

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: September 13, 2017

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of an Initial Study and Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, and a Coastal Development Permit and Planned Agricultural District Permit to construct a split-rail fence adjacent to a public coastal access easement and two accessory structures for an agricultural operation to grow Monterey Cypress trees, and install a water tank and power panel for a water well on the subject property. The project is located on an undeveloped parcel in the unincorporated Pescadero area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2016-00106 (Burke)

PROPOSAL

The applicant proposes to construct a 4-ft. tall split-rail wood fence, approximately 476 feet long, along the northern boundary of the property, two (2) accessory structures (72 sq. ft. and 120 sq. ft.) on the eastern side of the property for an agricultural operation to grow Monterey Cypress trees, and a water tank and power panel for a water well on the subject parcel. The fence will be along the Arnold Miller Trail, an easement dedicated for public coastal access located on the adjacent property immediately to the north. Three (3) 12-inch by 18-inch "no trespass/stay on path" signs will be permanently attached to the proposed fence. The two sheds will be used to store tools and supplies for the agricultural operation which will involve incubating and propagating Monterey Cypress trees from seeds and seedlings. The proposed 2,500 to 4,000 gallon water tank will be located approximately 120 feet from the eastern boundary line of the property. The proposed power panel for the water well will be attached to the existing well house located approximately 30 feet from the eastern boundary line. A power line will be installed underground for the power panel. No vegetation removal or grading is proposed. The project is located within the Cabrillo Highway State Scenic Corridor.

Pursuant to Section 6328.4 of the County Zoning Regulations, a Coastal Development Permit is required for the construction of the fence and two accessory structures, and the installation of the water tank and power panel for one of the water wells on the subject parcel. A Planned Agricultural District (PAD) Permit is not required for the two accessory structures, water tank, and power panel as they are considered non-residential development accessory to a proposed agricultural use. However, a PAD Permit is required for shoreline access trails. Since the purpose of the proposed fence is to delineate the Arnold Miller Trail, a shoreline access trail, a PAD Permit is required for the fence.

RECOMMENDATION

That the Planning Commission adopt the Initial Study and Mitigated Negative Declaration and approve the Coastal Development Permit and Planned Agricultural District Permit, County File Number PLN 2016-00106, by making the required findings and conditions of approval as listed in Attachment A.

SUMMARY

The 3.71 acre parcel is bounded by Cabrillo Highway to the east, the Pacific Ocean to the west, private property with an existing residence to the north, and a parcel designated as Open Space to the south. The parcel is on a broad-flat marine terrace with coastal bluffs along the western edge. A small beach is located at the northwesterly corner and is accessible by a moderate sloped path. The Arnold Miller Trail, a public coastal access easement on the adjacent parcel, runs along the northern boundary of the subject parcel. The parcel is accessible from Cabrillo Highway through an existing road along the eastern boundary line. A fence runs approximately 2 to 5 feet west of the eastern boundary line starting from the entrance of Arnold Miller Trail to the southeastern corner of the property. Several mature Monterey Cypress trees are located between Cabrillo Highway and the access road. There are also several mature Monterey Cypress trees on both sides of the fence along the eastern boundary line of the subject parcel. Three wells are located at the southeastern corner of the parcel. One of the wells, approximately 25 feet from the front property line, is located within a well house. A well access easement is located at the southeast corner of the parcel for shared use between the subject parcel and the adjacent parcel immediately north.

There are several structures on the eastern half of the property including two sheds, a portable toilet, two ground level decks, a screening wall, tables, benches, and other miscellaneous structures used for private camping on the premises. The approval of this project will be conditional upon the removal of these structures as indicated in Attachment A of this report.

The construction of a new boundary fence and two accessory structures and the installation of a water tank and power panel for a water well on the subject parcel, as proposed and conditioned, comply with the applicable policies and standards of the General Plan, Local Coastal Program, and Zoning Regulations. The project complies with the General Plan Policies regarding Historical and Archaeological Resources, Rural Land Use, and Vegetative, Water, Fish, and Wildlife Resources. The project also complies with the Local Coastal Program Policies regarding Locating and Planning New Development, Agriculture, Sensitive Habitats, Visual Resources, and Shoreline Access. As conditioned, the proposed project includes mitigation measures to ensure protection of sensitive habitats, coastal resources, and scenic quality and public viewpoints within the Cabrillo Highway State Scenic Corridor. The proposed project complies with all applicable Zoning Regulations including setbacks, height, and Substantive Criteria for the Issuance of a PAD Permit.

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**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: September 13, 2017

TO: Planning Commission

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SUBJECT: Consideration of an Initial Study and Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, and a Coastal Development Permit and Planned Agricultural District Permit, pursuant to Sections 6328.4 and 6355 of the San Mateo County Zoning Regulations, to construct a split-rail fence along the northern boundary of the property adjacent to a public coastal access easement and two (2) accessory structures for an agricultural operation to grow Monterey Cypress trees, and to install a water tank and power panel for a water well on the subject property. The project is located on an undeveloped parcel in the unincorporated Pescadero area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2016-00106 (Burke)

PROPOSAL

The applicant proposes to construct a 4-ft. tall split-rail wood fence, approximately 476 feet long, along the northern boundary of the subject property, two (2) accessory structures (72 sq. ft. and 120 sq. ft.) on the eastern side of the property for an agricultural operation to grow Monterey Cypress trees, and a water tank and power panel for a water well on the subject parcel. The fence will be along the Arnold Miller Trail, an easement dedicated for public coastal access located on the adjacent property immediately to the north. Three (3) 12-inch by 18-inch "No Trespassing on Private Property. Stay on Public Access Path" signs will be permanently attached to the proposed fence at the following locations: one sign 20 feet from the start of the fence at the northeast section of the property and two signs on each side of the lockable chain gate approximately 396 feet west from the start of the fence. Two 8-ft. tall, 72 sq. ft. and 120 sq. ft. existing accessory structures are proposed to be legalized. The accessory structures that are currently on the subject parcel are used to store tools and supplies for recreational and maintenance activities. The accessory structures are proposed to be relocated approximately 20 feet west to comply with the front yard setback required by the PAD Zoning District. The accessory structures will be used to store supplies and tools for the proposed agricultural operation involving the incubation and propagation of Monterey Cypress trees from seeds and seedlings. The objective of the agricultural operation is to successfully acclimate Monterey Cypress trees to coastal environmental

conditions so that they may be transplanted to the Northern California coastal zone area. The trees will primarily be planted in pots and grow up to 8 to 10 feet before being transplanted. A portable above-ground drip system is proposed to minimize site disturbance and to allow for custom watering of the plant stock. The proposed 2,500 to 4,000 gallon water tank will be located approximately 120 feet from the eastern boundary line of the property. The proposed power panel for the water well will be attached to the existing well house located approximately 25 feet from the eastern boundary line. A power line will be installed underground for the power panel. Both the water tank and power panel to electrify the water well will be used for the agricultural operation. No vegetation removal or grading is proposed. The project is located within the Cabrillo Highway State Scenic Corridor.

Pursuant to Section 6328.4 of the County Zoning Regulations, a Coastal Development Permit (CDP) is required for the construction of the fence and two accessory structures, and the installation of the water tank and power panel for one of the water wells on the subject parcel. A Planned Agricultural District (PAD) Permit is not required for the two accessory structures, water tank, and power panel as they are considered non-residential development accessory to an agricultural use. However, a PAD Permit is required for shoreline access trails. Since the proposed fence will be used to establish a physical boundary line between the subject parcel and the Arnold Miller Trail, a shoreline access trail, a PAD Permit is required for the fence.

RECOMMENDATION

That the Planning Commission adopt the Initial Study and Mitigated Negative Declaration and approve the Coastal Development Permit and Planned Agricultural District Permit, County File Number PLN 2016-00106, by making the required findings and conditions of approval as listed in Attachment A.

BACKGROUND

Report Prepared By: Carmelisa Morales, Project Planner, Telephone 650/363-1873

Applicant: Kerry Burke

Owner: PDG, Inc.

Location: Undeveloped Parcel, Cabrillo Highway, Pescadero

APN: 086-211-030

Parcel Size: 3.71 acres

Parcel Legality: The subject parcel was created as part of a four (4) parcel minor subdivision recorded in 1963 (Planning Case No. X6E 2561).

Existing Zoning: PAD/CD (Planned Agricultural District/Coastal Development)

General Plan Designation: Agriculture Rural

Sphere-of-Influence: Unincorporated Pescadero

Existing Land Use: Undeveloped

Water Supply: The Planning Commission approved a Use Permit (Case File No. UP 80-30) on January 23, 1981 and an Architectural Review and CDP (Case File Nos. AR 80-11 and CDP 81-20) on September 10, 1981 for a new single-family residence and accessory buildings. The CDP was conditionally approved to require the applicant to verify that there is an adequate water source on-site to the satisfaction of the County Environmental Health Division. Three water wells were drilled and constructed on the subject parcel in 1988. Two of the wells were certified in 1983 and 1993 by the County Environmental Health Division for domestic use. However, the associated building permit for the proposed residence was never submitted and so there is no residential use on the parcel at this time. A well easement agreement between the subject parcel and the adjacent parcel immediately north was recorded on September 19, 1998 for shared access and use of the well approximately 75 feet from the southeast corner of the subject parcel.

Sewage Disposal: There is no sewer service or septic system currently associated with this property. However, there is a portable toilet facility on-site that will require removal until proper documentation is submitted to the Planning Department verifying that the proposed toilet facilities (both fixed and portable toilet facilities) comply with Section 3457 (*Field Sanitation*) of the Title 8 California Code of Regulations. The proposed toilet facilities are also subject to review and approval by the County Environmental Health Division. These requirements are included as Condition of Approval No. 7 in Attachment A.

Flood Zone: Zone X (Area of Minimal Flooding) and Zone V (Coastal Area with 1% or Greater Chance of Flooding and Additional Hazard Associated with Storm Waves), Map page 06081C0435E, effective October 16, 2012.

Environmental Evaluation: An Initial Study and Mitigated Negative Declaration were published on September 14, 2016 for the original project proposal to construct a fence (see Attachment K). After the project proposal was revised to include two accessory structures, a water tank, and power panel, the applicant submitted a letter from the project biologist (WRA Environmental Consultants) stating that the revised project proposal is not expected to have any additional impacts (see Attachment M). Staff determined that the changes in project scope did not meet the criteria of CEQA Guidelines Section 15073.5, requiring recirculation of the Initial Study (IS)/Mitigated Negative Declaration (MND).

Setting: The 3.71-acre parcel is located 0.55 miles south of the intersection of Bean Hollow Road and State Highway 1 (Cabrillo Highway) and 0.7 miles south of the entrance of Bean Hollow State Beach. The parcel is bounded by Cabrillo Highway to the east, the Pacific Ocean to the west, private property with an existing residence to the north, and a parcel designated as Open Space to the south. The parcel is on a broad-flat marine terrace with coastal bluffs along the western edge. A small beach is located at the northwesterly corner and is accessible by a moderately sloped path. The Arnold Miller Trail is a public coastal access easement that runs along the northern boundary of the subject parcel. The easement is completely on the adjacent property immediately north.

The parcel is accessible from Cabrillo Highway through an existing road along the eastern boundary line. The access road is also used by adjacent properties and to access the Arnold Miller Trail. A fence runs approximately 2 to 5 feet west of the eastern boundary line starting from the entrance of the Arnold Miller Trail to the southeastern corner of the property. Several mature Monterey Cypress trees are located between Cabrillo Highway and the access road. There are also several mature Monterey Cypress trees on both sides of the fence along the eastern boundary line of the subject parcel.

Three wells are located at the southeastern corner of the parcel. One of the wells, approximately 25 feet from the front property line, is located within a well house. A well access easement is located approximately 75 feet from the southeast corner of the parcel for shared use between the subject parcel and the adjacent parcel immediately north. There are several structures on the eastern half of the property including two sheds, a portable toilet, two ground level decks, a screening wall, tables, benches, and other miscellaneous structures used for private camping on the premises. The approval of this project will be conditional upon the removal of these structures as indicated in Attachment A of this report.

History: In February 2003, the project parcel was the subject of two State Coastal Act violations, V-2-03-03 and V-2-13-004, pursued by the California Coastal Commission (CCC). The violations involved the unpermitted construction of an unauthorized 6-ft. tall barbed wire fence and signs that impeded the public's ability to access the existing Arnold Miller Trail and bluff area. The fence was in violation of San Mateo County's Local Coastal Program (LCP) (associated County Violation Case No. VIO 2003-0023). In response to the violation cases, the previous owners of the subject property and adjacent property filed an action against the CCC and County. The lawsuit was resolved in favor of the CCC and County, and the unauthorized fence and signs were removed, thus resolving both violations.

In addition, the judgment in the lawsuit required the previous owners to submit an application for a CDP within 60 days of entry of judgment for construction of a maximum 4-ft. tall split-rail wood fence as described in this current project proposal.

A CDP application for the split-rail fence as outlined was submitted to the County of San Mateo on March 29, 2006. The application was deemed incomplete on April 11, 2006.

The current owner, PDG, Inc., requests the approval of a CDP as required by the judgement described above. In addition, the owner is proposing to construct two accessory structures for an agricultural operation to grow Monterey Cypress trees and to install a water tank and power panel for a water well on the subject property which require a CDP. A PAD Permit is also required for the proposed fence as discussed above.

Chronology:

<u>Date</u>	<u>Action</u>
February 2003	- Coastal Act violations (V-2-03-03 and V-2-13-004) recorded by the CCC in association with San Mateo County violation, VIO 2003-00023, for the unpermitted construction of a 6-ft. tall barbed wire fence and installation of no trespassing signs along the northern boundary of the property.
April 2, 2003	- Lawsuit filed (San Mateo County Superior Court Case No. CIV 430281) regarding Coastal Act violations.
February 9, 2006	- Stipulated judgment required submittal of coastal development application to the County of San Mateo within 60 days of entry of judgment (February 8, 2003) for the new fence proposal under specifications agreed to by the CCC.
March 29, 2006	- Application for CDP (PLN 2006-00134) submitted to the County of San Mateo.
April 11, 2006	- Application deemed incomplete due to outstanding fees and incomplete plans (location of proposed signs and details of fence and signs not shown on plans).
April 8, 2013	- No progress made on application. CCC determined construction of the fence was not required because the unpermitted fence that was the subject of the violation action was removed. Case closed.
March 11, 2016	- CDP and PAD Permit application, the subject of this application, submitted.
July 11, 2016	- Application deemed complete.

- September 14, 2016 - Release of Negative Declaration and start of 20-day public review period.
- October 4, 2016 - Close of Negative Declaration public review period.
- October 29, 2016 - Information Notice (INF 2016-00076) opened for multiple structures discovered on the subject parcel. No record of approved permits for these structures.
- November 21, 2016 - Stop Work Notice (SWN 2016-00147) opened due to no activity on Information Notice.
- December 12, 2016 - Building permit application submitted (BLD 2016-02422) to legalize two accessory structures on the subject parcel. The Planning and Building Department approval of the building permit application is subject to the approval of the subject CDP and PAD Permit.
- December 16, 2016 - Application for CDP and PAD Permit revised to include construction of two accessory buildings and for an agricultural operation to grow Monterey Cypress trees and to install a water tank and power panel for a water well on the subject property.
- May 9, 2017 - Application with revised project scope deemed complete.
- June 12, 2017 - Agricultural Advisory Committee reviewed and recommended approval of the project.
- September 13, 2017 - Planning Commission public hearing date.

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan

Staff has determined that the proposed project complies with all applicable County General Plan policies, specifically:

a. Historical and Archaeological Resources Policies

Policy 5.1 (*Historic Resource Protection*) and Policy 5.3 (*Protection of Archaeological/Paleontological Sites*) aim to protect and preserve historic resources and archaeological/paleontological sites. Staff forwarded the project referral to the California Historical Resources

Information System (CHRIS) for review and comments. Based on the review of their records, no cultural resources exist in the project area and no further study of cultural resources was recommended. CHRIS recommended that Staff contact local Native American tribes regarding traditional, cultural, and religious heritage values associated with the project area. A tribal consultation list was received from the Native American Heritage Commission (NAHC) and the local tribes listed were contacted. No response was received from the tribes. A cultural resources inventory report conducted by a registered professional archaeologist, Lawrence G. Desmond, Ph. D, was also submitted with the project application. After a site inspection, the cultural resources inventory report concluded that there are no indications of prehistoric habitation or processing use, and no additional archaeological studies were recommended. The project is not expected to impact cultural resources, however, Staff recommends Condition Nos. 7 and 8 (see Attachment A) in the unlikely event that resources are encountered during project construction.

b. Rural Land Use Policies

Policy 9.4 (*Land Use Objectives for the Rural Lands*) lists objectives to protect and enhance the resources of the Rural Lands including protection and conservation of vegetation and wildlife resources, protection of the unique scenic quality and pastoral character of the rural lands, and emphasis on providing a diversity of outdoor recreational opportunities for existing and future County residents. The proposed fence is located and designed to have a less than significant visual impact on its surrounding natural environment. The proposed fence will not affect the pastoral character of the rural lands because it will be constructed along the property line and remain at a height lower than the existing natural vegetation. The fence will end at least 8 feet from the coastal bluff area to ensure protection of the unique scenic quality of the surrounding area. Mitigation measures are included as conditions of approval in Attachment A to mitigate potential impacts to special-status species within or near the project vicinity. Lastly, the proposed fence will not affect the Arnold Miller Trail because the sole purpose of the fence is to physically delineate the subject property from the shoreline access trail and ensure that visitors stay on the access trail.

The accessory structures, water tank, and power panel are proposed to be used for the agricultural operation to grow Monterey Cypress trees and will be located in an already disturbed area of the subject parcel. The accessory structures, two sheds of 72 sq. ft. and 120 sq. ft., respectively, will be conditioned to be painted a dark green color with brown colored roofs to blend in with the surrounding

environment. The power panel will be attached to the existing well house approximately 30 feet from the front property line and the proposed water tank will be approximately 120 feet from the front property line and within the area designated for the agricultural operation. As discussed above, the project has been conditioned to mitigate any potential impact to special-status species within or near the project vicinity.

c. Vegetative, Water, Fish, and Wildlife Resources

Policy 1.28 (*Regulate Development to Protect Sensitive Habitats*) regulates development activities adjacent to sensitive habitats in order to protect rare, endangered, and unique plants and animals from reduction, degradation, and a decrease in biological productivity. A Biological Reconnaissance Review (biological report) prepared by WRA Environmental Consultants (see Attachment H) found that there were no special-status plant species observed in the project vicinity during the site visit on March 16, 2016. The site visit was conducted during a period when the species would have been identifiable. Due to lack of appropriate habitat, there are no special-status plant species that have the potential to occur in the project vicinity and therefore no avoidance measures were recommended.

The biological report indicates that the California red-legged frog and the San Francisco garter snake were listed as species that have the potential to occur in the project vicinity, but are unlikely to occur within the project site. There is no pond habitat for the two species on the west side of Cabrillo Highway where the project is located, but there is a potential for these species to be present in ponds to the east of Cabrillo Highway. Successful dispersal across Cabrillo Highway from the ponds in the east is greatly reduced due to high vehicle traffic. However, it is not considered a complete barrier. Both species are typically found within 300 feet of pond habitats even when using upland refugia habitats except during or shortly after rain events when both species may disperse overland. The project site does not contain wetland or aquatic habitats, and no burrows or refugia habitats are present. The closest stream and pond are both located across Cabrillo Highway approximately 300 feet and 1,300 feet away, respectively, from the project site. Based on the lack of suitable habitat features, the distance from pond and aquatic habitats, and the potential barriers for dispersal, the biological report concluded that it is unlikely that either species would be found within the project site and project vicinity. However, to ensure that development activities adjacent to sensitive habitats are in compliance with this policy and to protect these two species from possible reduction or degradation in biological productivity, Condition No. 6 is recommended in the event

that the species disperse through the project site during rain or shortly after rain events.

