitive Species Information Sheets).
- Work will not take place in any area in which CRLF is present. If this species is detected within the active work area, repair activities shall stop until a permitted biologist relocates the animal or it leaves on its own.
- Work will not take place in any area in which SFGS is present. If this species is detected within the active work area, repair activities shall stop until the animal leaves the area on its own.
- All heavy equipment will be operated from the roadway or roadside shoulders.
- Fueling and maintenance of vehicles shall take place at least 65 feet away from the waterways.
- Erosion control and containment BMPs (e.g., installation of sandbags, silt fencing, and/or natural fiber tightly woven straw wattles, street sweeping, etc.) shall be installed to prevent delivery of pollutants into the waterways.
- The removal of wetland and riparian vegetation shall be minimized. When possible, wetland and riparian vegetation shall be trimmed as opposed to removed.
- Any disturbed areas along the roadway shoulder shall be seeded with a native seed mix following culvert replacement, reattachment, and slip-out repair.
- Vegetation, sediment, debris, and trash will not be stockpiled on-site and shall be removed from the sites at the end of each workday.

Use of preventative measures such as these is an integral part of the maintenance procedures followed by the County, as outlined in the County of San Mateo Watershed Protection Program's *Maintenance Standards* (County, 2004). Incorporation of these practices into the proposed Project will prevent potential Project-related impacts and eliminates the need for mitigation measures.

7. Methodology:

The Project site was analyzed for potential impacts to biological resources including special status plant and animal species. Special status species are those which have been designated as endangered, threatened, or species of concern by federal or state regulatory agencies. The analysis consisted of a review of federal and state species-specific data, comprehensive field surveys of the site, and an evaluation of the likeliness of special status species occurring based on survey results to determine the likelihood of impacts.

A review of special status species with the potential to occur in the Project area was conducted using a combination of state and federal agency resources. A list of special status plant and animal species known to, or believed to occur within the Project vicinity (USGS Half Moon Bay and San Gregorio 7.5' quadrangles) was generated using the Sacramento United States Fish and Wildlife Service website (USFWS, 2013). A list of California Native Plant Society (CNPS) plants listed as Rare and Endangered was queried using the CNPS Inventory website (CNPS, 2014). The California Natural Diversity Database (CNDDB) compiled by the CDFW was queried to determine if any of the special status plant or animal species from the USFWS and CNPS lists are known to occur within the Project vicinity. Additionally, the CDFW's Biogeographic Information & Observation System (BIOS) was queried for coho salmon and steelhead observations and habitat designations. The CNDDB and BIOS query results for the Project area were further analyzed and mapped (Appendix A, Figure 2 to determine if any special status species have been documented to occur within $^1/_2$ miles of the Project site. The results of these four queries have been tabulated in Section 10, Table 4. Marine species and species that do not typically occur within the plant communities and habitats that currently exist in the Project area were excluded.

County biologists Carole Foster and Michael Huynh surveyed the Project site on February 11, 2014, to determine potential impacts to biological resources (e.g., seasonal wetlands, nesting birds, special status species, etc.). Qualifications of the County biologists are given in Appendix B. The surveys involved documenting the physical characteristics of the sites such as presence of water, presence of sensitive habitat, and existing sedimentation and/or erosion problems. All plant and animal species observed in the Project area were documented and are presented in Section 8 (Tables 2 and 3). Additionally, major plant communities and habitat types within and adjacent to the sites were identified in order to evaluate the suitability of the habitat for special status species.

8. Results:

Non-native Annual Grasslands

Non-native annual grassland habitat surrounds the Project site north and south of Lobitos Creek Cut-off. The existing grassland habitat has been heavily disturbed by anthropogenic activities, primarily the introduction of non-native European grasses, cattle ranching, and agriculture operations. Within the project area, this habitat is mostly dominated by ruderal non-native roadside weeds such as milk thistle (*Silybum marianum*), Italian thistle (*Carduus pycnocephalus*), mustard (*Brassica sp.*), poison hemlock (*Conium maculatum)*, brome (*Bromus sp.*), and june grass (*Koeleria sp*). The non-native annual grassland habitat on Marsh Ranch above the private property boundary is mostly comprised of non-native annual grasses. Although the habitat within in the immediate construction area may be used to a minimal degree by wildlife such as pocket gophers and voles, the grassland habitat on the Marsh Ranch property can serve as nesting habitat for grassland-adapted bird species including western meadowlark (*Sturnella neglecta*) and mourning dove (*Zenaida macroura*).

Riparian

No natural riparian habitat exists within or adjacent to the immediate construction area; however, an asphalt concrete –lined ditch exists within the roadway shoulder of Lobitos Creek Cut-off and occasionally receives seasonal runoff water from the surrounding hillsides. As a result, sparse occurrences of immature California blackberry (*Rubus ursinus)* and willow (*Salix sp.*) growth exist adjacent to the ditch. Willow growth is minimal with a height of approximately 5 inches and less than half an inch of average stem diameter; its presence is primarily due to the amount of water which pools near the damaged section of the ditch and uplifted pavement.

The asphalt concrete-lined ditch along Lobitos Creek Cut-off flows to an unnamed tributary of Tunitas Creek, located approximately 350 feet east of the Project site. Riparian habitat exists within this tributary, which connects with Tunitas Creek roughly half a mile south of the Project area. Within the Project vicinity, the riparian zone of the unnamed tributary has been severely degraded by loss of riparian vegetation and cattle damage (Appendix A, Figure 4). No riparian vegetation exists along a 160-foot stretch within the parcel south of the Project site. Cattle were observed regularly crossing and defecating into the tributary at established bare ground crossing areas within the channel.

Site Specific Descriptions

Lobitos Creek Cut-off Landslide Repair

The Project is located on Lobitos Creek Cut-off road, approximately 1 mile east of State Route 1 in the unincorporated Tunitas area of San Mateo County. A landslide has developed on the Marsh Ranch property located at 1300 Lobitos Creek Cut-off and displaced large amounts of earth downslope causing damage to the Lobitos Creek Cut-off roadway. The landslide originated on Marsh Ranch and is approximately 400 feet wide and 200 feet long (Appendix D, Construction Testing Services (CTS) Geotechnical Investigation Report). With most of the landslide on private property, only the toe of the slide made its way to the road. Nonetheless, the toe portion of the slide managed to fill in the v-ditch and uplift a 50-foot section of the westbound lane (Photo 2). CTS drilled at five locations within the area to analyze geotechnical characteristics of the soils. Water has been observed trickling through the cracks and pooling on the road, creating a safety hazard for bicyclists and motorists.

The section of the ditch within the Project site carries runoff water from approximately 40 acres of land and deposits the runoff into an unnamed tributary to Tunitas Creek approximately 350 feet east of the Project site.

