



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@smcgov.org
www.co.sanmateo.ca.us/planning

April 29, 2014

Mr. Joe LoCoco
County of San Mateo
Department of Public Works
555 County Center
Redwood City, 94063

Dear Mr. LoCoco:

Subject: **LETTER OF DECISION**
File Number: PLN2014-00080
Location: Adjacent to 1300 Lobitos Creek Cut-Off Road, San Gregorio
APN: Public R-O-W adjacent to 066-320-040

On April 23, 2014, the San Mateo County Planning Commission considered 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.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the project by adopting the required findings and conditions of approval as identified in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m.** on May 7, 2014.

An approval of this project is appealable to the California Coastal Commission. Any aggrieved person may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the notice of Final Local Decision. Please contact the Coastal Commission's North Central Coast District Office at (415)904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

Please direct any questions regarding this matter to Mike Schaller, Senior Planner, at (650)363-1849 or Email: mschaller@smcgov.org.

Sincerely,

Heather Hardy
Planning Commission Secretary

cc: Department of Public Works
California Coastal Commission
County Assessor

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2014-00080

Hearing Date: April 23, 2014

Prepared By: Michael Schaller
Senior Planner

Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review, Found:

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, Found:

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.

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 California Red Legged Frog (CRLF) or San Francisco Garter Snake (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.