2. Compliance with the Local Coastal Program

Based on the project proposal, construction of a new fence and two accessory structures and installation of a water tank and power panel for a domestic water well, a CDP is required pursuant to Section 6328.4 of the County Zoning Regulations for development in the Coastal Development (CD) District. Staff has determined that the project is in compliance with all applicable Local Coastal Program (LCP) Policies, elaborated as follows:

a. Locating and Planning New Development Component

Policy 1.8.a (*Land Uses and Development Densities in Rural Areas*) allows new development in rural areas only if it will not have significant adverse impacts on coastal resources and diminish the ability to keep all prime agricultural land and other land suitable for agriculture in agricultural production. The project involves the construction of a 4-ft. tall split-rail fence that will be below the height of existing vegetation until it approaches the coastal bluff area. As it approaches the coastal bluff area, the fence will be exposed, but will end at least 8 feet from the bluff edge thereby preventing it from visually intruding the scenic qualities of the bluff area.

With the exception of the bluff area, the parcel meets the definition of Prime Agricultural Land (Policy 5.1.b. (*Definition of Prime Agricultural Lands*)). The Department of Agriculture Natural Resources Conservation Service Web Soil Survey has mapped the parcel's Storie Index as Grade 1. Construction of the fence will only minimally impact prime soils in an area utilized for a shoreline access trail. The fence solely serves as a physical boundary line between the Arnold Miller Trail and the subject parcel. The two accessory structures, water tank, and power panel are proposed to be used for the proposed agricultural operation to grow Monterey Cypress trees. The project will not have a significant impact on coastal resources or diminish available agricultural lands.

b. Agriculture Component

Policies 5.5 (*Permitted Uses on Prime Agricultural Lands Designated as Agriculture*) and 5.8a (*Conversion of Prime Agricultural Land Designated as Agriculture*) outline the allowed uses and development on prime agricultural lands and identify findings for the conversion of such lands. As discussed above, the proposed project is located on prime agricultural land, specifically soils classified with a Storie Index

of Grade 1- Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. The coastal bluff area on the western side of the property which may partially contain some of the proposed fence is not rated. There are a number of conditionally permitted uses allowed on prime agricultural lands designated as agriculture including shoreline access trails. The accessory structures, water tank, and power panel for the proposed agricultural operation are permitted in the PAD as they are considered non-residential development customarily considered accessory to agricultural uses.

The proposed fence is intended to delineate the adjacent shoreline access trail, the Arnold Miller Trail, which is a conditionally permitted use upon the issuance of a PAD Permit. Conversion of prime agricultural land within a parcel to a conditionally permitted use is prohibited unless the following can be demonstrated:

- (1) *That no alternative site exists for the use.*

The proposed fence will be used to delineate the subject property from the Arnold Miller Trail, a public coastal access easement on the adjacent property immediately north. This existing shoreline access trail runs parallel to the northern property line of the subject parcel where the proposed fence will be constructed to notify the public that the subject parcel is private property. No alternative site exists for the use since it is an existing trail.

- (2) *Clearly defined buffer areas are provided between agricultural and non-agricultural uses.*

The project site is located on a vacant parcel and is adjacent to non-agricultural uses. The Arnold Miller Trail lies between the subject parcel and a privately owned parcel with a single-family residence. South of the subject parcel is a General Plan designated Open Space area. The agricultural uses closest to the subject parcel are across Cabrillo Highway in the northeasterly direction. The proposed agricultural operation to be located on the subject parcel will not require clearly defined buffer areas as the growth of the nursery trees will not pose any conflicts with the land uses bordering the subject parcel.

- (3) *The productivity of any adjacent agricultural land will not be diminished.*

Both neighboring properties to the south and north consist of Class II soils. The Arnold Miller Trail is designated for public

coastal access where the productivity of the agricultural land has already been diminished due to the nature of its use. The neighboring property abutting the subject parcel at the southern property line is approximately 400 feet away from the proposed fence and is not close enough to be impacted by the project. The proposed agricultural operation will be located on the subject parcel and is not expected to diminish the productivity of adjacent agricultural lands.

- (4) *Public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality.*

The proposed fence will establish a physical boundary line between the subject parcel and the Arnold Miller Trail, a public service permitted use. The fence will not impair agricultural viability and no increased assessment costs or degraded air and water quality are expected.

c. Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) prohibits any development which would have a significant adverse impact on sensitive habitat areas. As discussed in Section 1.c above, the biological report prepared by WRA Environmental Consultants examined the project site as well as areas around it within a designated study area (see Attachment H). Although there were no special-status plant species observed within the study area, the biological report identified two wildlife species, the California red-legged frog and the San Francisco garter snake, as species that have the potential to occur in the project vicinity due to the present ponds to the east of Cabrillo Highway. However, they are not likely to occur within the project site. To ensure the protection of these species during rain or shortly after rain events, mitigation measures were recommended by the project biologist. Condition No. 6, included in Attachment A of this report, prohibits construction activities during the wet season and within 30 minutes of sunrise and sunset. Erosion control measures will also be required to allow passage of protected species as recommended by the project biologist.

Policy 7.3 further recommends that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade sensitive habitats. In addition, Policy 7.36 (*San Francisco Garter Snake*) prohibits any development where there is known to be a riparian or wetland location for the San Francisco garter snake. The split-rail design of the fence (a post every 8 feet

and the lowest rail being 8 inches above ground) will allow wildlife passage. The proposed fence will also not impact the California red-legged frog and the San Francisco garter snake dispersal corridors should the species occur in the project vicinity. The accessory structures, water tank, and power panel which will be located in an already disturbed area on the subject parcel were analyzed in the supplemental letter prepared by the project biologist with the determination that no additional impacts are expected (see Attachment M). Further, no riparian or wetland locations are located within the project area.

d. Visual Resources Component

Policy 8.5 (*Location of Development*) requires new development to be located on a portion of a parcel where the development is least visible from State and County Scenic Roads, least likely to significantly impact views from public viewpoints, and consistent with all other LCP requirements which aim to best preserve the visual and open space qualities of the parcel overall. Further, Policy 8.15 (*Coastal Views*) prohibits development (including fences and signs) from substantially blocking views to or along the shoreline from coastal roads, vista points, trails, coastal accessways, and beaches.

The proposed fence will be located along the northern boundary of the subject parcel and within the Cabrillo Highway State Scenic Corridor. Existing vegetation including several mature Monterey Cypress trees, an access easement shared by neighboring properties, and an existing fence lie between the proposed fence and Cabrillo Highway. Several mature Monterey Cypress trees are also located on both sides of the fence along the eastern boundary line of the subject parcel. The proposed 376 ft. long fence will end at least 8 feet from the bluff edge and maintain a height of 4 ft. which will be lower in height than most of the vegetation along the Arnold Miller Trail. The design and length of the fence allow it to be the least intrusive and least likely to significantly impact views and visibility. Further, the proposed split-rail fence is consistent with State and local parks department standards for trail fencing.

The proposed accessory structures, water tank, and power panel will be located on the eastern side of the subject parcel. Due to the height of the mature Monterey Cypress trees along Cabrillo Highway and on both sides of the fence along the eastern boundary line, the accessory structures, water tank, and power panel will not be visible from the Cabrillo Highway State Scenic Corridor. The colors, materials, and location of the accessory structures will minimize the visual impact from the Arnold Miller Trail. The water tank and power panel will be

located over 350 feet away from the Arnold Miller Trail and are therefore not expected to have a visual impact from public viewpoints. Various vegetation from low lying coastal scrub to mature Monterey Cypress trees throughout the entire property will also provide additional screening to minimize any potential visual impacts.

Furthermore, the agricultural operation is proposed to be located on the eastern side of the subject parcel and a third of the subject parcel (1.4 acres of 3.71 acres) will be used. As discussed in the Monterey Cypress Incubation/Propagation Project document submitted by the applicant (see Attachment G) and supplemental letter from the project biologist (see Attachment M), the strategy for this agricultural operation would be to provide Monterey Cypress seeds and seedlings with graduated mowed strips running from north to south to allow the existing, untouched vegetation on both sides to provide wind protection and help prevent wind burn during their initial establishment. The trees will grow within 5, 10, and 25 gallon pots and are not expected to grow more than 8 to 10 feet in height before being moved to a different location for purchase. The mowing practices will be equivalent to typical agricultural mowing practices commonly found on the coast near Pescadero and surrounding areas bordering Half Moon Bay. Based on the discussions above, the proposed project is expected to preserve the visual and open space qualities of the subject parcel and allow for an agricultural use, a permitted use in the PAD Zoning District to successfully operate.

Policy 8.18 (*Development Design*) and Policy 8.19 (*Colors and Materials*) require that development blend in with and be subordinate to the environment and character of the surrounding area by employing colors and materials which blend, rather than contrast, with the surrounding physical conditions of the site. The split-rail design of the fence allows vegetation to grow freely while the proposed natural wood material of the fence help integrate it with the surrounding environment and not significantly impact views from the Arnold Miller Trail. Policy 8.19 also prohibits highly reflective surfaces and colors except those of solar energy devices. The three permanent 12-inch by 18-inch signs to be installed on the fence will be non-reflective. As discussed above, the accessory structures, water tank, and power panel will be located and designed to blend in and be subordinate to the environment and character of the surrounding area.

e. Shoreline Access Component

Policy 10.9 (*Public Safety*) aims to provide safe access to shoreline destinations such as bluffs which are large enough and of physical character to accommodate safety improvements and which provide

room for public use as a vista point. The existing Arnold Miller Trail on the adjacent parcel is accessed from an unpaved road that serves the subject parcel and is shared with neighboring properties. A “Coastal View” sign with an arrow pointing right can be seen from the entrance from Cabrillo Highway. Approximately 240 feet north from this sign is the entrance to the Arnold Miller Trail. The trail follows the western boundary line of the subject parcel eventually reaching the bluff area. At approximately 396 feet west, a lockable chain gate will be installed along the proposed fence to allow public access to a small beach. The gate will allow the fence to continue west along the boundary line to delineate the property line while maintaining public access along the Arnold Miller Trail. The proposed fence and gate will not impact public access and public safety of the Arnold Miller Trail. The purpose of the fence is to create a physical boundary between the subject parcel (private property) and the trail. The fence will not encroach or impede on the trail and will be located completely on the subject parcel.

The project will also comply with Policy 10.40 (*Signing and Publicizing Access*) requiring that all signs for shoreline access areas be distinctive in their design, easy to understand, and uniform. Three identical permanent non-reflective signs will be installed. Two signs will be located on each side of the lockable chain gate approximately 396 ft. west from where the fence starts at the northeast section of the property. The third sign will be 20 ft. from the start of the fence. As recommended by the California Coastal Commission in a response letter dated September 26, 2016 (see Attachment L), the sign detail will read as: “No Trespassing on Private Property. Stay on Public Access Path.” The sign detail serves to clearly inform the public that the Arnold Miller Trail and coastal bluff are accessible. The County Department of Public Works has also conditionally approved the project to require appropriate signage to clearly delineate public access to the Arnold Miller Trail.

3. Compliance with the Zoning Regulations

a. Planned Agricultural District (PAD) Zoning Regulations

The subject parcel contains prime soil, specifically soils classified with a Storie Index of Grade 1 - Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. A portion of the proposed fence will be located in the coastal bluff area. This area is not rated.

Section 6352 of the County Zoning Regulations states that agriculture and non-residential development customarily considered accessory to agricultural uses are allowed on prime agricultural lands. The applicant is proposing an agricultural operation to incubate and

propagate Monterey Cypress trees from seeds and seedlings. The objective of the agricultural operation is to successfully acclimate Monterey Cypress trees to coastal environmental conditions so that they may be transplanted to the Northern California coastal zone area. The trees will primarily be planted in pots and grow up to 8 to 10 feet before being relocated for purchase. A portable above-ground drip system is proposed to minimize site disturbance and allow for custom watering of the plant stock. This agricultural operation is an allowed use in the PAD Zoning District. The two accessory structures, water tank, and power panel to electrify one of the wells on the property will be used for the proposed agricultural operation and is therefore considered non-residential development that is accessory to an agricultural use.

The proposed fence is regulated under Section 6412 (Yards: General Provisions and Exception) of the County Zoning Regulations (see discussion in Section 3.b below). However, the proposed fence will establish a physical border between private property and the Arnold Miller Trail. Section 6353 of the County Zoning Regulations states that shoreline access trails are allowed on prime agricultural lands upon issuance of a PAD Permit. Since the proposed fence is related to the Arnold Miller Trail, a shoreline access trail, a PAD Permit is required.

The proposed accessory structures will comply with all applicable PAD regulations including setbacks and height requirements as shown below:

PAD Development Standards		
	Required	Proposed
Minimum Height	36 feet	8 feet
Minimum Front Yard Setback	30 feet	30 feet
Minimum Side Yard Setbacks	20 feet	> 100 feet
Minimum Rear Yard Setback	20 feet	> 300 feet

In order to approve and issue a PAD Permit, the project must also comply with the substantive criteria for the issuance of a PAD Permit, as applicable and delineated in Section 6355 (Substantive Criteria for Issuance of a Planned Agricultural Permit) of the County Zoning Regulations. As proposed and conditioned, the proposal was found to be consistent with the following applicable criteria:

General Criteria

- (1) *The encroachment of all development upon land which is suitable for agricultural use shall be minimized.*
- (2) *All development permitted on a site shall be clustered.*
- (3) *Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.*

The proposed fence will be located along the northern boundary line of the subject parcel. Based on the proposed location, the fence is expected to only minimally impact land suitable for agricultural use. The two proposed accessory structures, water tank, and power panel will be used for the proposed agricultural operation to grow Monterey Cypress trees. The accessory structures will be located on the eastern section of the parcel within the proposed area of the agricultural operation and at a location within close proximity of the entrance of the subject parcel. The water tank and power panel will be located in the southeastern corner of the property also within the proposed area of the agricultural operation and approximately 40 feet from the well easement on the property. The accessory structures, water tank, and power panel are all allowed uses in the PAD Zoning District and do not require a PAD Permit.

As discussed in the sections above, the proposed fence will be designed and located to reduce potential impacts to the environment and will blend in with the natural topography of the surrounding area. The fence will be screened by existing vegetation to protect and enhance public views within the Cabrillo Highway State Scenic Corridor. Lastly, the proposed project has been conditioned to minimize impacts on hydrologic processes by minimizing grading and installing and maintaining active sediment and erosion control measures and cultural resources in the event they are discovered within the project vicinity.

Therefore, the proposed fence conforms to the applicable Development Review Criteria in Chapter 20A.2 of the San Mateo County Ordinance Code.

Water Supply Criteria

- (1) *The existing availability of an adequate and potable well water source shall be demonstrated for all non-agricultural uses according to the following criteria: each existing parcel*

developed with non-agricultural uses, or parcel legalized in accordance with Local Coastal Program Policy 1.29, shall demonstrate a safe and adequate well water source located on that parcel.

- (2) *Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.*

There are three wells on the project parcel. A well access easement at the southeastern corner of the property is shared between the subject parcel and adjacent parcel immediately north for shared use of the well located approximately 75 feet from the southeastern corner of the property. A water tank and power panel are included in the project proposal for the water well located approximately 30 feet from the southeastern corner of the property. There is no residential development on the project parcel at this time. In addition, there are no additional permits required for the water well to be used for agricultural use. This well will provide adequate and sufficient water supplies needed for agricultural production. Avoidance measures to be installed and implemented during construction were recommended by the project biologist (WRA Environmental Consultants) to mitigate any potential impacts to special-status species that have the potential to occur within or near the project area. Although no impact is expected, these avoidance measures will ensure sensitive habitat protection in the watershed. The mitigation measures have been included as conditions of approval in Attachment A.

Criteria for the Conversion of Prime Agricultural Lands

General Criteria

Prime Agricultural Land within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless it can be demonstrated that:

- (1) *No alternative site exists on the parcel for the use.*
- (2) *Clearly defined buffer areas are provided between agricultural and non-agricultural uses.*
- (3) *The productivity of an adjacent agricultural land will not be diminished.*

- (4) *Public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality.*

As discussed in the sections above, the subject parcel contains prime soil, specifically soils classified with a Storie Index of Grade 1, Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. A portion of the proposed fence will be located in the coastal bluff area. This area is not rated.

The proposed fence will be located along the northern boundary line of the property. The fence will be used as a physical delineation between the subject parcel and the Arnold Miller Trail. No alternative site for this purpose exists on the subject parcel. After installation of the fence, the subject parcel will continue to be available for agricultural use. The project parcel will not impact other agricultural uses as the parcel is bordered by a parcel developed with a single-family residence to the north, a parcel designated as Open Space to the south, Cabrillo Highway to the east, and coastal bluffs to the west. The proposed project will not impact the productivity of adjacent agricultural land as it will not introduce a use that would pose conflicts with agriculture. Lastly, the fence will establish a physical boundary line between the subject parcel and the Arnold Miller Trail, a public service permitted use. The fence will not impair agricultural viability as discussed earlier in this report. No increased assessment costs or degraded air and water quality are expected.

Agriculturally Related Uses Criteria

For uses ancillary to agriculture, facilities for the processing, storing, packaging, and shipping of agricultural products, and commercial woodlots and temporary storage logs, the following additional criteria applies:

- (1) *The area of Prime Agricultural Land converted shall be as small as possible.*
- (2) *In all cases, the area of Prime Agricultural Land converted shall not exceed 3 acres.*

Although the proposed fence is not for a use ancillary to agriculture, the proposed project also includes two accessory structures, a water tank, and power panel which will all be accessory to the proposed agricultural operation to grow Monterey Cypress trees.

The 72 sq. ft. and 120 sq. ft. accessory structures proposed are both 8 feet tall and will be relocated from 10 feet to 30 feet from the eastern boundary line of the subject parcel to comply with the minimum front yard setback required in the PAD Zoning District. As discussed in the sections above, the accessory structures will be used to store supplies and tools for the agricultural operation. A portable above-ground drip system will be used to minimize site disturbance and allow for custom watering of the plant stock. The water tank will be located approximately 120 feet from the eastern boundary line of the property and within the area designated for the agricultural operation. The power panel for the water well will be attached to the existing well house located approximately 25 feet from the eastern boundary line. There will be a power line installed underground for the power panel. The accessory structures, water tank, and power panel will be located in an already disturbed area on the subject parcel. Only the minimum amount of Prime Agricultural Land is expected to be converted as required for the relocation of the accessory structures and installation of the water tank, power panel, and associated underground power line. The proposed project will convert only a minimal amount of Prime Agricultural Land and the area to be converted is less than 3 acres.

b. Fence Height Regulations

The proposed fence is in compliance with the regulations in Section 6412 of the San Mateo County Zoning Regulations as shown in the chart below:

Fence Height Regulations		
	Required	Proposed
Maximum Height in Front Yard Area	4 feet	4 feet
Maximum Height in Side & Rear Yard Area	6 feet	4 feet
<i>Note: For parcels located inside the Coastal Zone, fences associated with an agricultural use are regulated by the Local Coastal Program.</i>		

B. REVIEW BY THE CALIFORNIA COASTAL COMMISSION

The California Coastal Commission (CCC) responded to Planning Staff’s referral for this project with a letter dated April 19, 2016 (see Attachment J). The response letter provided background information regarding the Coastal Act violations, V-2-03-03 and V-2-13-004, associated with the unpermitted barbed wire fence as discussed in the Background section above. The CCC recommended that Planning Staff evaluate the project’s consistency with LCP policies for the protection of scenic resources. The CCC also stated in the letter

that the Arnold Miller Trail and bluff top area are to remain accessible to the public at all times.

In addition, during the review period of the IS/MND, the CCC submitted a letter with comments dated September 26, 2016 (see Attachment L). The CCC recommended that Planning Staff review the project for compliance with LCP regulations on agricultural resources and that the sign details on the proposed fence to be revised to read “No Trespassing on Private Property. Stay on Public Access Path.” The applicant revised the sign details as recommended.

After the project scope was revised to include the construction of two accessory structures and the installation of a water tank and power panel for a water well on the property, Planning Staff sent the CCC a revised referral in which a response letter was received on January 3, 2017 (see Attachment L). The CCC recommended that Planning Staff re-visit the IS/MND prepared for the original project scope to determine if the changes made to the project would result in any additional environmental impacts. The CCC stated in the letter that the project must be reviewed for its potential impact on agricultural resources, sensitive habitats, and water supply for agricultural production.