Repair alternatives for the landslide damage were presented to the County by CTS. County has reviewed the repair alternatives and proposes to repair the landslide damage by improving ground stability and constructing a 75-foot long gravity-type retaining wall to stabilize the slope (Appendix A, Figure 5). In order to stabilize the ground, the shoulder will be excavated to a depth of 5 feet and a length of 75 feet for the placement of geogrid materials and two 4-inch diameter drain pipes. The drain pipes' inlets will be positioned at the boundary with Marsh Ranch and route minor seepage through Lobitos Creek Cut-off roadway and onto the shoulder south of the road (Photo 1). One drain pipe will be installed at the middle and the other will be placed at the most downslope end of the shoulder repair. Following drainpipe installation, geogrid material will be installed in the excavated area and filled with imported soil until a layer thickness of approximately 1 foot is achieved. Multiple layers of geogrid material and compacted soils will be constructed until the shoulder is rebuilt to its original grade. The damaged section of the ditch will be reconstructed to match the existing asphalt concrete-lined v-ditch. A gravity type retaining wall will be built just downslope of the Marsh Ranch boundary within County ROW. The wall will span the 75-foot length of the newly reinforced shoulder and will be built using concrete blocks (Appendix A, Figure 5). The foundation of the wall will be keyed into the improved subgrade to reduce future sliding events, and the top of the wall will be built to extend approximately 1 foot above the Marsh Ranch slope. The one-foot extension of the wall will be used to catch sliding debris, which will be maintained by road maintenance personnel. Disturbed areas will be seeded with native plant mix, mulched with sterile rice straw, and covered with an erosion control blanket. No special status species were observed within or adjacent to the Project site during the February 2014 visit. Landslide repair work will take place when the site is dry and will follow roadway maintenance procedures as published in the *County of San Mateo Watershed Protection Program's Maintenance Standards* to protect biological resources and water quality in the area.

Photo 1. – Photo of landslide damage on Lobitos Creek Cut-off looking west. Marsh Ranch is north of Lobitos Creek Cut-off. Polygon lines indicate anticipated extent of disturbance. Retaining wall and ground improvement will span a distance of 75 feet along the shoulder from Marsh Ranch Driveway towards the east. The two lines projecting to the left from the polygon correspond to the two 4-inch diameter drain pipes.

Photo 2. – Photo looking east at roadside and ditch damage caused by the landslide. An asphalt concrete-lined ditch exists to the left of the uplifted pavement and is no longer functioning due to the slide material. Water now moves around and through the distorted pavement.

Table 2 - Plant Species Observed within and Adjacent to the Lobitos Creek Cut-off Landslide Repair Project site.

Common Name	***Scientific Name***
Bermuda buttercup*	*Oxalis pes-caprae*
Bristly ox tongue*	*Helminthotheca echioides*
Brome	*Bromus sp.*
California blackberry	*Rubus ursinus*
Italian thistle*	*Carduus pycnocephalus*
June grass	*Koeleria sp.*
Milk thistle*	*Silybum marianum*
Mustard*	*Brassica sp.*
Poison hemlock*	*Conium maculatum*
Willow	*Salix sp.*
** Denotes non-native or naturalized species.*	

Table 3 - Animal Species Observed within and Adjacent to the Lobitos Creek Cut-off Landslide Repair Project site.	
Common Name	***Scientific Name***
American crow	*Corvus brachyrhynchos*
Brewer's blackbird	*Euphagus cyanocephalus*
Brown-headed cowbird	*Molothrus ater*
European starling*	*Sturnus vulgaris*
Black-tailed deer	*Odocoileus hemionus columbianus*
* *Denotes non-native or naturalized species.*	

9. Direct and Indirect Impacts to Biological Resources:

Potential impacts to biological resources within the Project site can be categorized into two classes, preventable and unavoidable. The proposed Project has been designed to ensure that potential impacts can be avoided through appropriate prevention measures as indicated below.

The following is a discussion of the potential impacts to biological resources and the preventative conservation measures and best management practices that will be undertaken by the County to ensure there is no significant impact to these biological resources.

Water Quality Impacts to Aquatic Species

As discussed in Section 10, steelhead is a special status species which inhabits Tunitas Creek. In the absence of appropriate BMPs and protective measures, there is a potential for impacts to water quality. Water quality impacts to aquatic species will be prevented by project timing and the use of erosion control and containment BMPs. The Project will be conducted between June 15 and October 15, when the stream channel flows are typically low and rainfall is absent. The use of erosion control and containment BMPs will eliminate the potential introduction of harmful pollutants into Tunitas Creek and their tributaries. This Project will also serve to reduce future sediment inputs into the creeks by reducing erosion of slide material. Additionally, all personnel involved in repair activities will be briefed by a qualified biologist on appropriate BMP selection and implementation, as well as other standard conservation measures outlined in the County of San Mateo Watershed Protection Program's *Maintenance Standards* (County, 2004).

Nesting Birds

Nesting birds (common and special status species), their eggs, and nests are protected by California Fish and Game code (Section 3503, 3503.5, and 3513) and by the Migratory Bird Treaty Act of 1918, enforced by the USFWS. Potential nesting sites for many common and special status species of birds (e.g., mourning dove, western meadowlark, etc.) occur in the grassland habitats within and adjacent to the Project site. To prevent potential impacts to nesting birds, Project-related activities will be scheduled outside of the typical nesting season (Feb. 1 through Aug. 15) or will be preceded by a nesting bird survey by a qualified biologist. If nesting birds are detected near the Project site, a 250-foot exclusion zone (1000-foot for raptors) will be established for protection. If the exclusion zone is located within the immediate work area, construction will be delayed until the young have fledged and left the nest. If a Project site cannot be adequately surveyed for nesting birds (e.g. dense vegetation, poison oak, etc.), then work will not commence until after August 15.

Special Status Semi-Aquatic Animals

Special status semi-aquatic animals are species which have been designated as endangered, threatened, or a species of special concern and inhabit permanent or seasonal aquatic habitats, such as SFGS and CRLF. California red-legged frog is a special status species reported to be present within the Project site (CNDDB, 2014) (Appendix A, Figure 2). As discussed in Section 10, the upland habitat and road are most likely migratory pathways and may contain aestivation sites for special status semi-aquatic animals. In addition, several ponds occur on private land within a distance of 500 to 1000 feet from the Project site and could be potential breeding sites for SFGS and CRLF.

Potential Project related impacts to SFGS and CRLF and their habitat will be prevented by Project timing, the use of erosion control, containment BMPs, and personnel training, as outlined in the County of San Mateo Watershed Protection Program's *Maintenance Standards* (County, 2004). The Project will be conducted between June 15 and October 15, during the dry season when these semi-aquatic animals are less likely to be found in any portion of the Project site. Erosion control and containment BMPs will be used to eliminate the potential introduction of pollutants into dry channel beds, which could degrade the aquatic habitat when flows resume. Additionally, a preconstruction wildlife survey will be performed by a qualified biologist at the beginning of each work week.

Wildlife

Potential Project-related impacts to wildlife include physical harm from equipment, excessive sound from construction activities, and visual disturbance. Prior to the start of construction activities, a qualified biologist will brief crews on permit requirements, sensitive species identification, and appropriate BMPs and avoidance and minimization measures. The biologist will also conduct pre-construction wildlife surveys and closely monitor all repair activities to ensure that wildlife are not negatively impacted by the Project.