The applicant submitted a supplemental letter from the project biologist stating that the revised project proposal is not expected to have any additional impacts (see Attachment M). However, Planning Staff determined that the revised project scope did not meet the criteria of Section 1503.5 of CEQA Guidelines, requiring recirculation of a revised IS/MND.

As discussed in Section A.2 above, construction of these structures and installation of the water tank and power panel are consistent with all applicable LCP policies. The supplemental letter submitted by the project biologist reviewed the additional project scope including the agricultural operation and determined that no additional avoidance measures were recommended (see Attachment M). As approved and conditioned, the project complies with all applicable LCP policies.

C. REVIEW BY THE AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee (AAC) reviewed and recommended approval of the proposed project at their June 12, 2017 public meeting.

D. ENVIRONMENTAL REVIEW

As described above, an Initial Study (IS) and Mitigated Negative Declaration (MND) have been prepared and circulated for this project in compliance with the California Environmental Quality Act (CEQA) (see Attachment K). The public comment period began on September 14, 2016 and ended on October 4, 2016. Comments were received by the California Coastal Commission as discussed in

the Review by the California Coastal Commission section above. After the project proposal was revised to include two accessory structures, a water tank, and power panel, the applicant submitted a supplemental letter from the project biologist (WRA Environmental Consultants) stating that the revised project proposal is not expected to have any additional impacts (see Attachment M). Staff determined that the changes in project scope did not meet the criteria of Section 15073.5 of CEQA Guidelines, requiring recirculation of the IS/MND. Mitigation measures from the IS/MND have been included as conditions of approval in Attachment A.

E. OTHER REVIEWING AGENCIES

	Approve	Conditions	Deny
Building Inspection Section	X		
Cal-Fire	X	X	
Department of Public Works	X	X	
Geotechnical Section	X		
Environmental Health Division	X	X	

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Site Map
- C. Easement Map
- D. Survey
- E. Fence Plan
- F. Accessory Structure Specifications
- G. Monterey Cypress Incubation/Propagation Project Information
- H. Biological Reconnaissance Review by WRA Environmental Consultants, dated May 26, 2016
- I. Geotechnical Letter by Sigma Prime Geosciences, Inc., dated March 7, 2016
- J. California Coastal Commission Letter for Original Project Scope, dated April 19, 2016
- K. Initial Study (IS) and Mitigated Negative Declaration (MND), dated September 14, 2016
- L. California Coastal Commission Letter for IS/MND, dated September 26, 2016
- M. Supplemental Biological Review for Revised Project Scope by WRA Environmental Consultants, dated March 3, 2017
- N. California Coastal Commission Letter for Revised Project Scope, dated January 3, 2017

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2016-00106 Hearing Date: September 13, 2017

Prepared By: Carmelisa Morales
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Mitigated Negative Declaration, Find:

1. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Mitigated Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, if subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment. The Initial Study and Mitigated Negative Declaration identify potential significant impacts to biological resources, cultural resources, geology and soils, and noise. The mitigation measures contained in the Mitigated Negative Declaration have been included as conditions of approval in this attachment. As proposed and mitigated, the project would not result in any significant environmental impacts.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the owner have been placed as conditions on the project which satisfy the Mitigation Monitoring and Reporting Plan requirements of the California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Find:

5. That the project, as described in the application and accompanying materials, and as conditioned, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program. The plans and materials have been reviewed against the Zoning Regulations and the project has been

conditioned to minimize impacts to the location and planning of new development, agriculture, sensitive habitats, visual resources, and shoreline access in accordance with the components of the Local Coastal Program.

6. That the project conforms to the findings required by policies of the San Mateo County Local Coastal Program. Specifically, that the proposed project is conditionally permitted with the issuance of a Planned Agricultural District permit, that the project has been proposed to be located in an area that has been defined as "Prime Agricultural Land", and that the proposed project converts only a small portion of the parcel leaving the remainder of the parcel available for agricultural uses such as the proposed agricultural operation to grow Monterey Cypress trees. In addition, the project will not be visible from scenic roadways or corridors and will be mitigated to prevent potential impacts to coastal resources and sensitive habitats.

Regarding the Planned Agricultural Permit, Find:

General Criteria

7. That the encroachment of all development upon land, which is suitable for agricultural use, is minimized. The proposed project results in only minimal site disturbance and converts only a small portion of the project parcel. The remaining portion of the parcel will be available for future agricultural activities.
8. That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code. The project will be designed and located to reduce impacts to the environment and blend in with the natural topography of the surrounding area. The project will be screened by existing vegetation which will continue to protect and enhance public views within the scenic corridor. As conditioned, the project will minimize impacts on hydrologic processes by minimizing grading and installing and maintaining active sediment and erosion control measures and cultural resources in the event they are discovered within or near the project vicinity.

Water Supply Criteria

9. That the existing availability of potable and adequate on-site well water source for all non-agricultural uses is demonstrated. The project parcel currently has three wells with one well shared between the project parcel and the neighboring parcel immediately north. There are no non-agricultural uses on the property at this time.
10. That adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished. The proposed project includes a water tank and power panel for an existing domestic water well on the subject parcel. As conditioned, the proposed project will require the installation and implementation of avoidance measures prior to the start of

construction to mitigate any potential impacts to sensitive habitats in the watershed.

Criteria for the Conversion of Prime Agricultural Land

11. That there are no alternative sites that exist on the parcel for the use. The sole purpose of the proposed fence is to physically delineate the subject parcel from the Arnold Miller Trail. No alternative sites exist for this specific purpose. The proposed project also includes the construction of two accessory structures for the proposed agricultural operation to grow Monterey Cypress trees and the installation of a water tank and power panel for a domestic water well on the property. The two accessory structures, water tank, and power panel are all accessory to the permitted agricultural use on the subject parcel.
12. That clearly defined buffer areas are provided between agricultural and non-agricultural uses. The proposed fence will be used as a physical delineation between the subject parcel and the Arnold Miller Trail. The proposed fence will act as a clearly defined buffer area for the proposed agricultural operation on the subject parcel and the Arnold Miller Trail which is located on the adjacent parcel immediately north.
13. That the productivity of adjacent agricultural land will not be diminished. The project parcel is adjacent to a parcel developed with a single-family residence to the north, a parcel designated as Open Space to the south, Cabrillo Highway to the east, and coastal bluffs to the west. The proposed project will not impact the productivity of adjacent agricultural land as the project will not introduce a use that is incompatible with agriculture.
14. That public service and facility expansions and permitted uses will not impair agricultural viability, including by increased assessment costs or degraded air and water quality. The proposed fence will establish a physical boundary line between the subject parcel and the Arnold Miller Trail, a public service permitted use. The fence will not impair agricultural viability and no increased assessment costs or degraded air and water quality are expected.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on August 23, 2017. Any changes or revisions to the approved plans shall be submitted to the Community Development Director for review and approval prior to implementation. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval.

2. This permit shall be valid for one (1) year. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees sixty (60) days prior to the expiration date.
3. This permit does not allow for the removal of any trees. Removal of any tree with a circumference of 55 inches or greater, as measured 4.5 feet above the ground, shall require additional review by the Community Development Director prior to removal.
4. This permit does not allow for the removal of any vegetation or development within the Arnold Miller Trail. Any proposed vegetation removal or developments within the Arnold Miller Trail shall be subject to the review and issuance of a separate Coastal Development Permit and Planned Agricultural District Permit.
5. The applicant shall paint the proposed accessory structures dark green and the roofs shall be painted a brown color. Two copies of color samples shall be submitted to the Current Planning Section at the time of application for a building permit. Color verification will be confirmed by the Current Planning Section prior to a final inspection for the building permit.
6. The applicant shall remove all structures located on the subject parcel that are not considered non-residential development accessory to an agricultural use which include two ground level decks, the screening wall, tables, and benches within 10 days of approval of this permit. The applicant shall submit photo verification to the current Planning Section at the time of application for a building permit to confirm that the structures have been removed.
7. The applicant shall remove the portable toilet facility located on the subject parcel within 10 days of approval of this permit. A portable toilet facility is not allowed on the subject parcel until the stated agricultural use has been established. The applicant shall provide proper documentation and photo verification to the Planning and Building Department to confirm the agricultural use on-site. All future toilet facilities (both fixed and portable toilet facilities) proposed shall comply with Section 3457 (*Field Sanitation*) of the Title 8 California Code of Regulations and is subject to review and approval by the County Environmental Health Division.
8. The Department of Fish and Game (DFG) has determined that this project is not exempt from the DFG California Environmental Quality Act filing fees per Fish and Game Section 711.4. The applicant shall pay to the San Mateo County Recorder's Office the most current DFG filing fee plus the applicable recording fee at the time of filing of the Notice of Determination by the San Mateo County Planning and Building Department staff within ten (10) business days of the approval.

9. The provisions of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. Prior to any on-site grading, the applicant may be required to obtain a grading permit, or grading permit exemption from the Current Planning Section. A grading permit is required if 250 cubic yards or more of earth is to be removed or if a cut or fill exceeds two (2) feet in vertical depth, measured from ground level. No grading, requiring a permit or exemption, shall occur until after such permit is approved.
10. **Mitigation Measure 1:** The applicant shall implement the following measures during construction to protect the California red-legged frog and the San Francisco garter snake which may pass through the work area during the rainy season:
 - a. Project activities should be conducted during the dry season (June to October 31) when frogs are not likely to disperse through the work zone.
 - b. Project activities should be avoided within 30 minutes after sunrise or within 30 minutes prior to sunset when frogs are more active.
 - c. Any erosion control materials used on-site should not contain plastic monofilament netting (erosion control matting), rolled erosion control products, or similar materials because the California red-legged frog, the San Francisco garter snake, and other species may become entangled or trapped in it. Tightly woven fiber netting or similar material should be used at the project site to ensure that amphibian and reptile species do not get trapped. This limitation should be communicated to the contractor.
11. **Mitigation Measure 2:** If archaeological and/or cultural resources are encountered during grading or construction activities, work shall be temporarily halted within 30 ft. of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. The project applicant or archaeologist shall immediately notify the Current Planning Section of any discoveries made and shall provide the Current Planning Section with a copy of the archaeologist's report and recommendations prior to any further grading or construction activity in the vicinity.
12. **Mitigation Measure 3:** A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.
13. **Mitigation Measure 4:** Use existing roads to the maximum extent feasible to avoid additional surface disturbance.

14. **Mitigation Measure 5:** During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site.
15. **Mitigation Measure 6:** The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.
16. **Mitigation Measure 7:** Implement Best Management Practices (BMPs) for erosion and sediment control during all phases of building to include pre- and post-construction activities.
17. **Mitigation Measure 8:** Prior to the beginning of any construction or grading activities, the applicant shall implement the approved erosion and sediment control plan if applicable. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.

- f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilizing designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction Best Management Practices.
 - m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.
18. **Mitigation Measure 9:** The applicant shall implement erosion control measures prior to the beginning of construction operations. Such activities shall not commence until the associated building permit for the project has been issued if applicable.
19. **Mitigation Measure 10:** Noise levels produced by proposed construction activities shall comply with the San Mateo County Noise Ordinance contained in Chapter 4.88 (Noise Regulations) of the County Ordinance Code. Construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sundays and any national holidays.
20. Construction equipment shall comply with the County's Energy Efficiency Climate Action Plan (EECAP) for construction vehicle idling as applicable considering the sensitive nature of the project area. Specifically, Bay Area Air Quality Management District Best Management Practices for Mitigating Criteria Air Pollutants and Precursors:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day.
- d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- f. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- g. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Cal-Fire

- 21. The proposed gate will require a Knox Padlock. For an application or further information, contact the San Mateo County Fire Marshal's Office at 650/573-3846.

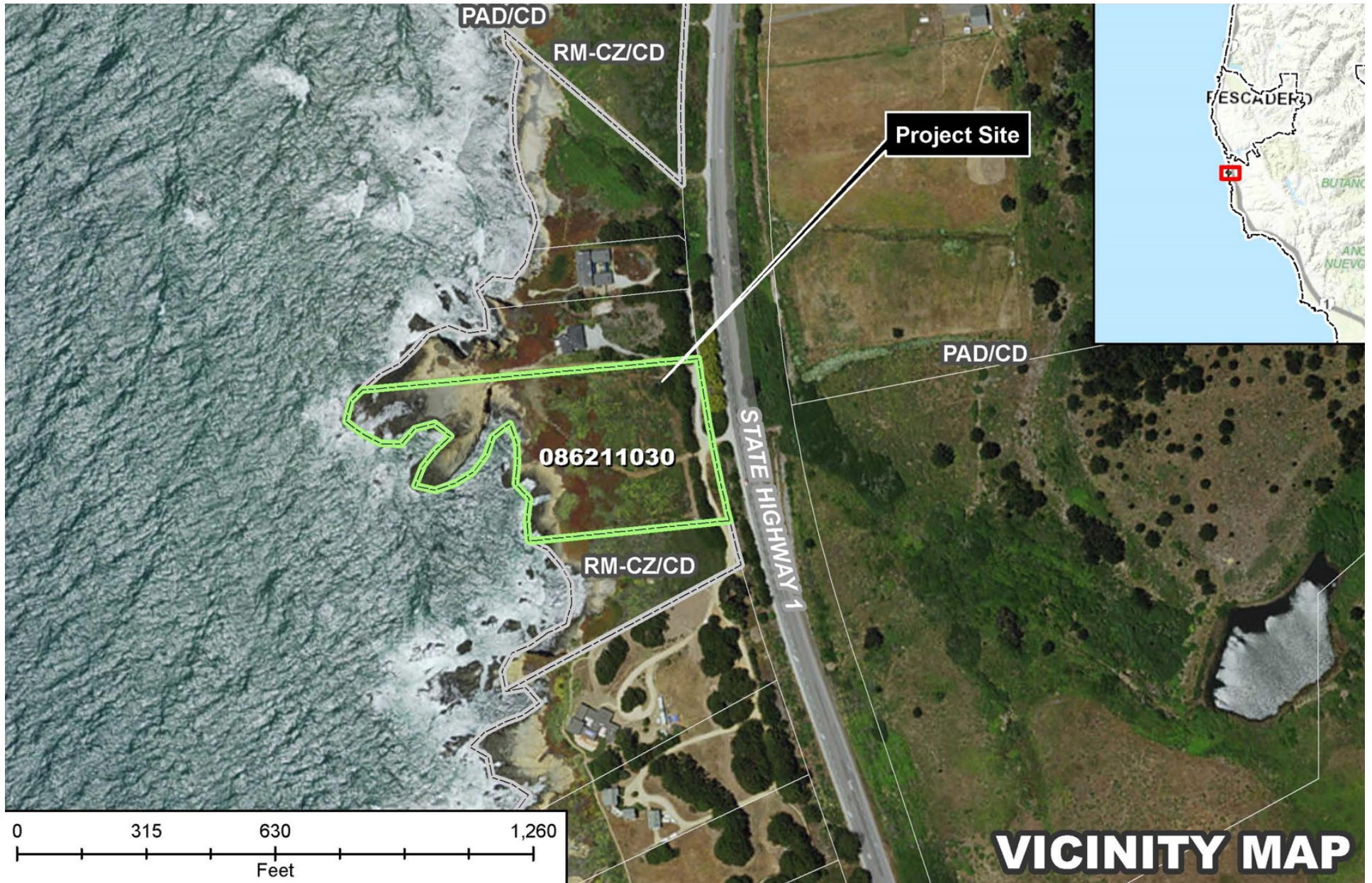
Department of Public Works

- 22. The applicant shall submit documentation of ingress/egress easements as noted on the plans to the Department of Public Works for review.
- 23. The applicant shall post and maintain directional signs that are clearly identifiable to the public for access routes designated by the public easements on these properties.

Environmental Health Division

- 24. Any future development proposed involving plumbing fixtures and wastewater treatment will require review and approval from the County Environmental Health Division.

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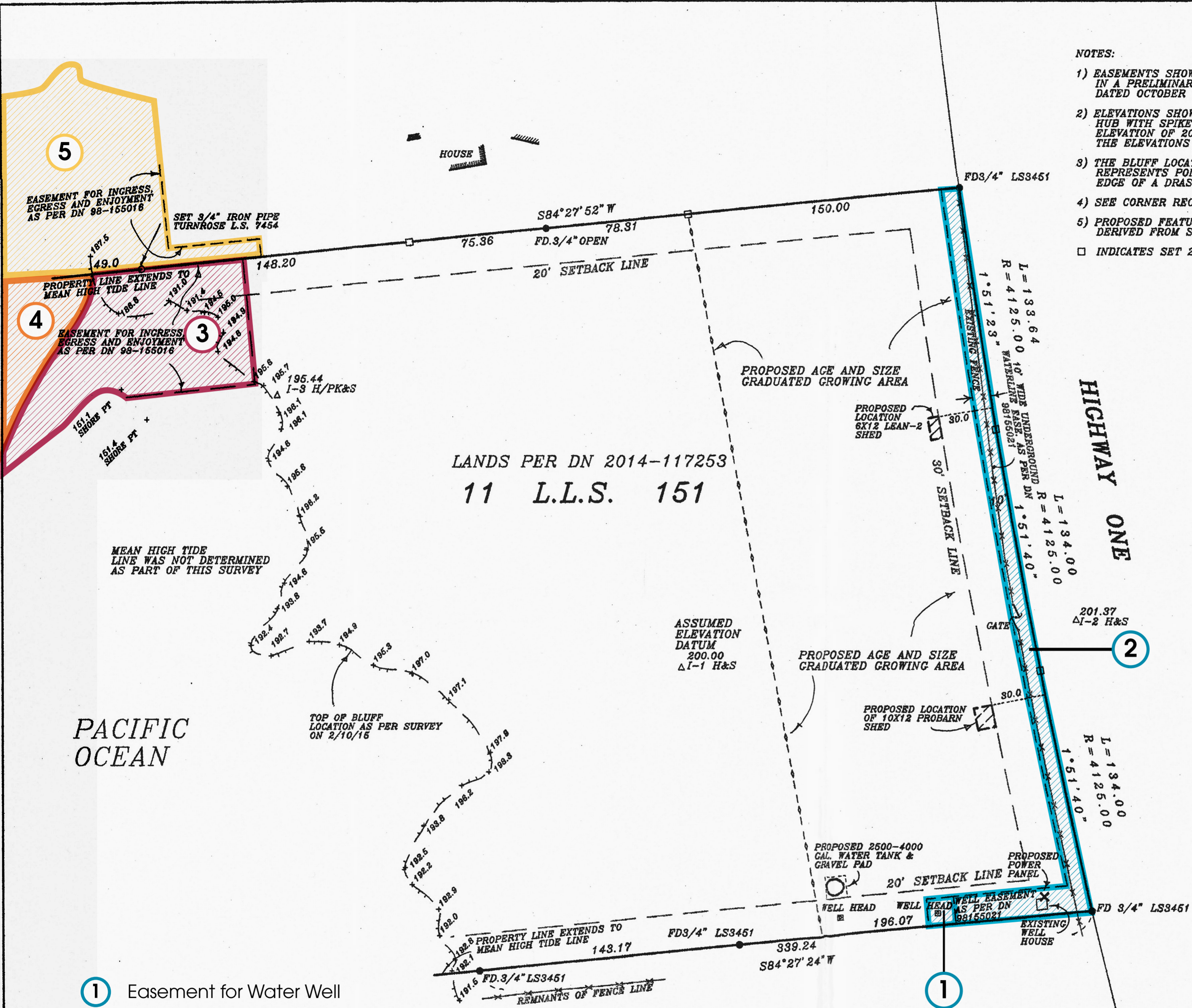


San Mateo County Planning Commission Meeting

Owner/Applicant: PDG Inc./ Kerry Burke

Attachment: B

File Numbers: PLN2016-00106



- NOTES:
- 1) EASEMENTS SHOWN WERE TAKEN FROM RECORDED DOCUMENTS NOTED IN A PRELIMINARY REPORT PREPARED BY CHICAGO TITLE COMPANY DATED OCTOBER 1, 2014 WITH TITLE NUMBER FWTO-4071400317-KD.
 - 2) ELEVATIONS SHOWN ARE BASED UPON A CONTROL POINT BEING A HUB WITH SPIKE AND SHINER SHOWN AS "I-1" WITH AN ASSUMED ELEVATION OF 200.00 FEET. THIS IS NOT SEA LEVEL DATUM. THE ELEVATIONS SHOWN ARE FOR RELATIVE PURPOSES ONLY.
 - 3) THE BLUFF LOCATION IS AN APPROXIMATE LOCATION AND GENERALLY REPRESENTS POINTS OF REFERENCE APPROXIMATELY 2' FROM THE EDGE OF A DRASTIC CHANGE IN SLOPE.
 - 4) SEE CORNER RECORD NO. 2386 FOR ADDITIONAL BOUNDARY INFORMATION.
 - 5) PROPOSED FEATURES (SHEDS, PLANTING AREA, WATER TANK, ETC.) WERE DERIVED FROM SKETCHES AND CONVERSATIONS WITH OWNER AND CONSULTANTS.
- INDICATES SET 2X2 HUB WITH TAG "L.S. 7454"

SCALE: 1" = 40'



Michael T. Turnrose

12/7/16

- ① Easement for Water Well
- ② Easement for Water Line
- ③ Easement for Ingress/Egress and Enjoyment
- ④ Easement for Ingress/Egress and Enjoyment
- ⑤ Appurtenant Easement for Ingress/Egress and Enjoyment

Attachment C

REVISED 12/7/16

BOUNDARY MAP

LANDS PER DN 2014-117253
 OF THE PARCEL SHOWN ON VOLUME 11 OF L.L.S. MAPS AT PAGE 151 BEING MORE COMMONLY KNOWN AS ASSESSORS PARCEL NUMBER 86-211-030, SAN MATEO COUNTY RECORDS, CALIFORNIA.