Vegetation Disturbance

Temporary disturbance of ruderal vegetation along the roadway shoulders and limited riparian vegetation in the immediate work areas to provide access during construction is unavoidable. However, the removal of vegetation will be reduced to the maximum extent possible, and disturbed vegetation is anticipated to grow back within the season. A qualified biologist will be present during all repair activities to ensure that impacts to vegetation are minimized. When possible, vegetation will be trimmed as opposed to removed. No mature trees exist within the immediate construction area. All heavy equipment will be operated from the roadways and roadway shoulders to minimize impacts to vegetation. Any disturbed areas along the shoulder of the roadways will be seeded with native plants and covered with an erosion control blanket to promote the growth of native vegetation and prevent erosion.

Special Status Plant Species

No sensitive plants were observed near the Project site during the surveys. To prevent impacts to special status plants, additional surveys will be conducted during peak blooming periods when special status plants are more easily identifiable, in order to maximize the likelihood of locating special status plant species[1]. Any special status plant species detected during subsequent surveys will be reported to the appropriate permitting agencies, and work in detected areas will not commence until it is determined that special status plants will not be impacted. Prior to construction activities, special status plants will be clearly marked/flagged or temporary construction fencing will be erected to designate the work area and delineate the areas to be avoided.

[1] California Department of Fish and Game. 2009. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.

10. Special Status Species:

Table 4, below, lists the special status species that have been known to or have a potential to occur within the Project vicinity. Additionally, presence of each species within ½ mile of the site and the likelihood of potential occurrence for each species based on the proposed Project are given. Brief descriptions of those special status species that are more likely to occur at the Project site follow Table 4. Impacts to special status plant species are not anticipated as there were no occurrences reported within ½ mile of the Project site, none were observed during site surveys, and additional surveys will be conducted during peak blooming periods in order to maximize the likelihood of locating any within the immediate work areas.

Table 4 - Special Status Species Known to or Have a Potential to Occur within the Project Vicinity, Their Presence within ½ Mile of Project site, and Their Likeliness to be Impacted by the Project.

Common Name *Scientific Name*	**Federal Status**	**State Status**	**CNPS Status[2]**	**Habitat Description**	**Species Observed on Project site (Y/N)**	**CNDDB[1] or BIOS[3] Occurrence within ½ Mile of Project site (Y/N)**	**Potential for Occurrence within Project site**
Fish							
Coho Salmon, Central California Coast ESU *Oncorhynchus kisutch*	E, X	E	N/A	Anadromous - Historically found in short low gradient coastal drainages.	N	N	None - No habitat present. Tunitas Creek is approximately half a mile from the Project site while the unnamed tributary to Tunitas Creek is approximately 350 feet east of the Project site. Work will take place when the site is dry.
Steelhead, Central California Coast ESU *O. mykiss*	T, X	None	N/A	Anadromous - Found in coastal and inland streams.	N	Y, Critical Habitat.	None - No habitat present. Tunitas Creek is approximately half a mile from the Project site while the unnamed tributary to Tunitas Creek is approximately 350 feet east of the Project site. Work will take place when the site is dry.
Amphibians							
California red-legged frog *Rana draytonii*	T, X	CDFW:SSC	N/A	Marshes, ponds, and slow water sections of streams. Breeding Nov-Apr.	N	Y, Critical Habitat.	Low – See Discussion
Reptiles							

Table 4 - Special Status Species Known to or Have a Potential to Occur within the Project Vicinity, Their Presence within ½ Mile of Project site, and Their Likeliness to be Impacted by the Project.

Common Name *Scientific Name*	Federal Status	State Status	CNPS Status[2]	Habitat Description	Species Observed on Project site (Y/N)	CNDDB[1] or BIOS[3] Occurrence within ½ Mile of Project site (Y/N)	Potential for Occurrence within Project site
Pacific pond turtle *Actinemys marmorata*	None	CDFW:SSC	N/A	Slow moving streams or ponds; reproduce in nearby upland areas.	N	N	None – No habitat present. Stock ponds +600ft away from the site might be inhabited by pacific pond turtles.
San Francisco garter snake *Thamnophis sirtalis tetrataenia*	E	E, CDFW: Fully Protected	N/A	Forages on land or in quiet pools, prefers small mammal burrows at night. Breeding spring to fall. May overwinter in upland areas away from water.	N	N	Low – See Discussion
Birds							
Saltmarsh common yellowthroat *Geothlypis trichas sinuosa*	None	CDFW:SSC	N/A	Breeds in freshwater marsh, brackish marsh, and wooded swamp habitat. Winters in salt marsh habitat. Breeding season Mar-Jul.	N	N	None – No habitat present and adjacent riparian habitat will not be disturbed.
Yellow warbler *Dendroica petechia*	None	CDFW:SSC	N/A	Typically breeds in riparian habitat. Winters in a variety of habitats including scrub, woodlands, riparian, agricultural fields, and pastures	N	N	None – No habitat present and adjacent riparian habitat will not be disturbed.

Table 4 - Special Status Species Known to or Have a Potential to Occur within the Project Vicinity, Their Presence within ½ Mile of Project site, and Their Likeliness to be Impacted by the Project.

Common Name *Scientific Name*	Federal Status	State Status	CNPS Status[2]	Habitat Description	Species Observed on Project site (Y/N)	CNDDB[1] or BIOS[3] Occurrence within ½ Mile of Project site (Y/N)	Potential for Occurrence within Project site
Mammals							
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	None	CDFW:SSC	N/A	Typically nest in coastal scrub, chaparral, oak woodland, and riparian habitats. Build mounded stick lodges up to 8-feet tall.	Y	N	None –No habitat present. Project site understory is completely open with no canopy.
Plants							
Choris's popcorn-flower *Plagiobothrys chorisianus var. chorisianus*	None	None	1B	Found in chaparral, coastal scrub and coastal prairie habitats. Blooms Mar-Jun.	N	N	None – Choris's popcorn flower not observed in the immediate work area and the adjacent grassland habitat will not be disturbed.
Coastal iris *Iris longipetala*	None	None	4.2	Inhabits coastal prairie, lower montane coniferous forests, meadows, and seeps. Blooms March-May	N	N	None – No habitat available within Project site.
Coastal marsh milk-vetch *Astragalus pycnostachyus* var. *pycnostachyus*	None	None	1B	Found in coastal dunes, coastal scrub, and marshes and swamps (coastal salt, streamsides). Blooms Apr-Oct.	N	N	None – Coastal marsh milk-vetch not observed in the immediate work area and the adjacent grassland habitat will not be disturbed.

Table 4 - Special Status Species Known to or Have a Potential to Occur within the Project Vicinity, Their Presence within ½ Mile of Project site, and Their Likeliness to be Impacted by the Project.