--FOR--
 INCUMEDX--C/O BYUNG JU
 46790 LAKEVIEW BLVD.
 FREMONT, CA 94538
 510.996.2383

SAN MATEO COUNTY CALIFORNIA
 SCALE: 1" = 40' DATE(S) OF SURVEY--2/10/15, 4/9/15

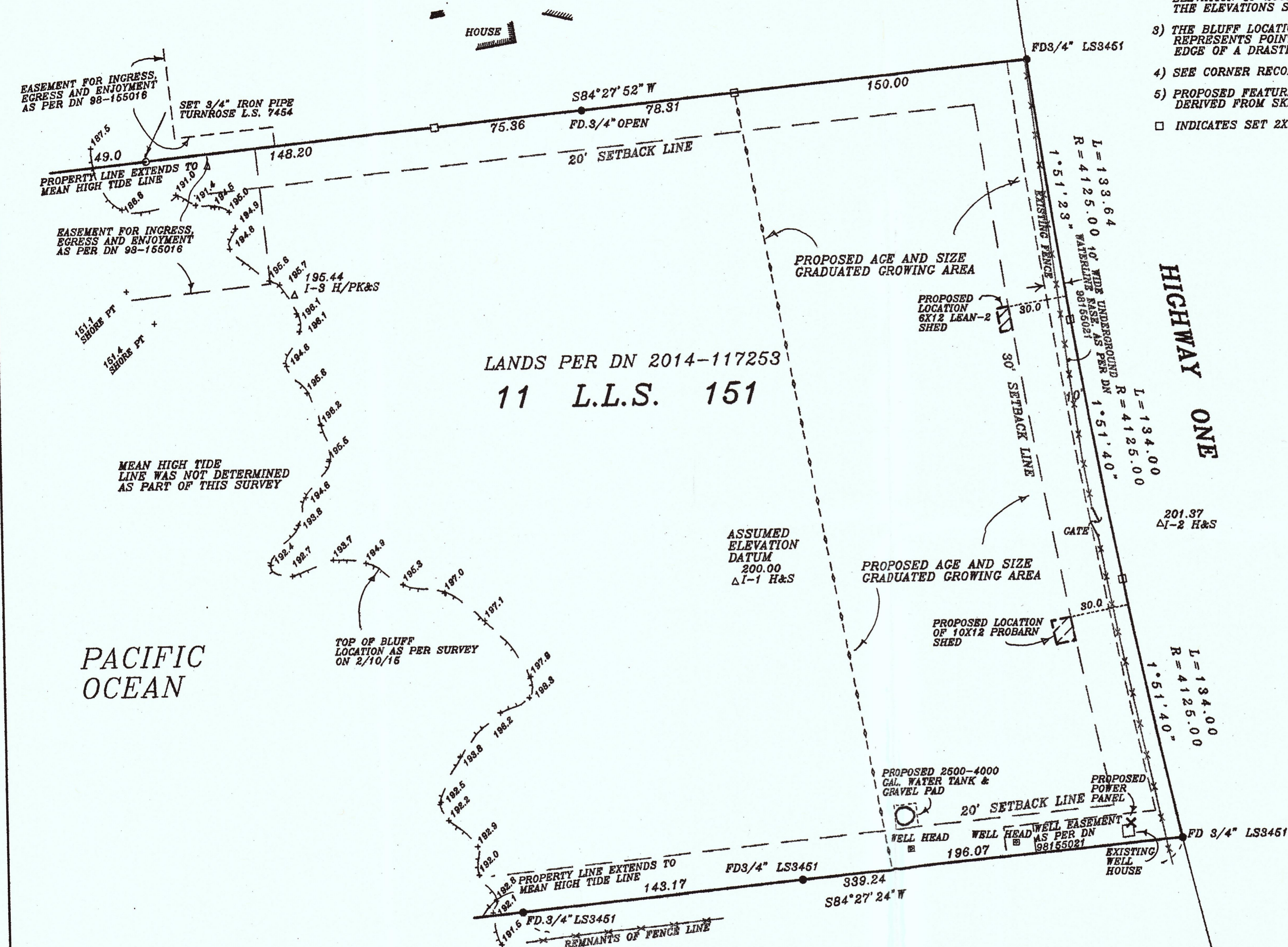
TURNROSE LAND SURVEYING

125 EAST MAIN ST.--SUITE 4
 RIPON, CA 95366
 209.599.5100
 BAY AREA 650.324.3316

JOB 16-05

NOTES:

- 1) EASEMENTS SHOWN WERE TAKEN FROM RECORDED DOCUMENTS NOTED IN A PRELIMINARY REPORT PREPARED BY CHICAGO TITLE COMPANY DATED OCTOBER 1, 2014 WITH TITLE NUMBER FWTO-4071400317-KD.
 - 2) ELEVATIONS SHOWN ARE BASED UPON A CONTROL POINT BEING A HUB WITH SPIKE AND SHINER SHOWN AS "I-1" WITH AN ASSUMED ELEVATION OF 200.00 FEET. THIS IS NOT SEA LEVEL DATUM. THE ELEVATIONS SHOWN ARE FOR RELATIVE PURPOSES ONLY.
 - 3) THE BLUFF LOCATION IS AN APPROXIMATE LOCATION AND GENERALLY REPRESENTS POINTS OF REFERENCE APPROXIMATELY 2' FROM THE EDGE OF A DRASTIC CHANGE IN SLOPE.
 - 4) SEE CORNER RECORD NO. 2386 FOR ADDITIONAL BOUNDARY INFORMATION.
 - 5) PROPOSED FEATURES (SHEDS, PLANTING AREA, WATER TANK, ETC.) WERE DERIVED FROM SKETCHES AND CONVERSATIONS WITH OWNER AND CONSULTANTS.
- INDICATES SET 2X2 HUB WITH TAG "L.S. 7454"



EASEMENT FOR INGRESS, EGRESS AND ENJOYMENT AS PER DN 98-155016

EASEMENT FOR INGRESS, EGRESS AND ENJOYMENT AS PER DN 98-155016

MEAN HIGH TIDE LINE WAS NOT DETERMINED AS PART OF THIS SURVEY

PACIFIC OCEAN

TOP OF BLUFF LOCATION AS PER SURVEY ON 2/10/15

ASSUMED ELEVATION DATUM 200.00 ΔI-1 H&S

LANDS PER DN 2014-117253
11 L.L.S. 151

SCALE: 1" = 40'



Michael T. Turnrose

12/7/16

RECEIVED

DEC 09 2016
San Mateo County Planning Division

REVISED 12/7/16
BOUNDARY MAP

LANDS PER DN 2014-117253
OF THE PARCEL SHOWN ON VOLUME 11 OF L.L.S. MAPS AT PAGE 151 BEING MORE COMMONLY KNOWN AS ASSESSORS PARCEL NUMBER 86-211-030, SAN MATEO COUNTY RECORDS, CALIFORNIA.

--FOR--
INCUMEDX--C/O BYUNG JU
46790 LAKEVIEW BLVD.
FREMONT, CA 94538
510.996.2383

SAN MATEO COUNTY CALIFORNIA
SCALE: 1" = 40' DATE(S) OF SURVEY--2/10/15, 4/9/15
TURNROSE LAND SURVEYING
125 EAST MAIN ST.--SUITE 4
RIPON, CA 95366
209.599.5100
BAY AREA 650.324.3316

JOB 15-05

Attachment D

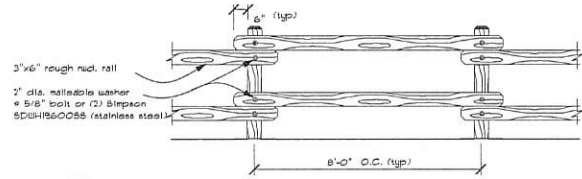
PLN 2016-00106

RECEIVED

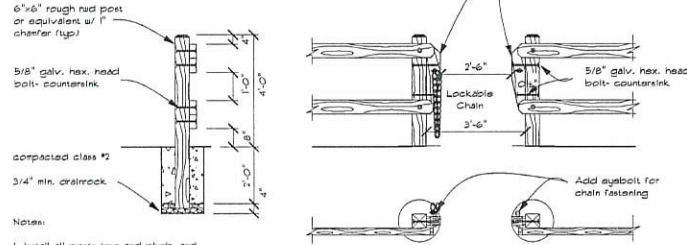
MAR 11 2016

San Mateo County
Planning and Building Department

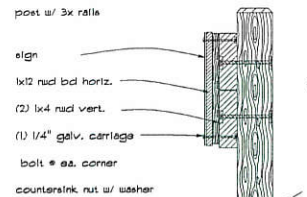
- NOTES:
- 1) EASEMENTS SHOWN WERE TAKEN FROM RECORDED DOCUMENTS NOTED IN A PRELIMINARY REPORT PREPARED BY CHICAGO TITLE COMPANY DATED OCTOBER 1, 2014 WITH TITLE NUMBER 14704030374-0.
 - 2) ELEVATIONS SHOWN ARE BASED UPON A CONTROL POINT BEING A HUB WITH SPICE AND SHUNTER SHOWN AS 1'-1" WITH AN ASSUMED ELEVATION OF 200.00 FEET. THIS IS NOT SEA LEVEL DATA. THE ELEVATIONS SHOWN ARE FOR RELATIVE PURPOSES ONLY.
 - 3) THE BLUFF LOCATION IS AN APPROXIMATE LOCATION AND GENERALLY REPRESENTS POINTS OF SUBMERGENCE APPROXIMATELY 7 FEET FROM THE EDGE OF A DRASTIC CHANGE IN SLOPE.
 - 4) A CORNER RECORD MAP IS BEING PREPARED AND SUBMITTAL TO COUNTY FOR BOUNDARY SURVEY WORK CONDUCTED.
- INDICATES SET 3/2 HUB WITH TAG "L.B. 1454"



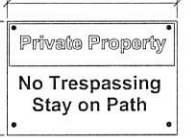
A Boundary Fence Detail
scale: 1/2"=1'-0"



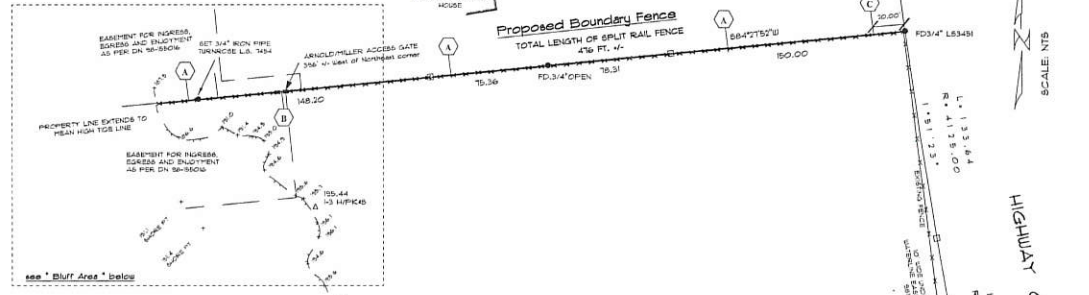
B Gate Detail
scale: 1/2"=1'-0"



C Sign Detail

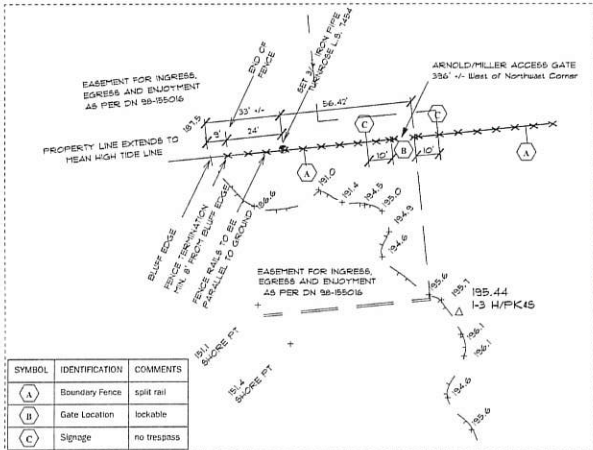


- Notes:
1. Install sign centered on post at 3x rail intersect.
 2. Use galv. fasteners (typ).



LANDS PER DN 2014-117253
11 L.L.S. 151

PACIFIC OCEAN



Bluff Area
scale: 1"=24'-0"

SYMBOL	IDENTIFICATION	COMMENTS
(A)	Boundary Fence	split rail
(B)	Gate Location	lockable
(C)	Signage	no trespass

BOUNDARY MAP
LANDS PER DN 2014-117253
OF THE PARCEL SHOWN ON VOLUME II OF L.L.S. MAPS AT PAGE 151 BEING MORE COMMONLY KNOWN AS ASSESSORS PARCEL NUMBER 86-710-030, SAN MATEO COUNTY RECORDS, CALIFORNIA.

FOR:
INCUMBENT: CIG DIVING JJ
46780 LAKEVIEW BLVD.
FREMONT, CA 94538
510.936.2363

SAN MATEO COUNTY CALIFORNIA
SCALE: NTS DATE(S) OF SURVEY: 2/10/16, 4/9/10

TURNROSE LAND SURVEYING
P.O. BOX 56-48 125 EAST MAIN ST - SUITE 4
REDDWOOD CITY, CA 94063 RIFON, CA 95366
850.324.3336 209.999.9100

SCALE: NTS
DRAWN BY:
DATE: 3/16

Proposed Split Rail Fence and Signs

Attachment E

SO #: _____

Sales Consultant: P. Scott

Customer Name: BS JV

LEAN-TU / STUDIO MODEL LEAN - 2 INSTALL DATE 7/21/16

4 on - 3\"
Foot
Leveling

12' 6'

8'

SIDE 1 SIDE 2

SIDE 3 SIDE 4

OVERHEAD VIEW

Base Paint: KHAZI Green Options (List): _____

Trim Paint: COASTAL Breeze _____

Accent Paint(AP): _____

AP Location: X _____

Shingle: Brownwood _____

Drip/Vent Color: _____

- Customer or responsible individual will be at site at time of delivery? YES NO _____
- Is site clean and level? (Customer understands a leveling fee may apply if site is more than 4" out of level.) YES NO _____
- Is there 18" clearance around all 4 sides of the building? YES NO _____
- Is there clear access to the building site? YES NO _____
- Is there a 110-volt/20 AMP power outlet within 100'? YES NO _____
- Customer understands building permits, fees and all related cost of site readiness are customer's responsibility? YES NO _____
- Customer has been presented the "What to Expect" document? YES NO _____
- Customer understands that changes, cancellations or postponement will result in restocking/rescheduling fee? YES NO _____
- Is this a NO FLOOR option? YES NO _____
- Does the Customer plan to insulate this building? YES NO _____
- How close to the build site can we park our vehicle? ft. _____

Special Instructions: Cut down to 8' FROM 8'S"

TPS

CUSTOMER APPROVAL: _____

Signature: _____

Date: 7/22/16

SO #: 877015

Sales Consultant: P. Scott

Customer Name: BJ JM

BARN MODEL: _____ INSTALL DATE: _____

Base Paint: Khaki Green Options (List): _____
 Trim Paint: Coastal Beige _____
 Accent Paint(AP): X _____
 AP Location: _____
 Shingle: _____
 Drip/Vent Color: _____

OVERHEAD VIEW

- Customer or responsible individual will be at site at time of delivery? YES NO _____
 - Is site clean and level? (Customer understands a leveling fee may apply if site is more than 4" out of level.) YES NO _____
 - Is there 24" clearance around all 4 sides of the building? YES NO _____
 - Is there clear access to the building site? YES NO _____
 - Is there a 110-volt/20 AMP power outlet within 100'? YES NO _____
 - Customer understands building permits, fees and all related cost of site readiness are customer's responsibility? YES NO _____
 - Customer has been presented the "What to Expect" document? YES NO _____
 - Customer understands that changes, cancellations or postponement will result in restocking/rescheduling fee? YES NO _____
 - Is this a NO FLOOR option? YES NO _____
 - Does the Customer plan to insulate this building? YES NO _____
 - How close to the build site can we park our vehicle? _____ ft.
- Special Instructions: CUT DOWN TO 6' FROM 13'2"

CUSTOMER APPROVAL:
 Signature: _____ Date: 8/19/15

Monterey Cypress Incubation/Propagation Project

Our Objective: Utilize the ~3+ acre Pescadero property (Parcel APN# 086-211-030 San Mateo County Records, CA) to incubate and propagate Monterey Cypress (*Cupressus Macrocarpa*) trees from seeds/seedlings, acclimating the Cypress starts to coastal environmental conditions for optimal success rate for transplanting within the north central area of the California coastal zone.

Our Strategy & Rationale: Provide a viable market solution to an unmet "Need". Limited availability of "Fully Acclimated" young Pacific Monterey Cypress trees in Northern California Coastal region.

Our Advantage: Limited market supply of "durable" Pacific Monterey Cypress trees. Most California nurseries provide seedlings/sprouts incubated inland and/or a greenhouse away from harsh environmental conditions requiring coastal climate acclimation post-purchase. The success rate for young Cypress trees to "Take Root & Survive" in the harsh coastal climate may be increased by planting and propagating Monterey Cypress on this site.