Common Name *Scientific Name*	Federal Status	State Status	CNPS Status[2]	Habitat Description	Species Observed on Project site (Y/N)	CNDDB[1] or BIOS[3] Occurrence within ½ Mile of Project site (Y/N)	Potential for Occurrence within Project site
Fragrant fritillary *Fritillaria liliacea*	None	None	1B	Found in cismontane woodland, coastal prairie, coastal scrub, and grasslands often in serpentinite. Blooms Feb-Apr.	N	N	None – Fragrant fritillary not observed in the immediate work area and the adjacent grassland habitat will not be disturbed.
Marsh microseris *Microseris paludosa*	None	None	1B	Found within coniferous forests, cismontane woodlands, coastal scrub, and moist annual grasslands. Blooms Apr-Jun.	N	N	None – Marsh microseris not observed in the immediate work area and the adjacent grassland habitats will not be disturbed.
Oregon polemonium *Polemonium carneum*	None	None	2.2	Found in coastal scrub, coastal prairie, and lower montane coniferous forests. Blooms Apr-Sep.	N	N	None – Oregon polemonium not observed in the immediate work area and the adjacent grassland habitat will not be disturbed.
Round-leaved filaree *Erodium macrophyllum*	None	None	1B	Found in cismontane woodland and valley and foothill grasslands. Blooms Mar-May.	N	N	None – Round leaved filaree not observed in the immediate work area and the adjacent grassland habitat will not be disturbed.

Table 4 - Special Status Species Known to or Have a Potential to Occur within the Project Vicinity, Their Presence within ½ Mile of Project site, and Their Likeliness to be Impacted by the Project.

Common Name *Scientific Name*	Federal Status	State Status	CNPS Status[2]	Habitat Description	Species Observed on Project site (Y/N)	CNDDB[1] or BIOS[3] Occurrence within ½ Mile of Project site (Y/N)	Potential for Occurrence within Project site
San Francisco gumplant *Grindelia hirsutula var. maritima*	None	None	1B	Found in coastal bluff scrub, chaparral, coastal scrub, cismontane woodland, riparian woodland, and grasslands. Blooms Jun-Sep.	N	N	None – San Francisco gumplant not observed in the immediate work area and the adjacent grassland habitats will not be disturbed.
San Mateo tree lupine *Lupinus arboreus var. eximius*	None	None	3.2	Found in chaparral and coastal scrub. Blooms Apr-Jul.	N	N	None – No habitat available within Project site. Adjacent coastal scrub and chaparral will not be disturbed.

Notes:

[1] California Natural Diversity Database (CNDDB), Wildlife & Habitat Data Analysis Branch, Department of Fish and Wildlife, Government Version - Information dated February 1, 2014.

[2] California Native Plant Society (CNPS). 2010. Inventory of Rare and Endangered Plants (online edition, v7-10dec 12-02-10). California Native Plant Society. Sacramento, CA. Accessed on December 8, 2010 from http://www.cnps.org/inventory

[3] Biogeographic Information & Observation System (BIOS). 2011. California Department of Fish and Wildlife. Accessed on January 20, 2014 from http://www.dfg.ca.gov/biogeodata/bios/

Species Status Abbreviations:

(E) Endangered

(T) Threatened

(P) Proposed

(CA) Listed by the State of California, but not the US Fish and Wildlife Service

(X) Critical Habitat designated for this species

(PX) Proposed Critical Habitat

(CDFW: SSC) California Species of Special Concern

CNPS Status Abbreviations:

1B Rare, threatened, or endangered in California and elsewhere.

2 Rare, threatened, or endangered in California, but more common elsewhere

San Francisco Garter Snake

The SFGS is listed as an Endangered species under the Federal Endangered Species Act (FESA) and the California Endangered Species Act. Additionally, the species has been designated as a Fully Protected species by the CDFW. These semi-aquatic garter snakes are often found hunting in ponds and slow moving streams and living in abandoned rodent burrows (USFWS, 2006). No CNDDB occurrences exist within 1 mile of the Project site (CNDDB, 2014) (Appendix A, Figure 2). The stream channels adjacent to the Project site could be potential migrational corridors between areas where SFGS could occur. Although no SFGS have been reported adjacent to the Project site, several ponds occur on private land within the Project vicinity, and could be potential habitat for SFGS. Google Earth aerial imagery dated April 15, 2013 show four ponds existing 400 to 1000 feet from the Project site. Work will take place during the dry season when the chance for encountering SFGS is at its lowest. No San Francisco garter snakes were observed within the Project site during the biological assessment survey.

California Red-Legged Frog

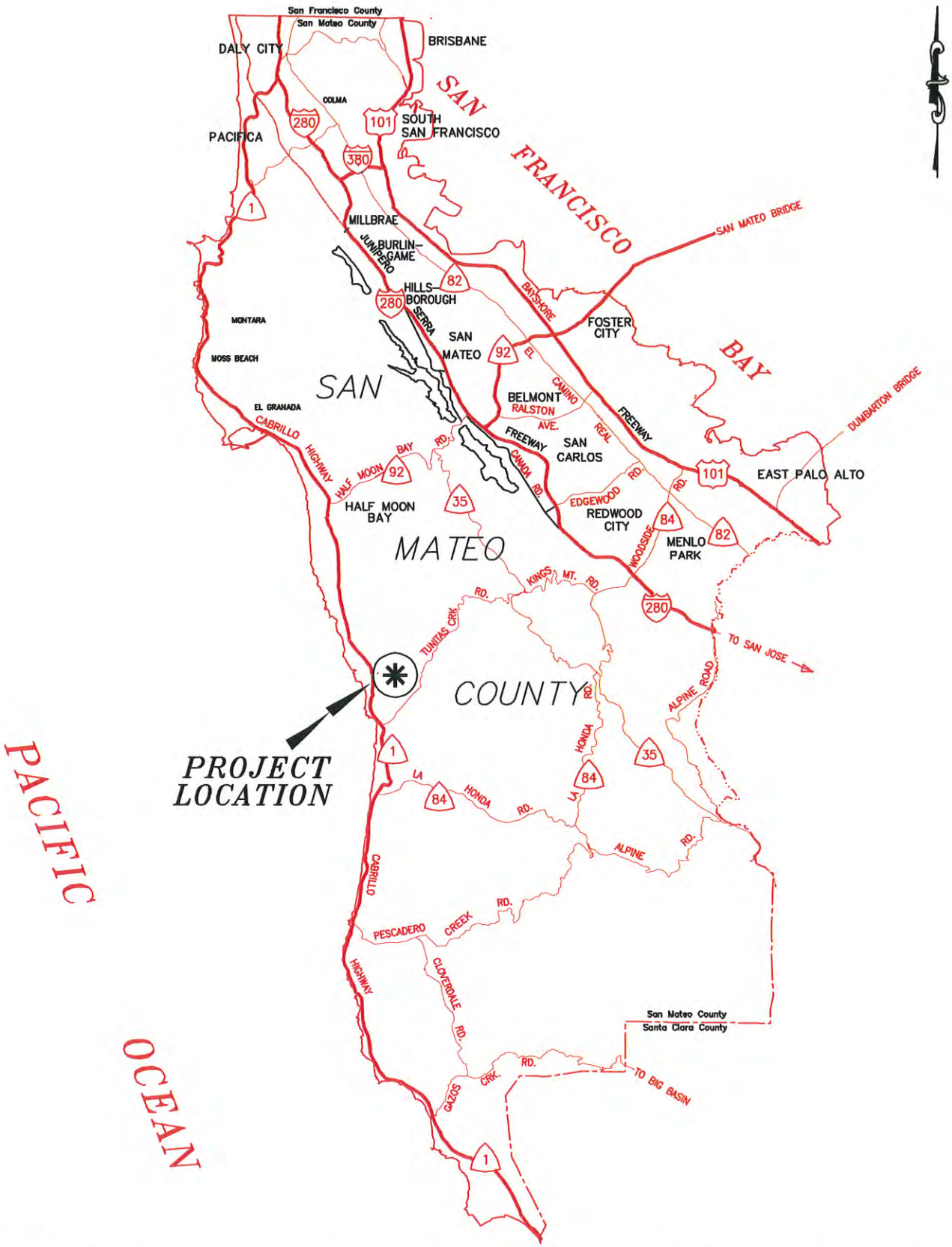
The CRLF is listed as Threatened under FESA and as a Species of Special Concern by the CDFW. CRLFs typically inhabit ponds and slow moving streams with a well-developed riparian canopy (CDFW, 2009). The Project is within USFWS designated CRLF critical habitat. The CNDDB shows two occurrences of CRLF within a 1-mile distance from the Project site (Appendix A, Figure 2). Both occurrences were of multiple "dead on road" CRLFs which were collected on Lobitos Creek Cut-off and Tunitas Creek Road between January and March when winter and spring rains illicit CRLF movement towards reproduction and foraging sites. Although no suitable reproduction or rearing habitat exists within the immediate construction area, the adjacent grassland habitat and Lobitos Creek Cut-off roadway could be used as a migration path for CRLF. In addition, several ponds occur on private land within the Project vicinity and could be potential breeding and rearing sites for CRLF. As a result, extra emphasis on the potential for encountering migrating CRLF will be employed during the environmental awareness training for field personnel working at the site. Furthermore, construction will take place during the dry season when the likelihood for encountering CRLF is at its lowest. No California red-legged frogs were observed within the immediate construction area or the Project vicinity during the February 2014 biological assessment survey.

11. CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

DATE: 11 March 2014 SIGNED: Marland Boyle

Appendix A – Figures

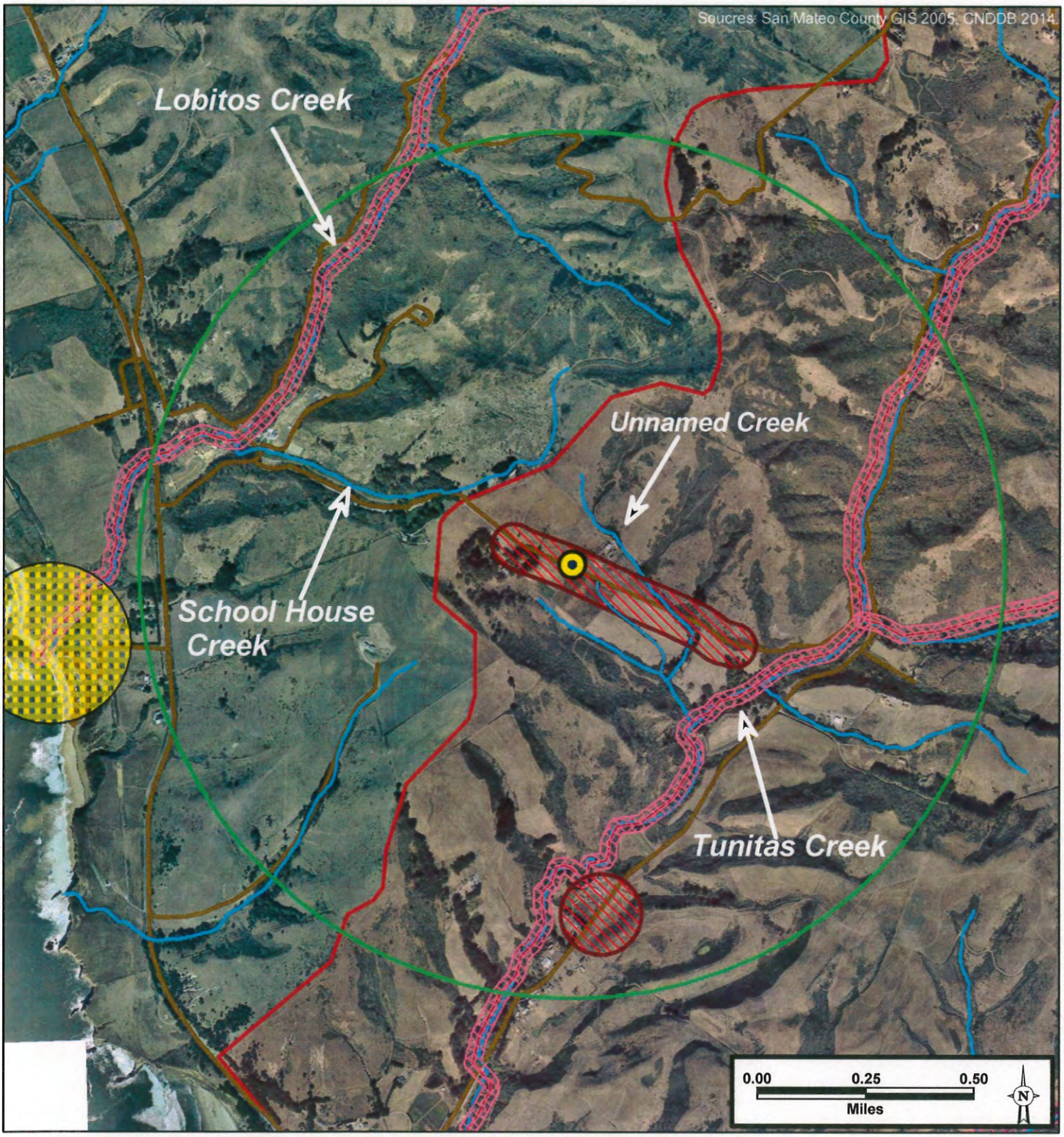


FILEPATH: G:\Users\utility\watershed_protection\PERMITS\WPS2014-002 Lobitos Cut-off Landslide Repair\Maps\Vicinitymap_lobitoslandslide.dwg

COUNTY OF SAN MATEO PUBLIC WORKS	DESIGNED BY:	FIGURE 1. LOBITOS CREEK CUT-OFF LANDSLIDE REPAIR **VICINITY MAP**	SCALE: NONE
	CHECKED BY: EG		DATE: FEB 2014
	DRAWN BY: MH		FILE NO: **1/XXXX**

JAMES C. PORTER, DIRECTOR OF PUBLIC WORKS
SAN MATEO COUNTY

555 COUNTY CENTER, 5TH FLOOR
REDWOOD CITY, CALIFORNIA 94063-1665



Lobitos Creek Cut-off Landslide Repair Project

Figure 2. Locations of Special Status Species and Critical Habitat

- Landslide
- 1-Mile Buffer
- Streets
- Streams
- California red-legged frog
- Saltmarsh common yellowthroat
- Steelhead Critical Habitat
- California Red-legged Frog Critical Habitat