Our Plan: Utilize a phased agricultural incubation approach

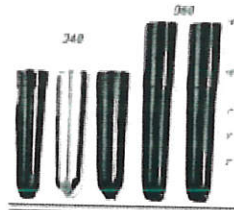
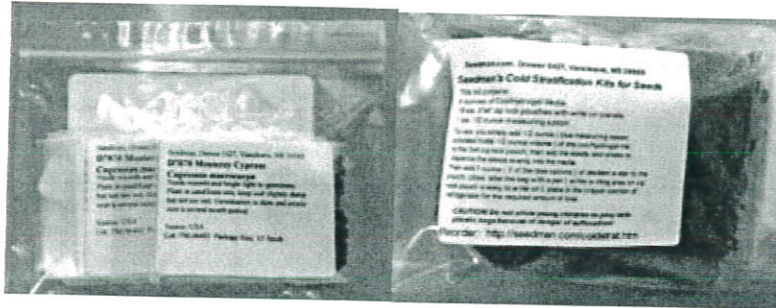
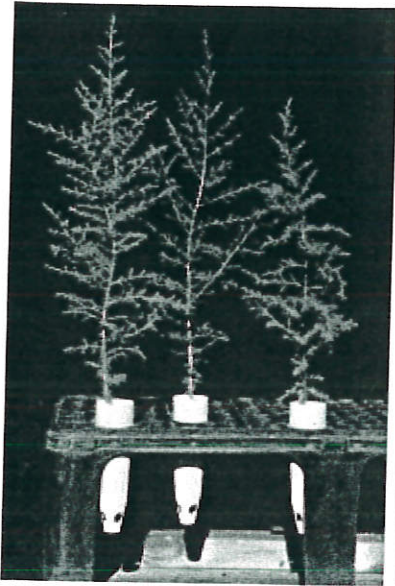
- **Phase-1:** Prepare parcel to support cypress growing project by installing necessary & infrastructure (e.g. Storage shed, tools, acclimation kits, planters, pots, potting soil, water pumping source etc...)
- **Phase-2:** Incubate seeds & seedlings via start-up kits in parallel with 1→5 gallon Pre-acclimated Cypress starts. Initiate website design/development for sale/distribution
- **Phase-3:** Organically grow seedlings into 5→10 gallon Pots & replenish yearly seed/seedling starts inventory (5 year cycle). Initiate market research efforts & evaluate market requirements
- **Phase-4:** Strategically plant ~10-25% of seedlings for full acclimation on property for experimentation (proof-of-concept) & prepare ≥ 10-25 gallon fully acclimated Cypress product inventory
- **Phase-5:** Utilize local & internet resources to market, sell and/or distribute to potential buyers off-site

Our Resources:

- ~3+ acre property (Parcel APN# 086-211-030 San Mateo County Records, CA) with existing water wells and access to Highway One
- Seedman: Monterey Cypress Tree Seed Supplier
- Bongard's Treescape Nursery: Local Inland Pacific Cypress Tree Supplier, 12460 San Mateo Rd., Halfmoon Bay, CA 94019
- Welker's Grove Nursery: Inland Pacific Cypress Sprouts Central Sierra Nevada Mountains of California (42170 Cedar Springs Rd, Auberry, CA 93602)
- **Project Benefits:**
- Create Monterey Cypress tree seedling propagation program
- Adaptations of plants to saline environment & understanding requirements
- Impact assessment of pests & diseases affecting local plants, trees & animals
- Monterey cypress tree blight, pine wilt, pitch canker, bark beetles, etc. & methods to manage & minimize spread of disease
- Effect of detrimental exotics on native habitats (ecological roles of native & exotic plant species in an ecosystem)
- Generate employment opportunity, job experience, responsibility & revenue for my son

Reference Info:

Monterey Cypress Seedlings/Sprouts/Seeds/Acclimation Kits



P/ n2016-00106



RECEIVED

MAY 27 2016

San Mateo County
Planning and Building Department

May 26, 2016

Byung Ju
Pacific Development Group Inc
46790 Lakeview Boulevard
Fremont, CA 94538

Re: Biological Reconnaissance Review of the Ju Property in Pescadero, California

Dear Mr. Ju:

The purpose of this letter is to inform you of the results of the biological resources review and reconnaissance for the Ju Property Fence Installation Project located in Pescadero, San Mateo County, California (APN 086-211-030) (Study Area). The WRA site visit took place on May 16, 2016 and was conducted by Erich Schickenberg (Biologist). The Biologist is experienced in similar site inspections and is familiar with the ecological setting surrounding the Study Area.

The overall Study Area consists of the area surrounding the proposed fence location on the Ju property. The four foot split rail fence will be located on Ju property known as APN 086-211-030. It is a vacant property approximately 4 acres in size. The fence will be adjacent to the Miller property line (APN- 068-211-040). There is an existing 10 foot public coastal access trail on the Miller property (APN- 068-211-040) however the fence will be entirely on the Ju property.

The proposed fence will be bounded to the south and north by a private property; to the east by California State Route 1; and the west by the Pacific Ocean. The surrounding areas consist of coastal scrub bound by developed/landscaped areas. The Study Area for this report consists of the approximately 10-foot wide by 480-foot long coastal access trail along with a 5-foot wide survey zone on either side of the trail alignment. The proposed Ju Property Fence Installation Project includes the installation of an approximately 476-foot split rail fence. The proposed fence will function as a means of demarcation of the location of the private Ju Property. The spit rail fence uses an open, wildlife-friendly design that will not restrict wildlife movement through the Study Area.

Methods

Prior to the site visit, background literature was reviewed to determine potential presence of sensitive vegetation types, aquatic communities, and special-status plant and wildlife species. Resources reviewed for sensitive vegetation communities and aquatic features include aerial photography, mapped soil types, the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB; CDFW 2016), the US Fish and Wildlife Service Information for Planning and Conservation website (USFWS 2016a) and the National Wetland Inventory (NWI; USFWS 2016b). Background information regarding special-status plant and wildlife species was obtained through review of the CNDDDB, California Native Plant Society

Attachment H

(CNPS) Online Databases (2016a and 2016b), available aerial photography, and species habitat requirements as noted in available literature.

On May 16, 2016, the WRA biologist traversed the Study Area on foot to evaluate the potential presence of sensitive vegetation communities, and aquatic features, as well as to evaluate on-site habitat to determine the potential for occurrence of special-status plant and wildlife species. Observed plant communities, aquatic features, as well as plant and wildlife species were recorded. Site conditions were recorded as they relate to habitat requirements of special-status plant and wildlife species known to occur in the vicinity as determined by the background literature research.

Results and Recommendations

Vegetation Communities

The Study Area does not contain sensitive vegetation communities. It includes an actively-used coastal access trail dominated by a planted Monterey cypress (*Hesperocyparis macrocarpa*) windbreak and non-native herbaceous vegetation. Vegetation adjacent to the Study Area is composed of coastal scrub (CNPS 2016b). No avoidance measures are recommended.

Special-status Plant Species

Ninety-seven special-status plant species are known to occur in San Mateo County. Forty-five of these are known to occur in the Pigeon Point USGS 7.5' Quadrangle and four surrounding quadrangles (CNPS 2016a). Based on a background literature search and observed site conditions, 18 special-status plant species have moderate potential to occur in the Study Area.

- Blasdale's bent grass (*Agrostis blasdalei*; Rank 1B.2)
- Bent-flowered fiddleneck (*Amsinckia lunaris*, Rank 1B.2)
- Ocean bluff milk-vetch (*Astragalus nuttallii* var. *nuttallii*, Rank 4.2)
- Coastal marsh milk-vetch (*Astragalus pycnostachyus* var. *pycnostachyus*; Rank 1B.2)
- Johnny-nip (*Castilleja ambigua* var. *ambigua*, Rank 4.2)
- Franciscan thistle (*Cirsium andrewsii*, Rank 1B.2)
- San-loving wallflower (*Erysimum ammophilum*; Rank 1B.2)
- San Francisco gumplant (*Grindelia hirsutula* var. *maritime*; Rank 3.2)
- Kellogg's horkelia (*Horkelia cuneata* var. *sericea*; Rank 1B.1)
- Point Reyes horkelia (*Horkelia marinensis*; Rank 1B.2)
- Coast iris (*Iris longipetala*, Rank 4.2)
- Harlequin lotus (*Hosackia gracilis*, Rank 4.2)
- Perennial goldfields (*Lasthenia californica* ssp. *micrantha*; Rank 1B.2)
- Coast yellow leptosiphon (*Leptosiphon croceus*; Rank 1B.1)
- Rose leptosiphon (*Leptosiphon rosaceus*; Rank 1B.1)
- Marsh microseris (*Microseris paludosa*, Rank 1B.2)
- Choris' popcornflower (*Plagiobothrys chorisianus* var. *chorisianus*; Rank 1B.2)
- Santa Cruz microseris (*Stebbinsoseris decipiens*; Rank 1B.1)

All 18 of the above species are known to occur in coastal scrub. However, none of these species were observed during the survey, which occurred during a period when all of the species would have been identifiable to a level necessary to determine rarity. The remaining

special-status species are unlikely or have no potential to occur in the Study Area for one or more of the following reasons:

- Hydrologic conditions (e.g., marsh habitat, vernal pool habitat) necessary to support the special-status plants do not exist on site;
- Edaphic (soil) conditions (e.g., serpentine, rocky, rhyolitic) necessary to support the special-status plants do not exist on site;
- Topographic conditions (e.g., valley flats) necessary to support the special-status plants do not exist on site;
- Unique pH conditions (e.g., alkali soil) necessary to support the special-status plant species are not present in the Study Area;
- Associated vegetation communities (e.g., chaparral, closed-cone coniferous forest) necessary to support the special-status plants do not exist on site.

Forty plant species were observed within the Study Area, of which 19 are considered not native to California (Attachment 1). No special-status plant species were observed in the Study Area during the site visit. Based on the lack of appropriate habitat and the disturbed condition of the proposed fence alignment, there are no special-status plant species that have potential to occur in the Study Area. No avoidance measures are recommended.

Special-status Wildlife Species

Thirty-eight special-status wildlife species have been documented in San Mateo County (CDFW 2016), though they are all unlikely to occur within the Study Area under conditions observed during the site visit. Special-status species known from the region are unlikely to occur within the Study Area due to one or more of the following:

- Aquatic habitats including open water, rivers, creeks, canals, or ponds are absent;
- Tidal marsh or other wetlands adjacent to tidally influenced areas are absent;
- Grassland habitats are absent;
- Necessary habitat elements, such as burrows, were not present or of poor quality; and
- The Project Area is outside of the species' known range.

Listed species that have potential to occur in the vicinity of the Study Area, but are unlikely to occur within the Study Area include: California red-legged frog (*Rana draytonii*) and San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). The potential for these species to occur within the Study Area is described in more detail below.

Species Known in the Vicinity but Unlikely to Occur within the Construction Area

California red-legged frog and San Francisco garter snake may be present in the ponds to the east of the Highway 1; however, there is no pond habitat for these species on the west side of Highway 1. Successful dispersal across Highway 1 from the ponds to the east is greatly reduced because of high vehicle traffic, but is not considered a complete barrier. Furthermore, both species are typically found within 300 feet of pond habitats even when using upland refugia habitats except during or shortly after rain events when both species may disperse overland (Bulger et al. 2003, McGinnis 2001, Rathbun and Schneider 2001, USFWS 2006, Fellers and Kleeman 2007). The Study Area does not contain wetland or aquatic habitat and no burrows or refugia habitat is present. Based on the lack of suitable habitat features, distance from pond and aquatic habitat, and potential barriers to dispersal, it is unlikely that either species would be

found within the Study Area. However, California red-legged frog and San Francisco garter snake may disperse through the Study Area during rain or shortly after rain events. Therefore, WRA recommends implementing the following measures during fence installation to protect California red-legged frog and San Francisco garter snake which may pass through the work area during the rainy season:

1. Project activities should be conducted during the dry season (June to October 31) when frogs are not likely to disperse through the work zone;
2. Project activities should be avoided within 30 minutes after sunrise or within 30 minutes prior to sunset when frogs are more active;
3. Any erosion control materials used on site should not contain plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material because California red-legged frog, San Francisco garter snake, and other species may become entangled or trapped in it. Tightly woven fiber netting or similar material should be used at the Project to ensure that amphibian and reptile species do not get trapped. This limitation should be communicated to the contractor.

Migration Corridors

The proposed boundary fence will not create a barrier to wildlife movement following installation. The fence is designed with a post every 8 feet and the lowest rail 8 inches above the ground. The fence design allows wildlife passage and will not impact California red-legged frog or San Francisco garter snake dispersal corridors.

Summary and Conclusions

Based on the results of the site visit, the Study Area does not contain quality habitat for special-status plant or wildlife species; however, listed wildlife species may incidentally occur within the Study Area. Based on the existing project plans, and with implementation of the recommended impact avoidance measures, no impacts to special-status species, sensitive habitats, or wildlife migration corridors are anticipated.

Please feel free to contact me if you have any questions or concerns.

Sincerely yours,



Kate Allan
Associate Biologist
allan@wra-ca.com

Attachment 1: Observed Plant Species within the Study Area

References

- Bulger J. B., J. S. Norman, And R. B. Seymour. 2003. Terrestrial Activity and Conservation Of Adult California Red-Legged Frogs (*Rana aurora draytonii*) in Coastal Forests And Grasslands. *Biological Conservation*, 110:85.-95.
- [CDFW] California Department of Fish and Wildlife. 2016. Natural Diversity Database, Wildlife and Habitat Data Analysis Branch. Sacramento.
- [CNPS] California Native Plant Society. 2016a. Electronic Inventory of Rare and Endangered Vascular Plants of California. California Native Plant Society, Sacramento, California. Available at: <http://www.cnps.org/cnps/rareplants/inventory/>. Most recently accessed: March 2016.
- CNPS. 2016b. A Manual of California Vegetation, Online Edition. California Native Plant Society, Sacramento, California. Available at: <http://www.cnps.org/cnps/vegetation/>. Most recently accessed: March 2016.
- California Soil Resource Lab. 2016. SoilWeb: An Online Soil Survey Browser. <http://casoilresource.lawr.ucdavis.edu/soilweb/>. Most recently accessed: April 2016.
- Fellers, G.M. and P.M. Kleeman. 2007. California red-legged frog (*Rana draytonii*) movement and habitat use: Implications for conservation. *Journal of Herpetology* 41(2): 276-286.
- McGinnis, S. M. 2001. Past and Present Habitats for the San Francisco Garter Snake and California Red-Legged Frog on the Original Cascade Ranch Property, With Additional Comments on Potential Movement Pathways and Suggestions for Critical Habitat Enhancement Measures. Unpublished. April.
- Rathbun, G.B. and J. Schneider. 2001. Translocation of California red-legged frogs (*Rana aurora draytonii*). *Wildlife Society Bulletin* 29(4): 1300-1303.
- [USFWS] United States Fish and Wildlife Service. 2006. San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*) 5-Year Review: Summary and Evaluation. Sacramento Fish and Wildlife Office. September.
- USFWS. 2016a. IPaC Information for Planning and Conservation. Available at: <https://ecos.fws.gov/ipac/>. Most recently accessed: April 2016.
- USFWS. 2016b. National Wetlands Inventory. Available at: <http://www.fws.gov/wetlands/index.html>. Most recently accessed: March 2016.

Attachment 1:
Observed Species within the Study Area

Scientific Name	Family	Common Name	Origin	Form	Rarity Status
<i>Achillea millefolium</i>	Asteraceae	Yarrow	native	perennial herb	-
<i>Armeria maritima</i> ssp. <i>californica</i>	Plumbaginaceae	Sea thrift	native	perennial herb	-
<i>Baccharis pilularis</i> ssp. <i>pilularis</i>	Asteraceae	Coyote brush	native	shrub	-
<i>Brassica rapa</i>	Brassicaceae	Common mustard	non-native (invasive)	annual herb	-
<i>Briza maxima</i>	Poaceae	Rattlesnake grass	non-native (invasive)	annual grass	-
<i>Briza minor</i>	Poaceae	Little rattlesnake grass	non-native	annual grass	-
<i>Bromus catharticus</i>	Poaceae	Rescue grass	non-native	annual, perennial grass	-
<i>Bromus diandrus</i>	Poaceae	Ripgut brome	non-native (invasive)	annual grass	-
<i>Bromus hordeaceus</i>	Poaceae	Soft chess	non-native (invasive)	annual grass	-
<i>Carduus pycnocephalus</i> ssp. <i>pycnocephalus</i>	Asteraceae	Italian thistle	non-native	annual herb	-
<i>Carpobrotus edulis</i>	Aizoaceae	Iceplant	non-native (invasive)	perennial herb	-
<i>Cortaderia jubata</i>	Poaceae	Andean pampas grass	non-native (invasive)	perennial grass	-
<i>Dudleya farinosa</i>	Crassulaceae	Sea lettuce	native	perennial herb	-
<i>Erigeron canadensis</i>	Asteraceae	Canada horseweed	native	annual herb	-
<i>Erigeron glaucus</i>	Asteraceae	Seaside daisy	native	perennial herb	-
<i>Eriogonum latifolium</i>	Polygonaceae	Coast buckwheat	native	perennial herb	-
<i>Eriophyllum staechadifolium</i>	Asteraceae	Lizard tail	native	perennial herb	-
<i>Eschscholzia californica</i>	Papaveraceae	California poppy	native	annual, perennial herb	-
<i>Festuca bromoides</i>	Poaceae	Brome fescue	non-native	annual grass	-
<i>Festuca myuros</i>	Poaceae	Rattail sixweeks grass	non-native (invasive)	annual grass	-
<i>Frangula californica</i>	Rhamnaceae	California coffeeberry	native	shrub	-
<i>Galium aparine</i>	Rubiaceae	Cleavers	native	annual herb	-
<i>Gnaphalium obtusifolium</i>	Asteraceae	Featherweed	native	perennial herb	-
<i>Geranium dissectum</i>	Geraniaceae	Wild geranium	non-native (invasive)	annual herb	-
<i>Grindelia hirsutula</i>	Asteraceae	Gumweed	native	perennial herb	-
<i>Hesperocyparis macrocarpa</i>	Cupressaceae	Monterey cypress	native	tree	Rank 1B.2
<i>Holcus lanatus</i>	Poaceae	Common velvetgrass	non-native (invasive)	perennial grass	-
<i>Hordeum brachyantherum</i>	Poaceae	Meadow barley	native	perennial grass	-
<i>Juncus patens</i>	Juncaceae	Rush	native	perennial grasslike herb	-
<i>Lupinus arboreus</i>	Fabaceae	Coastal bush lupine	native	shrub	-
<i>Lysimachia arvensis</i>	Myrsinaceae	Scarlet pimpernel	non-native	annual herb	-
<i>Medicago polymorpha</i>	Fabaceae	California burclover	non-native (invasive)	annual herb	-
<i>Navarretia squarrosa</i>	Polemoniaceae	Skunkweed	native	annual herb	-
<i>Plantago coronopus</i>	Plantaginaceae	Cut leaf plantain	non-native (invasive)	annual herb	-
<i>Pseudognaphalium stramineum</i>	Asteraceae	Cottonbating plant	native	perennial herb	-
<i>Rubus ursinus</i>	Rosaceae	California blackberry	native	vine, shrub	-
<i>Rumex acetosella</i>	Polygonaceae	Sheep sorrel	non-native (invasive)	perennial herb	-
<i>Rumex crispus</i>	Polygonaceae	Curly dock	non-native (invasive)	perennial herb	-
<i>Scrophularia californica</i>	Scrophulariaceae	California bee plant	native	perennial herb	-
<i>Sonchus asper</i> ssp. <i>asper</i>	Asteraceae	Sow thistle	non-native (invasive)	annual herb	-



Sigma Prime Geosciences, Inc.

March 7, 2016

Byyung Ju
46790 Lakeview Blvd.
Fremont, CA 94528

Subject: Geotechnical Letter, Proposed Fence for Cabrillo Hwy Parcel
APN 086-211-030

Dear Mr. Ju,

We understand that you wish to build an east-west trending split rail fence along your north property line.

Per San Mateo County Local Coastal Program policy 9.8, Regulation of Development on Coastal Bluff Tops, there are many concerns related to stability of the bluff top and potential impacts of development on the bluff top. Policy 9.8 has typically been utilized to address proposed houses and other substantial structures. In this case, only a four-foot-high split rail fence is proposed. The required bluff top erosion evaluation, is discussed below.

As part of our bluff top erosion evaluation, we made a recent site visit to study the geologic conditions. We also performed an aerial photography analysis. During the site visit, we noted the geologic materials exposed in the face of the bluff, and we looked for evidence of slope instability of the bluff. The bluff is vertical in front of most of the property, however at the north end of the bluff in the vicinity of the proposed fence, part of the bluff becomes much more gentle, sloping down to the toe of the slope. The gradient of the slope is estimated at about 25 percent.

To the north of the gentler portion of the bluff, the bluff once again drops off more abruptly. The northern property line extends over the abrupt bluff, about 33 feet west of an iron pipe that marks the property line.

The flat area above the bluff has less than 1 foot of poorly developed soil over a hard cobble conglomerate. The entire face of the bluff exposes the conglomerate. It is a hard material, requiring several hammer blows to break apart. The cobbles are very hard and well rounded, and are typically 3 to 6 inches in diameter. There are no visible signs of instability of the bluff. There is only minor erosion of the upper soils near the top of the bluff.

For the aerial photography review, we studied stereo pairs on photographs on file at the United States Geological Survey (USGS) in Menlo Park. We reviewed photographs from October 11, 1943, May 8, 1973, and June 7, 1974. The 1943 and 1974 photographs were the same scale, at 1:20,000. In 1943, Highway 1 was a narrow, meandering 2-lane road. Therefore, we could not measure the



distance from the edge of the highway to the bluff top, and compare it to the distance in 1974. However, the unpaved frontage road that provides access to the subject property and its neighbors, was there in 1943, at the same location. We measured the distance from the road to the bluff in 1943 and 1974, and found no difference. The distance was difficult to gauge accurately, but it was estimated at 420 feet. Review of aerial photography on GoogleEarth, in a photograph dated March 28, 2015, showed a distance of about 420 from the unpaved road to the bluff top. Therefore, we can find no evidence of bluff top retreat since 1943. Because none of the measurements can be made with any great accuracy, we cannot conclude with certainty that the rate of retreat is zero in the last 72 years, but the rate is clearly very low. The highest rate one may be able to consider is about 0.1 feet per year.

Based on our evaluations, we anticipate very minimal retreat of the bluff top over the next 50 years, probably 5 feet or less. In addition, construction of the four-foot-high split rail fence will not destabilize the bluffs or increase erosion. There is a pipe marking the property line near the top of the bluff per some recent survey work for this project. The pipe is about 33 feet from the bluff. We recommend that the fence end at least 5 feet from the bluff, or no more than 28 feet from the pipe. This setback location will place the fence at a location that will not be impacted over the next 50 years.

In addition, the fence will not impact the bluff. The fence will require a hand-dug post hole that will be filled with concrete. This will not decrease the stability of the bluff.

If you have any questions, please call me at (650) 728-3590.

Yours,
Sigma Prime Geosciences

Charles Kissick. P.E.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



April 19, 2016

Carmelisa Morales, Project Planner
San Mateo County Planning and Building Department
455 County Center, 2nd Floor
Redwood City, California 94063

Re: San Mateo County Planning Case Number PLN2016-00106 (Burke)

Dear Ms. Morales,

Thank you for forwarding the project referral for County Planning Case Number PLN2016-00106 dated March 18, 2016. We appreciate the opportunity to provide you with our comments. The proposed project is located on a vacant parcel (APN 086-211-030) in Pescadero west of Cabrillo Highway, San Mateo County. The applicant is requesting a Coastal Development Permit (CDP) for construction of a four-foot high, approximately 476-foot long, split-rail fence along the northern boundary of the property adjacent to a corridor dedicated for public access. The proposed project also includes installation of three signs (as shown on the "Proposed Split Rail Fence and Signs" dated 3/8/16).

The parcel was previously the subject of two prior Coastal Act violations (V-2-03-03 and V-2-13-004). The violations involved unpermitted construction / installation of unauthorized fence and signs that impeded the public's ability to access the existing trail (Arnold Miller) and the bluff top, in violation of San Mateo County's Local Coastal Program (LCP). The unauthorized fence and signs were removed, thus both violations have been resolved.

The proposed project site is located adjacent to Arnold Miller Trail an existing public trail that provides access to the coastal bluff area; and is within a scenic corridor. The County evaluation must address the proposed project's consistency with LCP policies for the protection of scenic resources. Importantly, the Arnold Miller trail and the bluff top area must remain accessible to the public at all times. The proposed sign, as presented in the sign detail states "No Trespassing, Stay on Path". The signs must not prevent the public from using the trail to access the coastal bluff; therefore we suggest that the signs more clearly inform the public that the Arnold Miller trail and bluff is accessible. We recommend that the sign detail be revised to read as: "No Trespassing on Private Property, Stay on Public Access Path". We recommend the County require that the applicant evaluate the proposed project site for the occurrence of potential sensitive resources and ensure that the proposed fence and signs will not result in impacts to sensitive species, including any migration or dispersal corridors, and or habitat, consistent with LCP policies for the protection of sensitive resources.

Please feel free to contact me if you have questions regarding our comments. I can be reached by telephone at (415) 904-5292 or e-mail at renee.ananda@coastal.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Renée Ananda".

Renée Ananda, Coastal Program Analyst
North Central Coast District

CC: Jo Ginsberg, Coastal Commission, Enforcement

Attachment J

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
MITIGATED NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Split Rail Fence and Signs*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2016-00106

OWNER: PDG, Inc.

APPLICANT: Kerry Burke

ASSESSOR'S PARCEL NO.: 086-211-030

LOCATION: Undeveloped Parcel, Cabrillo Highway

**POSTING
ONLY
SEP 14 2016
DIANA SIRON**

PROJECT DESCRIPTION

Construction of a 4-foot tall 476-foot long split-rail wood fence along the northern boundary of the subject property adjacent to Arnold Miller Trail, an easement dedicated for public coastal access. Three 12 in. by 18 in. "no trespass/stay on path" signs will be permanently attached to the proposed fence at the following locations: one sign 20 ft. from the start of the fence at the northeast section of the property and two signs on each side of the lockable chain gate approximately 396 ft. west from the start of the fence. No vegetation removal or grading is proposed

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.

- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: The applicant shall implement the following measures during construction to protect the California red-legged frog and San Francisco garter snake which may pass through the work area during the rainy season:

- a. Project activities should be conducted during the dry season (June to October 31) when frogs are not likely to disperse through the work zone.
- b. Project activities should be avoided within 30 minutes after sunrise or within 30 minutes prior to sunset when frogs are more active.
- c. Any erosion control materials used on site should not contain plastic mon-filament netting (erosion control matting), rolled erosion control products, or similar materials because the California red-legged frog, San Francisco garter snake, and other species may become entangled or trapped in it. Tightly woven fiber netting or similar material should be used at the project site to ensure that amphibian and reptile species do not get trapped. This limitation should be communicated to the contractor.

Mitigation Measure 2: If archaeological and/or cultural resources are encountered during grading or construction activities, work shall be temporarily halted within 30 ft. of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. The project applicant or archaeologist shall immediately notify the Current Planning Section of any discoveries made and shall provide the Current Planning Section with a copy of the archaeologist's report and recommendations prior to any further grading or construction activity in the vicinity.

Mitigation Measure 3: A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.

Mitigation Measure 4: Use existing roads to the maximum extent feasible to avoid additional surface disturbance.

Mitigation Measure 5: During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site.

Mitigation Measure 6: The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

Mitigation Measure 7: Implement best management practices (BMPs) for erosion and sediment control during all phases of building to include pre- and post-construction activities.

Mitigation Measure 8: Prior to the beginning of any construction or grading activities, the applicant shall implement the approved erosion and sediment control plan if applicable. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.

- l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.
- m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.

Mitigation Measure 9: The applicant shall implement erosion control measures prior to the beginning of grading or construction operations. Such activities shall not commence until the associated building permit for the project has been issued if applicable.

Mitigation Measure 10: Noise levels produced by proposed construction activities shall comply with the San Mateo County Noise Ordinance contained in Chapter 4.88 (Noise Regulations) of the County Ordinance Code. Construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sundays and any national holidays.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: September 14, 2016 to October 4, 2016

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., October 4, 2016**.

CONTACT PERSON

Carmelisa Morales
Project Planner, 650/363-1873
cjmorales@smcgov.org



Carmelisa Morales, Project Planner

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(2/2015)

County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

1. **Project Title:** Split Rail Fence and Signs
2. **County File Number:** PLN2016-00106
3. **Lead Agency Name and Address:** County of San Mateo, 455 County Center, 2nd Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Carmelisa Morales, 650/363-1873, cjmorales@smcgov.org
5. **Project Location:** Undeveloped Parcel, Cabrillo Highway
6. **Assessor's Parcel Number and Size of Parcel:** 086-211-030
7. **Project Sponsor's Name and Address:** Kerry Burke, 34 Amesport Landing, Half Moon Bay, CA 94019
8. **General Plan Designation:** Agriculture Rural
9. **Zoning:** Planned Agricultural District/Coastal Development District
10. **Description of the Project:** Construction of a 4-foot tall 376-foot long split-rail wood fence along the northern boundary of the subject property adjacent to Arnold Miller Trail, an easement dedicated for public coastal access. Three 12 in. by 18 in. "no trespass/stay on path" signs will be permanently attached to the proposed fence at the following locations: one sign 20 ft. from the start of the fence at the northeast section of the property and two signs on each side of the lockable chain gate approximately 396 ft. west from the start of the fence. No vegetation removal or grading is proposed.
11. **Surrounding Land Uses and Setting:** The 3.71 acre project parcel is located 0.55 miles south of the intersection of Bean Hollow Road and State Highway 1 (Cabrillo Highway) and 0.7 miles south of the entrance of Bean Hollow State Beach. It is bounded by California State Route 1 to the east, the Pacific Ocean to the west, private property with existing residence to the north, and an Open Space area to the south. The project is located within the Cabrillo Highway State Scenic Corridor. Project parcel is on a broad-flat marine terrace with coastal bluffs along the western edge. A small beach is located at the northwesterly corner and is accessible by a moderate slope. An unpaved path allows public coastal access to the beach. The access easement follows the northern boundary of the subject parcel, but is completely on the neighboring property immediately north. An existing residence is located on the abutting northern property and its driveway runs parallel to the trail. An unpaved road shared between the subject parcel and neighboring properties connects from the access easement, runs parallel to the eastern property line and connects to Cabrillo Highway. An existing wood fence

runs along the eastern property line and physically separates the project parcel from the unpaved road shared between the neighboring properties.

12. **Other Public Agencies Whose Approval is Required:** None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Climate Change		Population/Housing
	Agricultural and Forest Resources		Hazards and Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
X	Biological Resources		Land Use/Planning		Transportation/Traffic
X	Cultural Resources		Mineral Resources		Utilities/Service Systems
X	Geology/Soils	X	Noise		Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.

- b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Have a significant adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?			X	
<p>Discussion: There is no significant adverse effect on a scenic vista or from existing public lands, water bodies, or roads. The 4 foot high fence will be along the northern property line of the subject parcel which is parallel to the Arnold Miller Trail, an easement for public coastal access that is completely on the adjacent parcel. Vegetation outlines the path of the trail, except for the eastern half of the path where the driveway to the residence on the adjacent northern property can be seen (no vegetation between that separates the dirt road). The only residential areas impacted by the fence are two residences immediately north of the property. To minimize visual impacts, the design of the fence will allow vegetation to grow freely through and around it while the height and material will allow it to blend in with the surrounding vegetation. The fence will only be partially visible from the access easement used by the neighboring properties to access Cabrillo Highway which is already outlined with fences to separate the properties. The design and materials of the fence is consistent with State and local parks department standards for trail fencing and does not present a significant visual impact.</p> <p>Source: Project Plans, San Mateo County GIS, Site Visit.</p>				

b. Significantly damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
<p>Discussion: Project is located within the Cabrillo Highway State Scenic Corridor. Project will not damage or destroy any trees, rock outcroppings, or historic buildings within a State Scenic Highway. The fence will be hidden from the scenic corridor due to the existing vegetation along Cabrillo Highway. There is also an access easement shared by neighboring properties, a fence, and existing trees and vegetation that are between the fence and Cabrillo Highway. Project will not damage or destroy scenic resources.</p> <p>Source: Project Plans, San Mateo County GIS.</p>				
c. Significantly degrade the existing visual character or quality of the site and its surroundings, including significant change in topography or ground surface relief features, and/or development on a ridgeline?				X
<p>Discussion: Project will not significant degrade the existing visual character or quality of the site and its surroundings. No vegetation removal and grading are proposed. The fence will utilize natural materials in a design that is commonly found along public trails.</p> <p>Source: Project Plans.</p>				
d. Create a new source of significant light or glare that would adversely affect day or nighttime views in the area?				X
<p>Discussion: No lights are proposed for the fence. The three signs on the fence will be non-reflective.</p> <p>Source: Project Plans.</p>				
e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
<p>Discussion: Project site is located within the Cabrillo Highway State Scenic Corridor though not visible from the highway due to existing vegetation along Cabrillo Highway.</p> <p>Source: Project Plans, San Mateo County GIS.</p>				

f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?			X	
<p>Discussion: Project not located within a Design Review District. Project is compliant with General Plan and Zoning provisions.</p> <p>Source: Parcel Zoning, San Mateo County General Plan, San Mateo County Zoning Regulations.</p>				
g. Visually intrude into an area having natural scenic qualities?			X	
<p>Discussion: Project will create a physical boundary line between private property and the easement dedicated for public coastal access. The fence was designed to maintain the same height as most of the existing vegetation and be constructed of wood material. The fence will end at least 8 feet from the bluff edge which will prevent it from visually intruding the scenic qualities of that area.</p> <p>Source: Project Plans, San Mateo County GIS, Site Visit.</p>				

<p>2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
<p>Discussion: Project is located inside the Coastal Zone.</p> <p>Source: San Mateo County GIS.</p>				

<p>b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?</p>				X
<p>Discussion: Project site is located on a vacant parcel in the Planned Agricultural District (PAD). While agriculture is a permitted use within the PAD Zoning District, the project site and subject parcel are currently not in agricultural operation. Parcel is not encumbered by an Open Space Easement or by a Williamson Act contract.</p> <p>Source: San Mateo County Zoning Regulations, San Mateo County General Plan, San Mateo County Williamson Act Contracts.</p>				
<p>c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?</p>				X
<p>Discussion: The parcel is not mapped as Farmland (mapped as "Other Lands") and does not meet the definition of forestland (land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits), thus no conversion will result.</p> <p>Source: Project Plans, San Mateo County GIS, California Department of Conservation San Mateo County Important Farmland 2014 Map, Resources Code Section 12220(g) <i>Forest land</i>.</p>				
<p>d. For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?</p>				X
<p>Discussion: Project site consists of Class III soils, however, these soils are not rated good or very good for artichokes or Brussels sprouts. No conversion or division of lands within project site are proposed.</p> <p>Source: Natural Resources Conservation Service Web Soil Survey, San Mateo County General Plan Productive Soils Resources Soils with Agricultural Capability Map, Project Plans, San Mateo County GIS.</p>				

e. Result in damage to soil capability or loss of agricultural land?			X	
<p>Discussion: Project is located on soils classified with a Storie Index of Grade 1- Excellent (Elkhorn sandy loam, thick surface, gently sloping) soils. The bluff area on the western side of the property which may partially contain some of the proposed fence is not rated. Project will result in minimal damage to soil capability due to the location of the fence on these soils. However, if agricultural operations were to commence, it is not anticipated that the fence would affect the majority of the land available for agriculture.</p> <p>Source: California Department of Conservation Farmland Mapping and Monitoring Program Map, Site Visit.</p>				
<p>f. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				X
<p>Discussion: No rezoning proposed.</p> <p>Source: Project Plans.</p>				

<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
<p>Discussion: Project does not propose any conflict with or obstruct implementation of the Bay Area 2010 Clean Air Plan (CAP), an air quality plan for San Mateo County developed by the Bay Area Air Quality Management District (BAAQMD). Once constructed, the project will not impact the air quality standards set forth for the region by the BAAQMD, as the fence will not generate any air emissions. During project construction, air emissions will be generated from construction equipment and construction worker vehicles. However, any such construction-related emissions would be temporary and localized.</p> <p>Source: Bay Area Air Quality Management District.</p>				

b. Violate any air quality standard or contribute significantly to an existing or projected air quality violation?				X
<p>Discussion: No known air quality violations in this area. Project will not violate any construction-related air quality standard or contribute significantly to an air quality violation.</p> <p>Source: Project Plans, Bay Area Air Quality Management District.</p>				
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
<p>Discussion: As of December 2012, San Mateo County is a non-attainment area for PM-2.5. On January 9, 2013, EPA issued a final rule to determine that the Bay Area attains the 24-hour PM-2.5 national standard. However, the Bay Area will continue to be designated as “non-attainment” for the national 24-hour PM-2.5 standard until the BAAQMD submits a “re-designation request” and a “maintenance plan” to EPA and the proposed re-designation is approved by the EPA. A temporary increase in the project area is anticipated during construction since these PM-2.5 particles are a typical vehicle emission. The temporary nature of the proposed construction and California Air Resources Board vehicle regulations reduce the potential effects to a less than significant impact.</p> <p>Source: Bay Area Air Quality Management District.</p>				
d. Expose sensitive receptors to significant pollutant concentrations, as defined by BAAQMD?				X
<p>Discussion: No known sensitive receptors (e.g. schools, day cares, nursing homes) are located within the project vicinity. Therefore, the project would not expose sensitive receptors to pollutant concentrations.</p> <p>Source: Project Plans, Google Maps (2016).</p>				
e. Create objectionable odors affecting a significant number of people?			X	
<p>Discussion: Project will not create objectionable odors. Project has the potential to generate odors associated with construction activities. However, any such odors will be temporary and expected be minimal.</p> <p>Source: Project Plans.</p>				

f. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?			X	
<p>Discussion: Project will generate a temporary increase in dust, motor vehicle and diesel particulate matter in the area. The temporary increase is not expected to violate existing standards of on-site air quality given required vehicle emissions standards required by the State of California for vehicle operations.</p> <p>Source: Project Plans.</p>				

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Have a significant 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 Wildlife or U.S. Fish and Wildlife Service?		X		
<p>Discussion: A biological report was completed by WRA Environmental Consultants for the project and concluded that 38 special-status wildlife species were identified to be in San Mateo County, but all are unlikely to occur within this project site under the conditions observed during the site visit. Two species, the California red-legged frog and San Francisco garter snake, were listed as species that have potential to occur in the vicinity, but are unlikely to occur within the project site. These two species may be present in ponds to the east of Cabrillo Highway, but no pond habitat for these species are on the west side of the highway where the project site is located. Successful dispersal across Cabrillo Highway from the ponds in the east is greatly reduced due to the high vehicle traffic, but it is not considered a complete barrier. Both species are typically found within 300 feet of pond habitats even when using upland refugia habitats except during or shortly after rain events when both species may disperse overland. The project site does not contain wetland or aquatic habitat and no burrows or refugia habitats are present. Based on lack of suitable habitat features, distance from pond and aquatic habitat, and potential barriers for dispersal, it is unlikely that either species would be found within the project site. However, the two species may disperse through the project site during rain or shortly after rain events.</p> <p>Mitigation Measure 1: The applicant shall implement the following measures during construction to protect the California red-legged frog and San Francisco garter snake which may pass through the work area during the rainy season:</p> <p>a. Project activities should be conducted during the dry season (June to October 31) when frogs are not likely to disperse through the work zone.</p> <p>b. Project activities should be avoided within 30 minutes after sunrise or within 30 minutes prior to sunset when frogs are more active.</p> <p>c. Any erosion control materials used on site should not contain plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar materials because the California red-legged frog, San Francisco garter snake, and other species may become</p>				

entangled or trapped in it. Tightly woven fiber netting or similar material should be used at the project site to ensure that amphibian and reptile species do not get trapped. This limitation should be communicated to the contractor.

Source: Project Plans, California Natural Diversity Database, Biological Reconnaissance Review of the Ju Property by WRA Environmental Consultants (2016).

b. Have a significant 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 Wildlife or U.S. Fish and Wildlife Service?			X	
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Discussion: A biological report was completed by WRA Environmental Consultants for the project that identified 18 special-status plant species that have moderate potential to occur in the project site. None of the species were observed during the survey for the report which occurred during a period when all of the species would have been identifiable to a level necessary to determine rarity. Based on the lack of appropriate habitat and the disturbed condition of the proposed fence alignment, there are no special-status plant species that have potential to occur in the project site. No avoidance measures have been recommended.

Source: Project Plans, Project Location, San Mateo County General Plan, Biological Reconnaissance Review of the Ju Property by WRA Environmental Consultants (2016).

c. Have a significant adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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Discussion: No wetlands located within the project area.

Source: Project Plans, Project Location.

d. Interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
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Discussion: The fence will not create a barrier for wildlife movement following installation. The fence functions solely as a means of demarcation of the subject parcel. The split-rail design of the fence (a post every 8 feet and the lowest rail at 8 inches above ground) allows wildlife passage and will not impact California red-legged frog or San Francisco garter snake dispersal corridors.