10 February 2014
County of San Mateo
Department of Public Works

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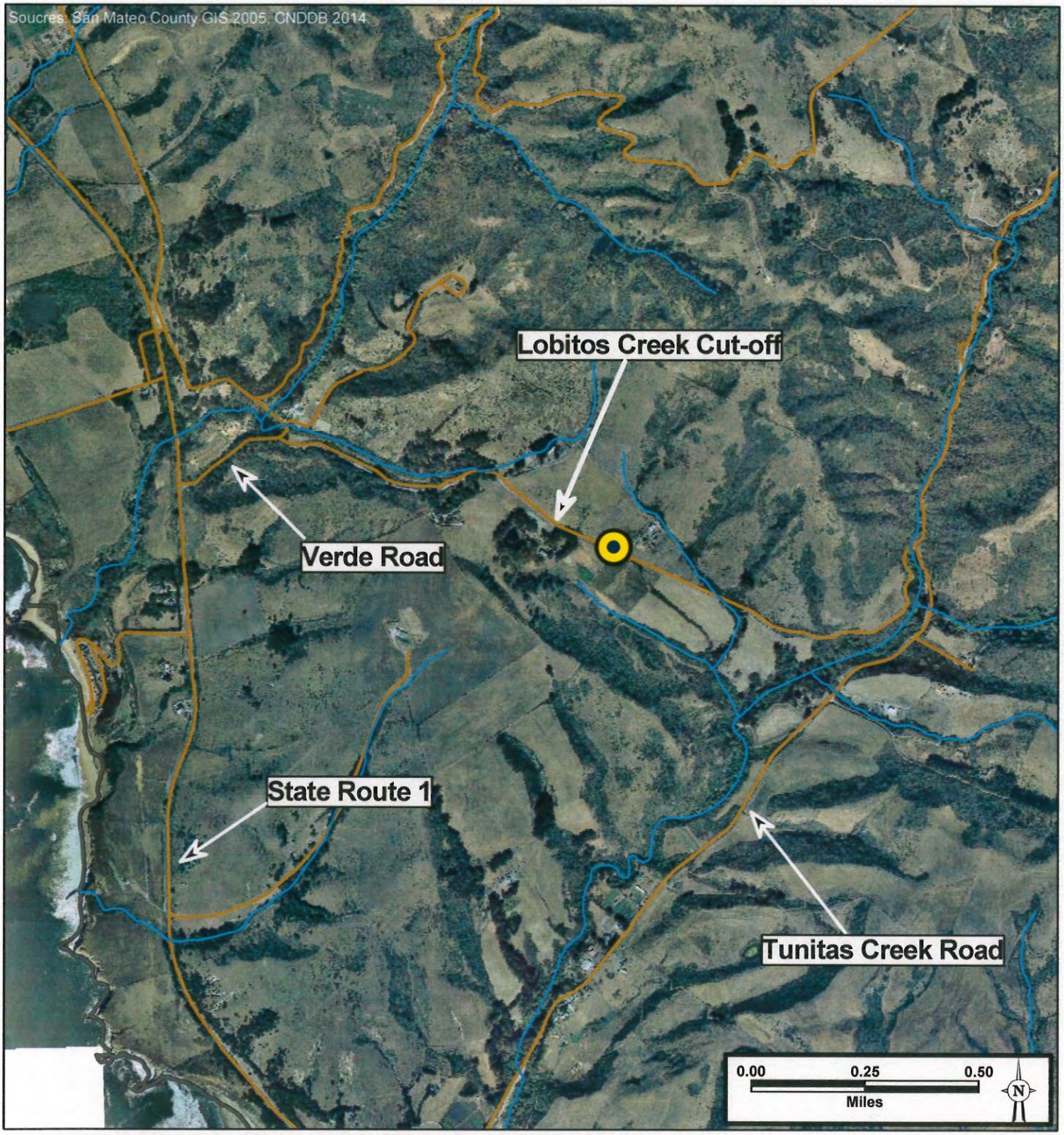

Lobitos Creek Cut-off Landslide Repair Project

Figure 3. Location of Landslide Repair and 1300 Lobitos Creek Cut-off

Project Site

Streets

Streams

10 February 2014
County of San Mateo
Department of Public Works

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Lobitos Creek Cut-off Landslide Repair Project

Figure 4. Extent of Proposed Repairs

Immediate Construction Area

Streams

Ponds

NOTE: Entire mapped area is under California Red-legged Frog Critical Habitat

10 February 2014
County of San Mateo
Department of Public Works

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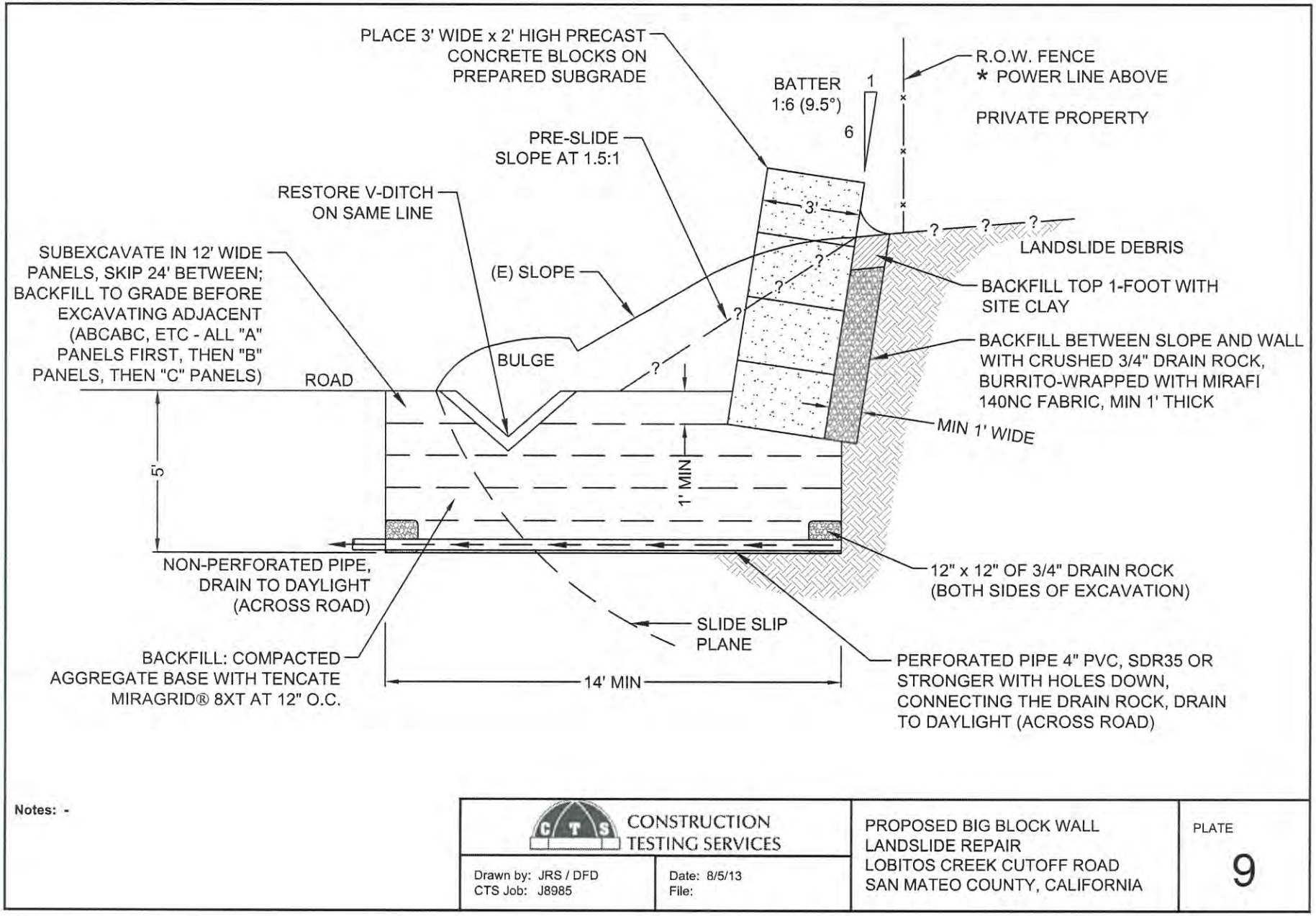
Figure 5. Lobitos Cutoff Landslide Repair Project - Concrete Block Retaining Wall and Ground Improvement Work



Notes: -

CONSTRUCTION TESTING SERVICES		PROPOSED BIG BLOCK WALL LANDSLIDE REPAIR LOBITOS CREEK CUTOFF ROAD SAN MATEO COUNTY, CALIFORNIA	PLATE 9
Drawn by: JRS / DFD CTS Job: J8985	Date: 8/5/13 File:		

Appendix B - Summary of Qualifications

Michael Huynh, Biologist
San Mateo County, Department of Public Works
Utilities-Flood Control-Watershed Protection
555 County Center, 5th Floor
Redwood City, Ca. 94063-1665

Mr. Huynh obtained a Bachelor of Science degree in Conservation and Organismal Biology from San Jose State University (SJSU) (May 2012). He has over 3 years of water quality monitoring, sensitive plant surveys, fisheries and wildlife-related professional work experience as a biologist while working for the Santa Clara Valley Water District (SCVWD) and the United States Forest Service (USFS). Other biologists whom have worked with Michael and are familiar with his plant and wildlife experience include Dr. Jerry Smith (SJSU), Susan Yasuda (USFS), Becky Rogers (USFS), Delilah Brigham (USFS), Nina Merrill (SCVWD), and Joel Casagrande (NMFS).

Fisheries projects that Michael has worked on include steelhead and coho research on various creeks in San Mateo, Santa Cruz, and Santa Clara Counties. Moreover, Michael has worked as a fisheries technician for the USFS in Tongass National Forest where his duties included channel typing, identifying fish barriers, and salmonid sampling. As a wildlife technician for the USFS in Eldorado and Shasta Trinity National Forests, Michael performed USFWS protocol-level surveys for spotted owls, northern goshawks, bald eagles, and peregrine falcons. While working at the SCVWD, Michael assisted in multiple fish relocation projects and sampled reservoir fisheries using backpack and boat-mounted electrofishing gear. Additionally, he has served as a biological monitor and performed surveys for special status species such as CRLF, SFGS, SFDW, California tiger salamander, western burrowing owl, and San Joaquin kit fox. In addition, Michael has experience in surveying for special status plant species such as Halls bush mallow, smooth lessingia, coyote ceanothus, and San Joaquin spearscale. Coursework in plant identification and biology include ecology, botany, California plant communities, and plant physiological ecology.

While working as a field assistant for graduate students and his undergraduate advisor at San Jose State University, Michael has sampled for steelhead, coho salmon, California red-legged frog, and pacific pond turtle using a variety of methods including backpack electrofishing, seining, radio telemetry, and PIT tagging.

Carole Foster, Biologist
San Mateo County, Department of Public Works
Utilities-Flood Control-Watershed Protection
555 County Center, 5th Floor
Redwood City, Ca. 94063-1665

Ms. Foster holds a Bachelor of Science degree in Conservation and Organismal Biology from San Jose State University (SJSU) (December 2007). Carole is currently completing a Master of Science degree in Biological Sciences with an emphasis in fisheries and aquatic ecology. Carole has over 6 years of water quality monitoring, sensitive plant surveys, fisheries, and wildlife related professional work experience as a biologist while working for the Santa Clara Valley Water District (SCVWD) and the County of San Mateo Department of Public Works (County). Other biologists whom have worked with Carole and are familiar with her plant and wildlife experience include Dr. Jerry Smith (SJSU), Jae Abel (SCVWD), Nina Merrill (SCVWD), and Julie Casagrande (County).

Fisheries projects that Carole has worked on include steelhead and coho research of various creeks in San Mateo, Santa Cruz, and Santa Clara Counties, as well as current steelhead and aquatic macroinvertebrate research in the Uvas Creek and Stevens Creek Watersheds. Wildlife experience includes surveys for special status species such as CRLF, SFGS, California tiger salamander and San Francisco dusky-footed woodrat, nesting bird surveys, rodent burrow surveys, and salt marsh harvest mouse trapping. Carole has conducted sensitive plant surveys since 2007 at both SCVWD and the County. Coursework in plant identification and biology include botany, ecology, plant taxonomy, and California plant communities.

As a field assistant for her graduate advisor at San Jose State University, Carole has sampled special status species such as steelhead, coho, California red-legged frog, and Western pond turtle using a variety of methods such as backpack electrofishing, seining, and PIT tagging.

Appendix C – Sensitive Species Information Sheets

Watershed Protection Services

Sensitive Species Information Sheet

California Red-legged Frog

Habitat:

California red-legged frogs (CRLF) are listed as federally threatened under the Endangered Species Act. CRLF reproduce in marshes or ponds with vegetation along the margins. Breeding typically occurs from November and March. CRLF are often found feeding and basking in areas with deeper water (such as pools and backwater areas) and vegetation (such as willows, cattails or logjams) for cover. Please watch for frogs when working near creeks or ponds.

San Mateo County Known Locations:

CRLF have been documented in following watersheds and locations: Cupid Row (San Bruno), San Francisquito Creek, Crystal Springs Reservoir, Mori Point (Pacifica), San Pedro Creek watershed, near Devil's slide, Pillar Point marsh, Denniston Creek watershed, El Granada Creek watershed, Frenchman's Creek watershed, Pilarcitos Creek watershed, Tunitas Creek watershed, San Gregorio Creek watershed, Pescadero Creek watershed, Arroyo de los Frijoles (Lake Lucerne), Butano Creek watershed (near Cloverdale Road), along Pigeon Point Road, and in the Gazos Creek watershed.

Contacts:

If CRLF are seen on a work site, stop work immediately and contact a County biologist.

Carole Foster – (650) 599-1448

Michael Huynh - (650) 599-1417

Julie Casagrande – (650) 599-1457

Identification Tips:

California Red-legged Frog

- Pronounced lateral folds on back
- Often reddish (hind legs, abdomen, and/or back)

Pacific Chorus Frog

- Black eye stripe
- Pronounced toe pads
- Smaller than RLF and BF

Bullfrog

- No pronounced lateral folds on back
- Fold around eardrum that is usually green

California Red-legged Frog

Watershed Protection Services

Sensitive Species Information Sheet

San Francisco Garter Snake

Habitat:

San Francisco Garter Snakes (SFGS) are listed as federally endangered under the Endangered Species Act. Mating typically occurs in spring and live young are born in summer or fall. They are often found feeding in pond and creek habitats with abundant vegetation (such as willows or cattails) for cover. SFGS feed on California red-legged frogs and Pacific treefrogs. They often use upland areas for basking (banks and roads) and use rodent burrows for cover and overwintering (grasslands). Please watch for SFGS when working near creeks, ponds, and marshes.