Source: Project Plans, Biological Reconnaissance Review of the Ju Property by WRA Environmental Consultants (2016).

e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X
<p>Discussion: No tree removal proposed.</p> <p>Source: Project Plans.</p>					
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?				X
<p>Discussion: There are no known adopted Habitat Conservation Plans, Natural Conservation Community Plans, or other approved local, regional, or State habitat conservation plans for the co-location project site.</p> <p>Source: California Department of Fish and Wildlife, California Regional Conservation Plans Map, San Mateo County General Plan.</p>					
g.	Be located inside or within 200 feet of a marine or wildlife reserve?				X
<p>Discussion: Not located inside or within 200 feet a marine or wildlife reserve.</p> <p>Source: Project Location, San Mateo County GIS.</p>					
h.	Result in loss of oak woodlands or other non-timber woodlands?				X
<p>Discussion: Not located in such an area; no tree removal proposed.</p> <p>Source: Project Plans, Project Location.</p>					

5. CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Cause a significant adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?			X
<p>Discussion: No known historical resources in this area.</p> <p>Source: California Historical Resources Information System.</p>				

b. Cause a significant adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?		X		
<p>Discussion: No known archaeological resources in this area. Staff forwarded the project referral to California Historical Resources Information System (CHRIS) for review and comments. Based on the review of their records, no cultural resources were identified and no further study was recommended. CHRIS recommended that Planning staff contact local Native American tribes regarding traditional, cultural, and religious heritage values associated with the project area. A tribal consultation list was received from the Native American Heritage Commission and the local tribes listed were contacted. No response was received from the tribes. A cultural resources inventory report conducted by a registered professional archaeologist, Lawrence G. Desmond, Ph. D concluded that no indications of prehistoric habitation or processing use were found and no additional archaeological studies were recommended. Mitigation Measure 2 is being included to mitigate any potential impacts from construction activities:</p> <p>Mitigation Measure 2: If archaeological and/or cultural resources are encountered during grading or construction activities, work shall be temporarily halted within 30 ft. of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. The project applicant or archaeologist shall immediately notify the Current Planning Section of any discoveries made and shall provide the Current Planning Section with a copy of the archaeologist's report and recommendations prior to any further grading or construction activity in the vicinity.</p> <p>Source: California Historical Resources Information System, Native American Heritage Commission.</p>				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
<p>Discussion: No mapped unique paleontological resource or geologic feature in this area. Area consists of QT (Sediments) commonly found within the County. The following mitigation measures are being included to mitigate any potential impacts from construction activities.</p> <p>Mitigation Measure 3: A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.</p> <p>Mitigation Measure 4: Use existing roads to the maximum extent feasible to avoid additional surface disturbance.</p> <p>Mitigation Measure 5: During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site.</p> <p>Source: U.S. Geological Survey Geologic Map of the San Francisco Bay Region (2006).</p>				

d. Disturb any human remains, including those interred outside of formal cemeteries?		X		
<p>Discussion: No known human remains in this area. Mitigation Measure 6 is included to reduce any potential significant project impact to human remains to a less than significant level.</p> <p>Mitigation Measure 6: The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.</p> <p>Source: Project Plans, Project Location.</p>				

6. GEOLOGY AND SOILS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Expose people or structures to potential significant adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>				X

Discussion: The project is located within a region of California characterized by active faulting. No known active faults cross the project site, nor is the project site within a current Earthquake Fault Zone, pursuant to the Alquist-Priolo Earthquake Fault Zoning Maps. Potential for ground rupture, or other similar effect, at the project site is highly unlikely.

Source: California Geological Survey - Alquist-Priolo Earthquake Fault Zones Regulatory Map.

ii. Strong seismic ground shaking?			X	
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Discussion: Project site located within Strong area for earthquake shaking. There is a high probability that project may be subject to violent ground shaking from an earthquake during the life of the project, as the entire San Francisco Bay Area is characterized by active faulting. However, the project will be constructed in compliance with current building codes and standards and does not involve any habitable structures or uses.

Source: Project Plans, San Mateo County Earthquake Shaking San Andreas Fault Map.

iii. Seismic-related ground failure, including liquefaction and differential settling?			X	
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Discussion: Located within a Very Low area of earthquake liquefaction. No habitable structures or uses proposed.

Source: San Mateo County Earthquake Shaking San Andreas Fault Map.

iv. Landslides?				X
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Discussion: No landslide areas reported within project vicinity. No habitable structures or uses proposed.

Source: Project Plans, California Geological Survey - Alquist-Priolo Earthquake Fault Zones Regulatory Map.

v. Coastal cliff/bluff instability or erosion? <i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).</i>			X	
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Discussion: Western side of subject parcel contains steep cliffs in the southern portion. At the northwest corner is a small beach accessed by a moderate slope (25% gradient) from Arnold Miller Trail. After geotechnical evaluation, very minimal retreat of the bluff top is anticipated over the next 50 years at 5 feet or less. Project will not destabilize the bluffs or increase erosion. The fence will end at least 8 feet from the bluff edge. This setback location will place the fence at a location that will not be impacted over the next 50 years.

Source: Project location, Geotechnical Letter by Sigma Prime Geosciences, Inc. (2016).

b. Result in significant soil erosion or the loss of topsoil?		X		
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Discussion: Minor ground disturbance for construction of fence. The following mitigation measures are included to minimize erosion and sediment impacts in the event that such occurs.

Mitigation Measure 7: Implement best management practices (BMPs) for erosion and sediment control during all phases of building to include pre- and post-construction activities.

Mitigation Measure 8: Prior to the beginning of any construction or grading activities, the applicant shall implement the approved erosion and sediment control plan if applicable. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent

sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.
- m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.

Mitigation Measure 9: The applicant shall implement erosion control measures prior to the beginning of construction operations. Such activities shall not commence until the associated building permit for the project has been issued if applicable.

Source: Project Plans.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				X
<p>Discussion: Not located in such an area. Please refer to the discussion under 6.a.v. above.</p> <p>Source: Project Plans, Project Location, Geotechnical Letter by Sigma Prime Geosciences, Inc. (2016).</p>				
d. Be located on expansive soil, as noted in the 2010 California Building Code, creating significant risks to life or property?				X
<p>Discussion: No known expansive soils.</p> <p>Source: Project Plans, Project Location.</p>				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
<p>Discussion: No septic required for this project.</p> <p>Source: Project Plans.</p>				

7. CLIMATE CHANGE. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	
<p>Discussion: An increase in vehicular traffic onto the subject property for the construction of the fence will cause a minor temporary increase in greenhouse gasses. Vehicles are subject to California Air Resources Board emission standards. The project scope is not likely to significantly generate greenhouse gases and therefore no mitigation measures are recommended.</p> <p>Source: California Air Resources Board, San Mateo County Energy Efficiency Climate Action Plan.</p>				

b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
<p>Discussion: Project does not conflict with the San Mateo County Energy Efficiency Climate Action Plan.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan.</p>				
c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p>Discussion: No forestland in the project area.</p> <p>Source: Project Location.</p>				
d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?			X	
<p>Discussion: Project will not expose structures or infrastructure to accelerated coastal cliff/bluff erosion due to rising sea levels pursuant to the geotechnical investigation and evaluation by Sigma Prime Geosciences, Inc. Please refer to the discussion at 6.a.v. above.</p> <p>Source: Project Plans, Project Location, Geotechnical Letter by Sigma Prime Geosciences, Inc. (2016).</p>				
e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<p>Discussion: Non-habitable development proposed.</p> <p>Source: Project Plans.</p>				
f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: Not located in such an area. Project is located within Flood Zone X (Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level). Western property line of subject parcel is located within Flood Zone V (Coastal area with a 1% or greater chance of flooding and an additional hazard associated with storm waves. Area has a 26% chance of flooding over the life of a 30-year mortgage). This area is not within project site.</p> <p>Source: Federal Emergency Management Agency Flood Insurance Rate Map 06081C0435E, Effective October 16, 2012.</p>				
g. Place within an anticipated 100-year flood hazard area structures that would impede				X

or redirect flood flows?

Discussion: Not located in such an area.

Source: Federal Emergency Management Agency Flood Insurance Rate Map 06081C0435E, Effective October 16, 2012.

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X

Discussion: No transport of hazardous materials.

Source: Project Plans.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
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Discussion: No hazardous materials.

Source: Project Plans.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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Discussion: No hazardous materials proposed. Not within one-quarter mile of an existing or proposed school.

Source: Project Plans, Project Location.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
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Discussion: Not located in such an area.

Source: California Department of Toxic Substances.

e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
Discussion: Not located in such an area. Source: Project Location.					
f.	For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
Discussion: Not located in such an area. Source: Project Location.					
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
Discussion: Project would not impede, change, or close any roadways that could be used for emergency purposes. All roads will remain unchanged. Construction of the fence will not impact public safety. Source: Project Plans, Google Maps.					
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
Discussion: Project not located within a moderate, high or very high fire hazard severity zone. No habitable structures are proposed. Source: Cal-Fire Fire Hazard Severity Zones Maps.					
i.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
Discussion: No housing proposed. Source: Project Plans.					
j.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
Discussion: Project would not place structures within a 100-year flood hazard area as the project site is not located within a flood hazard zone that will be inundated by a 100-year flood. Project site is located in Flood Zone X and V, areas of minimal flood hazard.					

k. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
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Discussion: Project site is not located within an area that would be impacted by the failure of a levee or dam.
 Source: San Mateo County General Plan Hazards Maps.

l. Inundation by seiche, tsunami, or mudflow?				X
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Discussion: Not located in such an area.
 Source: San Mateo County General Plan Hazards Maps.

9. HYDROLOGY AND WATER QUALITY. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Violate any water quality standards or waste discharge requirements (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?				X

Discussion: No waste discharge.
 Source: Project Plans.

b. Significantly deplete groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
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Discussion: No changes in groundwater recharge proposed.
 Source: Project Plans.

c. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in significant erosion or siltation on- or off-site?				X
Discussion: No watercourse in the project area. Source: Project Plans.				
d. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or significantly increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?				X
Discussion: Drainage patterns remain unchanged. Source: Project Plans.				
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?				X
Discussion: Drainage patterns remain unchanged. Source: Project Plans.				
f. Significantly degrade surface or ground-water water quality?				X
Discussion: No degradation of surface or groundwater water quality. Source: Project Plans.				
g. Result in increased impervious surfaces and associated increased runoff?				X
Discussion: No new impervious surfaces. Fence designed to not affect runoff. Source: Project Plans.				

10. LAND USE AND PLANNING. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				X
<p>Discussion: Project will not have any impact to an established community. An established community will not be physically divided due to this project.</p> <p>Source: Project Plans.</p>				
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
<p>Discussion: The project does not conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.</p> <p>Source: Project Plans, San Mateo County General Plan and Zoning Regulations.</p>				
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: No known conservation plan within project area.</p> <p>Source: San Mateo County General Plan, San Mateo County Department of Parks.</p>				
d. Result in the congregating of more than 50 people on a regular basis?			X	
<p>Discussion: Construction of the fence will not impact the amount of people using the access easement. The construction of the fence does not propose to increase the amount of people congregating on the project site.</p> <p>Source: Project Plans, Project Location, Site Visit.</p>				
e. Result in the introduction of activities not currently found within the community?				X
<p>Discussion: Arnold Miller Trail will still be accessible to the public. No new activities will be introduced as a result of this project.</p> <p>Source: Project Plans.</p>				

f.	Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X
Discussion: None proposed. Source: Project Plans.					
g.	Create a significant new demand for housing?				X
Discussion: None proposed. Source: Project Plans.					

11. MINERAL RESOURCES. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
Discussion: None proposed. Source: Project Plans.					
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Discussion: None proposed. Source: Project Plans.					

12. NOISE. Would the project result in:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		

Discussion: The fence, a permanent structure, will not generate any noise. However, construction activities associated with the project could generate noise levels above standards set forth in the County Noise Ordinance. Mitigation Measure 10 is included to ensure noise generated during construction is reduced to a less than significant level.

Mitigation Measure 10: Noise levels produced by proposed construction activities shall comply with the San Mateo County Noise Ordinance contained in Chapter 4.88 (Noise Regulations) of the County Ordinance Code. Construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sundays and any national holidays.

Source: Project Plans, San Mateo County Noise Ordinance.

b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				X
<p>Discussion: None proposed. Source: Project Plans.</p>				
c. A significant permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
<p>Discussion: None proposed. Source: Project Plans.</p>				
d. A significant temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p>Discussion: Temporary increase in ambient noise levels not to exceed the County Noise Ordinance for construction-related activities during construction of fence. Source: Project Plans, San Mateo County Noise Ordinance.</p>				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: Not located in such an area. Source: Project Plans.</p>				
f. For a project within the vicinity of a private airstrip, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: Not located in the vicinity of a private airstrip. Source: San Mateo County GIS.</p>				

13. POPULATION AND HOUSING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Induce significant population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
Discussion: None proposed. Source: Project Plans.				
b. Displace existing housing (including low- or moderate-income housing), in an area that is substantially deficient in housing, necessitating the construction of replacement housing elsewhere?				X
Discussion: None proposed. Source: Project Plans.				

14. PUBLIC SERVICES. Would the project result in significant adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks?				X
e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X
Discussion: No impact to public services. Source: Project Plans.				

15. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?				X
Discussion: Construction of fence will not result in the increase of use of the Arnold Miller Trail. Source: Project Plans.				
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
Discussion: No recreational facilities proposed. Source: Project Plans.				

16. TRANSPORTATION/TRAFFIC. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
Discussion: None proposed. Source: Project Location.				

b.	Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?				X
Discussion: None proposed. Source: Project Location.					
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in significant safety risks?				X
Discussion: None proposed. Source: Project Plans.					
d.	Significantly increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
Discussion: None proposed. Source: Project Plans.					
e.	Result in inadequate emergency access?				X
Discussion: Construction of the fence will not result in inadequate emergency access. Source: Project Plans.					
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
Discussion: No public transit facilities in the project area. Source: Project Location.					
g.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?				X
Discussion: Pedestrian traffic along the easement will remain unchanged. Source: Project Plans.					
h.	Result in inadequate parking capacity?				X
Discussion: Project involves construction of a fence and will not impact parking capacity. Source: Project Plans.					

17. UTILITIES AND SERVICE SYSTEMS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
Discussion: No wastewater generated. Source: Project Plans.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
Discussion: No construction of water or wastewater facilities required. Source: Project Plans.				
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
Discussion: No construction of stormwater drainage facilities or expansion. Source: Project Plans.				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
Discussion: No water service required. Source: Project Plans.				
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
Discussion: No wastewater service required. Source: Project Plans.				

f.	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
Discussion: Project does not produce solid waste. Source: Project Plans.					
g.	Comply with Federal, State, and local statutes and regulations related to solid waste?				X
Discussion: Project does not produce solid waste. Source: Project Plans.					
h.	Be sited, oriented, and/or designed to minimize energy consumption, including transportation energy; incorporate water conservation and solid waste reduction measures; and incorporate solar or other alternative energy sources?				X
Discussion: Project does not consume water or produce solid waste. No energy source required for this project. Source: Project Plans.					
i.	Generate any demands that will cause a public facility or utility to reach or exceed its capacity?				X
Discussion: None proposed. Source: Project Plans.					

18. MANDATORY FINDINGS OF SIGNIFICANCE.				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Does the project have the potential to degrade the quality of the environment, significantly reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
Discussion: Two species, the California red-legged frog and San Francisco garter snake, were listed as species that have potential to occur in the vicinity, but are unlikely to occur within the				

project site. Please see discussion and Mitigation Measure 1 on 4.b. above. Project will not degrade the quality of the environment, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Source: Project Plans, Project Location, San Mateo County General Plan, Biological Reconnaissance Review of the Ju Property by WRA Environmental Consultants (2016).

<p>b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>				X
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Discussion: No other development in the project area.
Source: Project Plans.

<p>c. Does the project have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly?</p>				X
--	--	--	--	---

Discussion: Project does not have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly.
Source: Project Plans, Project Location, Site Visit.

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission	X		Appeals jurisdiction

AGENCY	YES	NO	TYPE OF APPROVAL
City		X	
Sewer/Water District:		X	
Other:			

MITIGATION MEASURES		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	
Other mitigation measures are needed.		X
<p>The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:</p> <p>Mitigation Measure 1: The applicant shall implement the following measures during construction to protect the California red-legged frog and San Francisco garter snake which may pass through the work area during the rainy season:</p> <ol style="list-style-type: none"> a. Project activities should be conducted during the dry season (June to October 31) when frogs are not likely to disperse through the work zone. b. Project activities should be avoided within 30 minutes after sunrise or within 30 minutes prior to sunset when frogs are more active. c. Any erosion control materials used on site should not contain plastic mon-filament netting (erosion control matting), rolled erosion control products, or similar materials because the California red-legged frog, San Francisco garter snake, and other species may become entangled or trapped in it. Tightly woven fiber netting or similar material should be used at the project site to ensure that amphibian and reptile species do not get trapped. This limitation should be communicated to the contractor. <p>Mitigation Measure 2: If archaeological and/or cultural resources are encountered during grading or construction activities, work shall be temporarily halted within 30 ft. of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. The project applicant or archaeologist shall immediately notify the Current Planning Section of any discoveries made and shall provide the Current Planning Section with a copy of the archaeologist's report and recommendations prior to any further grading or construction activity in the vicinity.</p> <p>Mitigation Measure 3: A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.</p> <p>Mitigation Measure 4: Use existing roads to the maximum extent feasible to avoid additional surface disturbance.</p> <p>Mitigation Measure 5: During all phases of the project, keep equipment and vehicles within the limits of the previously disturbed areas of the project site.</p> <p>Mitigation Measure 6: The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the</p>		

Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

Mitigation Measure 7: Implement best management practices (BMPs) for erosion and sediment control during all phases of building to include pre- and post-construction activities.

Mitigation Measure 8: Prior to the beginning of any construction or grading activities, the applicant shall implement the approved erosion and sediment control plan if applicable. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.
- i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilizing designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.
- m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.

Mitigation Measure 9: The applicant shall implement erosion control measures prior to the beginning of grading or construction operations. Such activities shall not commence until the associated building permit for the project has been issued if applicable.

Mitigation Measure 10: Noise levels produced by proposed construction activities shall comply with the San Mateo County Noise Ordinance contained in Chapter 4.88 (Noise Regulations) of the County Ordinance Code. Construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction operations shall be prohibited on Sundays and any national holidays.

DETERMINATION (to be completed by the Lead Agency).

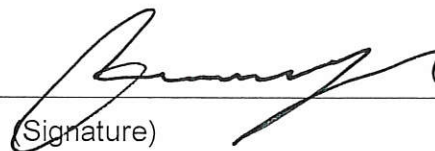
On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

X

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



(Signature)

September 14, 2016

Project Planner

Date

(Title)

MAR:CJM:aow – CJMAA506_WAH.DOCX

May 26, 2016

Byung Ju
Pacific Development Group Inc
46790 Lakeview Boulevard
Fremont, CA 94538

RECEIVED

MAY 27 2016

San Mateo County
Planning and Building Department

Re: Biological Reconnaissance Review of the Ju Property in Pescadero, California

Dear Mr. Ju:

The purpose of this letter is to inform you of the results of the biological resources review and reconnaissance for the Ju Property Fence Installation Project located in Pescadero, San Mateo County, California (APN 086-211-030) (Study Area). The WRA site visit took place on May 16, 2016 and was conducted by Erich Schickenberg (Biologist). The Biologist is experienced in similar site inspections and is familiar with the ecological setting surrounding the Study Area.

The overall Study Area consists of the area surrounding the proposed fence location on the Ju property. The four foot split rail fence will be located on Ju property known as APN 086-211-030. It is a vacant property approximately 4 acres in size. The fence will be adjacent to the Miller property line (APN- 068-211-040). There is an existing 10 foot public coastal access trail on the Miller property (APN- 068-211-040) however the fence will be entirely on the Ju property.