San Mateo County Known Locations:

SFGS have been documented in following watersheds and locations: Cupid Row (San Bruno), San Francisquito Creek watershed near Searsville Lake, Crystal Springs Reservoir, Mori Point (Pacifica), Denniston Creek watershed, Pilarcitos Creek watershed, upper San Gregorio Creek watershed, upper Pomponio Creek watershed, Pescadero Creek watershed, Arroyo de los Frijoles watershed, Butano Creek watershed, Ano Nuevo, Whitehouse Creek watershed, and the Cascade Creek watershed.

Contacts:

If SFGS are seen on a work site, stop work immediately and contact a County biologist.

Carole Foster – (650) 599-1448

Michael Huynh - (650) 599-1417

Julie Casagrande – (650) 599-1457

Identification Tips:

SF Garter Snake

- Red head
- Solid red stripe along dorsal and bordered by black on top & bottom
- Lateral stripes and belly often greenish blue

CA Red-sided Garter Snake

- Red head
- Red dots along dorsal not continuous

Coast Garter Snake

- Dark head
- Red spotting on side

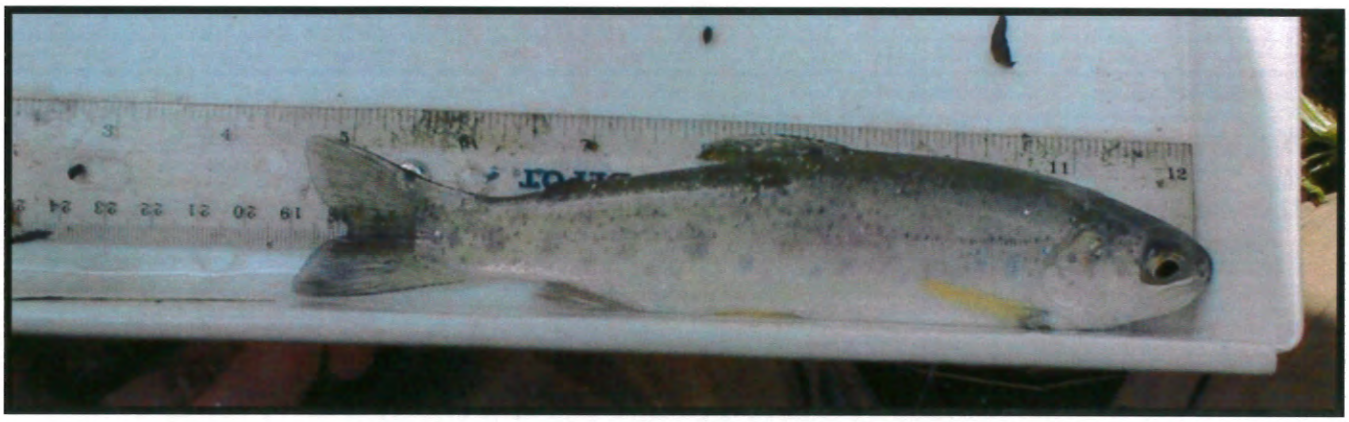
San Francisco Garter Snake

Photos by Gary Nafis were obtained from CaliforniaHerps.com

Watershed Protection Services

Sensitive Species Information Sheet

Other Sensitive Species



Steelhead & Coho Salmon

Western Pond Turtle

Watershed Protection Services

Sensitive Species Information Sheet

Birds

Marbled Murrelet

Photo source: http://www.ec.gc.ca/EnviroZine

Yellow Warbler

Photo source: http://www.prbo.org

Tricolored Blackbird

Photo source: http://www.yoloconservationplan.org

Saltmarsh Common Yellowthroat

Photo source: http://web1.audubon.org

Appendix D – Geotechnical Investigation Report (Construction Testing Services)

Appendix E - Literature Cited

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County of San Mateo - Planning and Building Department

ATTACHMENT F

Notice of Exemption

San Mateo County Department of Public Works

555 County Center, 5th Floor, Redwood City, CA 94063 Phone: (650) 363-4100 Fax: (650) 361-8220

Filing of Notice of Exemption in Compliance with Section 21152(b) of the Public Resources Code (CALIFORNIA ENVIRONMENTAL QUALITY ACT). The filing of this Notice begins a 35-day Statute of Limitations on court challenges to this approval

For Clerk Use Only: FILED ENDORSED
IN THE OFFICE OF THE
COUNTY CLERK RECORDER OF
SAN MATEO COUNTY, CALIF

MAR 20 2014

MARK CHURCH, County Clerk
By VERONICA MADRI
DEPUTY CLERK

Project Name:

Lobitos Creek Cut-off Landslide Repair

Project Location:

The project is located on Lobitos Creek Cutoff road adjacent to 1300 Lobitos Creek Cut-off, approximately 1 mile east of State Route 1 in the unincorporated San Mateo County (see attached maps).

Project Number: RM001

Responsible Unit: Roads

Description of Project:

The proposed Project consists, in general of, construction of slope stabilization improvements and repair of approximately 75 feet of Lobitos Creek Cut-off road in unincorporated San Mateo County, which was damaged by a minor landslide. The landslide originated on private property at 1300 Lobitos Creek Cut-off and ends at Lobitos Creek Cut-off, filling in the roadside v-ditch and uplifting portions of the road pavement. Ground reinforcement will be achieved by excavating the shoulder and placing multiple layers of geogrid materials and imported soil. Two 4-inch diameter PVC drain pipes will be constructed beneath the road to accommodate minor seepage at the middle and the most downslope extent of the ground reinforcement. A concrete block retaining wall will be constructed just below the private property boundary to stabilize the slope. The damaged asphalt concrete v-ditch will be reconstructed to restore proper runoff control. California red-legged frog has been documented within 1/2 mile of the Project area. No sensitive species were observed at the site during the February 11, 2014, biological assessment survey. Preconstruction sensitive species surveys will be conducted by a qualified biologist and construction personnel will be trained on the identification of special status species and avoidance measures in order to prevent impacts to sensitive species and their habitats. See attached maps for more informationWork will be conducted according to conservation measures and best management practices detailed in the County of San Mateo Watershed Protection Program's Maintenance Standards.

Exempt Status: (check one)

- [ ] Ministerial [Sec. 21080(b)(1); 15268];
- [ ] Declared Emergency [Sec. 21080(b)(3); 15269(a)];
- [ ] Emergency Project [Sec. 21080(b)(4); 15269(b)(c)];
- [x] Categorical Exemption.
  - Class: 1 Section Number: 15301
- [ ] Statutory Exemptions.
  - Section Number:

Reason why project is exempt:

Repair of existing facilities damaged by a minor landslide. No change in use

Lead Agency Contact Person: Joseph A. LoCoco, Deputy Director

Signature: Joseph A. LoCoco

Name: Joseph A. LoCoco **Date:** 3/19/14

WPS2014-002