The proposed fence will be bounded to the south and north by a private property; to the east by California State Route 1; and the west by the Pacific Ocean. The surrounding areas consist of coastal scrub bound by developed/landscaped areas. The Study Area for this report consists of the approximately 10-foot wide by 480-foot long coastal access trail along with a 5-foot wide survey zone on either side of the trail alignment. The proposed Ju Property Fence Installation Project includes the installation of an approximately 476-foot split rail fence. The proposed fence will function as a means of demarcation of the location of the private Ju Property. The spit rail fence uses an open, wildlife-friendly design that will not restrict wildlife movement through the Study Area.

Methods

Prior to the site visit, background literature was reviewed to determine potential presence of sensitive vegetation types, aquatic communities, and special-status plant and wildlife species. Resources reviewed for sensitive vegetation communities and aquatic features include aerial photography, mapped soil types, the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB; CDFW 2016), the US Fish and Wildlife Service Information for Planning and Conservation website (USFWS 2016a) and the National Wetland Inventory (NWI; USFWS 2016b). Background information regarding special-status plant and wildlife species was obtained through review of the CNDDDB, California Native Plant Society

(CNPS) Online Databases (2016a and 2016b), available aerial photography, and species habitat requirements as noted in available literature.

On May 16, 2016, the WRA biologist traversed the Study Area on foot to evaluate the potential presence of sensitive vegetation communities, and aquatic features, as well as to evaluate on-site habitat to determine the potential for occurrence of special-status plant and wildlife species. Observed plant communities, aquatic features, as well as plant and wildlife species were recorded. Site conditions were recorded as they relate to habitat requirements of special-status plant and wildlife species known to occur in the vicinity as determined by the background literature research.

Results and Recommendations

Vegetation Communities

The Study Area does not contain sensitive vegetation communities. It includes an actively-used coastal access trail dominated by a planted Monterey cypress (*Hesperocyparis macrocarpa*) windbreak and non-native herbaceous vegetation. Vegetation adjacent to the Study Area is composed of coastal scrub (CNPS 2016b). No avoidance measures are recommended.

Special-status Plant Species

Ninety-seven special-status plant species are known to occur in San Mateo County. Forty-five of these are known to occur in the Pigeon Point USGS 7.5' Quadrangle and four surrounding quadrangles (CNPS 2016a). Based on a background literature search and observed site conditions, 18 special-status plant species have moderate potential to occur in the Study Area.

- Blasdale's bent grass (*Agrostis blasdalei*; Rank 1B.2)
- Bent-flowered fiddleneck (*Amsinckia lunaris*, Rank 1B.2)
- Ocean bluff milk-vetch (*Astragalus nuttallii* var. *nuttallii*, Rank 4.2)
- Coastal marsh milk-vetch (*Astragalus pycnostachyus* var. *pycnostachyus*; Rank 1B.2)
- Johnny-nip (*Castilleja ambigua* var. *ambigua*, Rank 4.2)
- Franciscan thistle (*Cirsium andrewsii*, Rank 1B.2)
- San-loving wallflower (*Erysimum ammophilum*; Rank 1B.2)
- San Francisco gumplant (*Grindelia hirsutula* var. *maritime*; Rank 3.2)
- Kellogg's horkelia (*Horkelia cuneata* var. *sericea*; Rank 1B.1)
- Point Reyes horkelia (*Horkelia marinensis*; Rank 1B.2)
- Coast iris (*Iris longipetala*, Rank 4.2)
- Harlequin lotus (*Hosackia gracilis*, Rank 4.2)
- Perennial goldfields (*Lasthenia californica* ssp. *micrantha*; Rank 1B.2)
- Coast yellow leptosiphon (*Leptosiphon croceus*; Rank 1B.1)
- Rose leptosiphon (*Leptosiphon rosaceus*; Rank 1B.1)
- Marsh microseris (*Microseris paludosa*, Rank 1B.2)
- Choris' popcornflower (*Plagiobothrys chorisianus* var. *chorisianus*; Rank 1B.2)
- Santa Cruz microseris (*Stebbinsoseris decipiens*; Rank 1B.1)

All 18 of the above species are known to occur in coastal scrub. However, none of these species were observed during the survey, which occurred during a period when all of the species would have been identifiable to a level necessary to determine rarity. The remaining

special-status species are unlikely or have no potential to occur in the Study Area for one or more of the following reasons:

- Hydrologic conditions (e.g., marsh habitat, vernal pool habitat) necessary to support the special-status plants do not exist on site;
- Edaphic (soil) conditions (e.g., serpentine, rocky, rhyolitic) necessary to support the special-status plants do not exist on site;
- Topographic conditions (e.g., valley flats) necessary to support the special-status plants do not exist on site;
- Unique pH conditions (e.g., alkali soil) necessary to support the special-status plant species are not present in the Study Area;
- Associated vegetation communities (e.g., chaparral, closed-cone coniferous forest) necessary to support the special-status plants do not exist on site.

Forty plant species were observed within the Study Area, of which 19 are considered not native to California (Attachment 1). No special-status plant species were observed in the Study Area during the site visit. Based on the lack of appropriate habitat and the disturbed condition of the proposed fence alignment, there are no special-status plant species that have potential to occur in the Study Area. No avoidance measures are recommended.

Special-status Wildlife Species

Thirty-eight special-status wildlife species have been documented in San Mateo County (CDFW 2016), though they are all unlikely to occur within the Study Area under conditions observed during the site visit. Special-status species known from the region are unlikely to occur within the Study Area due to one or more of the following:

- Aquatic habitats including open water, rivers, creeks, canals, or ponds are absent;
- Tidal marsh or other wetlands adjacent to tidally influenced areas are absent;
- Grassland habitats are absent;
- Necessary habitat elements, such as burrows, were not present or of poor quality; and
- The Project Area is outside of the species' known range.

Listed species that have potential to occur in the vicinity of the Study Area, but are unlikely to occur within the Study Area include: California red-legged frog (*Rana draytonii*) and San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). The potential for these species to occur within the Study Area is described in more detail below.

Species Known in the Vicinity but Unlikely to Occur within the Construction Area

California red-legged frog and San Francisco garter snake may be present in the ponds to the east of the Highway 1; however, there is no pond habitat for these species on the west side of Highway 1. Successful dispersal across Highway 1 from the ponds to the east is greatly reduced because of high vehicle traffic, but is not considered a complete barrier. Furthermore, both species are typically found within 300 feet of pond habitats even when using upland refugia habitats except during or shortly after rain events when both species may disperse overland (Bulger et al. 2003, McGinnis 2001, Rathbun and Schneider 2001, USFWS 2006, Fellers and Kleeman 2007). The Study Area does not contain wetland or aquatic habitat and no burrows or refugia habitat is present. Based on the lack of suitable habitat features, distance from pond and aquatic habitat, and potential barriers to dispersal, it is unlikely that either species would be

found within the Study Area. However, California red-legged frog and San Francisco garter snake may disperse through the Study Area during rain or shortly after rain events. Therefore, WRA recommends implementing the following measures during fence installation to protect California red-legged frog and San Francisco garter snake which may pass through the work area during the rainy season:

1. Project activities should be conducted during the dry season (June to October 31) when frogs are not likely to disperse through the work zone;
2. Project activities should be avoided within 30 minutes after sunrise or within 30 minutes prior to sunset when frogs are more active;
3. Any erosion control materials used on site should not contain plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material because California red-legged frog, San Francisco garter snake, and other species may become entangled or trapped in it. Tightly woven fiber netting or similar material should be used at the Project to ensure that amphibian and reptile species do not get trapped. This limitation should be communicated to the contractor.

Migration Corridors

The proposed boundary fence will not create a barrier to wildlife movement following installation. The fence is designed with a post every 8 feet and the lowest rail 8 inches above the ground. The fence design allows wildlife passage and will not impact California red-legged frog or San Francisco garter snake dispersal corridors.

Summary and Conclusions

Based on the results of the site visit, the Study Area does not contain quality habitat for special-status plant or wildlife species; however, listed wildlife species may incidentally occur within the Study Area. Based on the existing project plans, and with implementation of the recommended impact avoidance measures, no impacts to special-status species, sensitive habitats, or wildlife migration corridors are anticipated.

Please feel free to contact me if you have any questions or concerns.

Sincerely yours,



Kate Allan
Associate Biologist
allan@wra-ca.com

Attachment 1: Observed Plant Species within the Study Area

References

- Bulger J. B., J. S. Norman, And R. B. Seymour. 2003. Terrestrial Activity and Conservation Of Adult California Red-Legged Frogs (*Rana aurora draytonii*) in Coastal Forests And Grasslands. *Biological Conservation*, 110:85.-95.
- [CDFW] California Department of Fish and Wildlife. 2016. Natural Diversity Database, Wildlife and Habitat Data Analysis Branch. Sacramento.
- [CNPS] California Native Plant Society. 2016a. Electronic Inventory of Rare and Endangered Vascular Plants of California. California Native Plant Society, Sacramento, California. Available at: <http://www.cnps.org/cnps/rareplants/inventory/>. Most recently accessed: March 2016.
- CNPS. 2016b. A Manual of California Vegetation, Online Edition. California Native Plant Society, Sacramento, California. Available at: <http://www.cnps.org/cnps/vegetation/>. Most recently accessed: March 2016.
- California Soil Resource Lab. 2016. SoilWeb: An Online Soil Survey Browser. <http://casoilresource.lawr.ucdavis.edu/soilweb/>. Most recently accessed: April 2016.
- Fellers, G.M. and P.M. Kleeman. 2007. California red-legged frog (*Rana draytonii*) movement and habitat use: Implications for conservation. *Journal of Herpetology* 41(2): 276-286.
- McGinnis, S. M. 2001. Past and Present Habitats for the San Francisco Garter Snake and California Red-Legged Frog on the Original Cascade Ranch Property, With Additional Comments on Potential Movement Pathways and Suggestions for Critical Habitat Enhancement Measures. Unpublished. April.
- Rathbun, G.B. and J. Schneider. 2001. Translocation of California red-legged frogs (*Rana aurora draytonii*). *Wildlife Society Bulletin* 29(4): 1300-1303.
- [USFWS] United States Fish and Wildlife Service. 2006. San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*) 5-Year Review: Summary and Evaluation. Sacramento Fish and Wildlife Office. September.
- USFWS. 2016a. IPaC Information for Planning and Conservation. Available at: <https://ecos.fws.gov/ipac/>. Most recently accessed: April 2016.
- USFWS. 2016b. National Wetlands Inventory. Available at: <http://www.fws.gov/wetlands/index.html>. Most recently accessed: March 2016.

Attachment 1:
Observed Species within the Study Area

Scientific Name	Family	Common Name	Origin	Form	Rarity Status
<i>Achillea millefolium</i>	Asteraceae	Yarrow	native	perennial herb	-
<i>Armeria maritima</i> ssp. <i>californica</i>	Plumbaginaceae	Sea thrift	native	perennial herb	-
<i>Baccharis pilularis</i> ssp. <i>pilularis</i>	Asteraceae	Coyote brush	native	shrub	-
<i>Brassica rapa</i>	Brassicaceae	Common mustard	non-native (invasive)	annual herb	-
<i>Briza maxima</i>	Poaceae	Rattlesnake grass	non-native (invasive)	annual grass	-
<i>Briza minor</i>	Poaceae	Little rattlesnake grass	non-native	annual grass	-
<i>Bromus catharticus</i>	Poaceae	Rescue grass	non-native	annual, perennial grass	-
<i>Bromus diandrus</i>	Poaceae	Ripgut brome	non-native (invasive)	annual grass	-
<i>Bromus hordeaceus</i>	Poaceae	Soft chess	non-native (invasive)	annual grass	-
<i>Carduus pycnocephalus</i> ssp. <i>pycnocephalus</i>	Asteraceae	Italian thistle	non-native	annual herb	-
<i>Carpobrotus edulis</i>	Aizoaceae	Iceplant	non-native (invasive)	perennial herb	-
<i>Cortaderia jubata</i>	Poaceae	Andean pampas grass	non-native (invasive)	perennial grass	-
<i>Dudleya farinosa</i>	Crassulaceae	Sea lettuce	native	perennial herb	-
<i>Erigeron canadensis</i>	Asteraceae	Canada horseweed	native	annual herb	-
<i>Erigeron glaucus</i>	Asteraceae	Seaside daisy	native	perennial herb	-
<i>Eriogonum latifolium</i>	Polygonaceae	Coast buckwheat	native	perennial herb	-
<i>Eriophyllum stoechadifolium</i>	Asteraceae	Lizard tail	native	perennial herb	-
<i>Eschscholzia californica</i>	Papaveraceae	California poppy	native	annual, perennial herb	-
<i>Festuca bromoides</i>	Poaceae	Brome fescue	non-native	annual grass	-
<i>Festuca myuros</i>	Poaceae	Rattail sixweeks grass	non-native (invasive)	annual grass	-
<i>Frangula californica</i>	Rhamnaceae	California coffeeberry	native	shrub	-
<i>Galium aparine</i>	Rubiaceae	Cleavers	native	annual herb	-
<i>Gamochaeta ustulata</i>	Asteraceae	Featherweed	native	perennial herb	-
<i>Geranium dissectum</i>	Geraniaceae	Wild geranium	non-native (invasive)	annual herb	-
<i>Grindelia hirsutula</i>	Asteraceae	Gumweed	native	perennial herb	-
<i>Hesperocyparis macrocarpa</i>	Cupressaceae	Monterey cypress	native	tree	Rank 1B.2
<i>Holcus lanatus</i>	Poaceae	Common velvetgrass	non-native (invasive)	perennial grass	-
<i>Hordeum brachyantherum</i>	Poaceae	Meadow barley	native	perennial grass	-
<i>Juncus patens</i>	Juncaceae	Rush	native	perennial grasslike herb	-
<i>Lupinus arboreus</i>	Fabaceae	Coastal bush lupine	native	shrub	-
<i>Lysimachia arvensis</i>	Myrsinaceae	Scarlet pimpernel	non-native	annual herb	-
<i>Medicago polymorpha</i>	Fabaceae	California burclover	non-native (invasive)	annual herb	-
<i>Navarretia squarrosa</i>	Polemoniaceae	Skunkweed	native	annual herb	-
<i>Plantago coronopus</i>	Plantaginaceae	Cut leaf plantain	non-native (invasive)	annual herb	-
<i>Pseudognaphalium stramineum</i>	Asteraceae	Cottonbatting plant	native	perennial herb	-
<i>Rubus ursinus</i>	Rosaceae	California blackberry	native	vine, shrub	-
<i>Rumex acetosella</i>	Polygonaceae	Sheep sorrel	non-native (invasive)	perennial herb	-
<i>Rumex crispus</i>	Polygonaceae	Curly dock	non-native (invasive)	perennial herb	-
<i>Scrophularia californica</i>	Scrophulariaceae	California bee plant	native	perennial herb	-
<i>Sonchus asper</i> ssp. <i>asper</i>	Asteraceae	Sow thistle	non-native (invasive)	annual herb	-



Sigma Prime Geosciences, Inc.

March 7, 2016

Byyung Ju
46790 Lakeview Blvd.
Fremont, CA 94528

Subject: Geotechnical Letter, Proposed Fence for Cabrillo Hwy Parcel
APN 086-211-030

Dear Mr. Ju,

We understand that you wish to build an east-west trending split rail fence along your north property line.

Per San Mateo County Local Coastal Program policy 9.8, Regulation of Development on Coastal Bluff Tops, there are many concerns related to stability of the bluff top and potential impacts of development on the bluff top. Policy 9.8 has typically been utilized to address proposed houses and other substantial structures. In this case, only a four-foot-high split rail fence is proposed. The required bluff top erosion evaluation, is discussed below.

As part of our bluff top erosion evaluation, we made a recent site visit to study the geologic conditions. We also performed an aerial photography analysis. During the site visit, we noted the geologic materials exposed in the face of the bluff, and we looked for evidence of slope instability of the bluff. The bluff is vertical in front of most of the property, however at the north end of the bluff in the vicinity of the proposed fence, part of the bluff becomes much more gentle, sloping down to the toe of the slope. The gradient of the slope is estimated at about 25 percent.

To the north of the gentler portion of the bluff, the bluff once again drops off more abruptly. The northern property line extends over the abrupt bluff, about 33 feet west of an iron pipe that marks the property line.

The flat area above the bluff has less than 1 foot of poorly developed soil over a hard cobble conglomerate. The entire face of the bluff exposes the conglomerate. It is a hard material, requiring several hammer blows to break apart. The cobbles are very hard and well rounded, and are typically 3 to 6 inches in diameter. There are no visible signs of instability of the bluff. There is only minor erosion of the upper soils near the top of the bluff.

For the aerial photography review, we studied stereo pairs on photographs on file at the United States Geological Survey (USGS) in Menlo Park. We reviewed photographs from October 11, 1943, May 8, 1973, and June 7, 1974. The 1943 and 1974 photographs were the same scale, at 1:20,000. In 1943, Highway 1 was a narrow, meandering 2-lane road. Therefore, we could not measure the



distance from the edge of the highway to the bluff top, and compare it to the distance in 1974. However, the unpaved frontage road that provides access to the subject property and its neighbors, was there in 1943, at the same location. We measured the distance from the road to the bluff in 1943 and 1974, and found no difference. The distance was difficult to gauge accurately, but it was estimated at 420 feet. Review of aerial photography on GoogleEarth, in a photograph dated March 28, 2015, showed a distance of about 420 from the unpaved road to the bluff top. Therefore, we can find no evidence of bluff top retreat since 1943. Because none of the measurements can be made with any great accuracy, we cannot conclude with certainty that the rate of retreat is zero in the last 72 years, but the rate is clearly very low. The highest rate one may be able to consider is about 0.1 feet per year.

Based on our evaluations, we anticipate very minimal retreat of the bluff top over the next 50 years, probably 5 feet or less. In addition, construction of the four-foot-high split rail fence will not destabilize the bluffs or increase erosion. There is a pipe marking the property line near the top of the bluff per some recent survey work for this project. The pipe is about 33 feet from the bluff. We recommend that the fence end at least 5 feet from the bluff, or no more than 28 feet from the pipe. This setback location will place the fence at a location that will not be impacted over the next 50 years.

In addition, the fence will not impact the bluff. The fence will require a hand-dug post hole that will be filled with concrete. This will not decrease the stability of the bluff.

If you have any questions, please call me at (650) 728-3590.

Yours,
Sigma Prime Geosciences

Charles Kissick, P.E.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



September 26, 2016

Carmelisa Morales, Project Planner
San Mateo County Planning and Building Department
455 County Center, 2nd Floor
Redwood City, California 94063

Re: San Mateo Co. Planning Case Number PLN2016-00106 (Burke) – Mitigated Negative Declaration

Dear Ms. Morales,


Thank you for forwarding the document "Notice of Intent to Adopt Mitigated Negative Declaration" for County Planning Case Number PLN2016-00106, received in our office on September 16, 2016 for review and comment. The public review period is September 14, 2016 to October 4, 2016. We appreciate the opportunity to provide you with our comments. The parcel was previously the subject of two prior Coastal Act violations (V-2-03-03 and V-2-13-004). We provided you with comments in April 2016 for the proposed project. A copy of the April 19, 2016 letter is attached for your convenience.

The proposed project is located on a vacant parcel (APN 086-211-030) in Pescadero west of Cabrillo Highway, San Mateo County. The proposed project is for the construction of a four-foot tall, approximately 476-foot long, split-rail fence along the northern boundary of the subject property adjacent to a Arnold Miller Trail, an easement dedicated for public coastal access. The proposed project also includes installation of three 12-in. by 18-in. "no trespass/stay on path" signs which will be permanently attached to the proposed fence at the following locations: one 20 feet from the start of the fence at the northeast section of the property and two signs on each side of the lockable chain gate approximately 396 feet west from the start of the fence. No vegetation removal or grading is proposed. We have the following comments.

- We recommend that the signs more clearly show that the Arnold Miller trail and bluff are public access areas. Please refer to our April 19th letter regarding revision of the sign detail. The applicant should be required to include text such as "Stay on Public Access Path" or "Stay on Public Trail".
- The parcel is within an area zoned as Planned Agriculture District/Coastal Development (PAD/CD) and a majority of the land is prime soil. Future, proposed development of the parcel must be in conformity with the policies and standards contained in the Local Coastal Program (LCP) for the protection of agricultural resources.

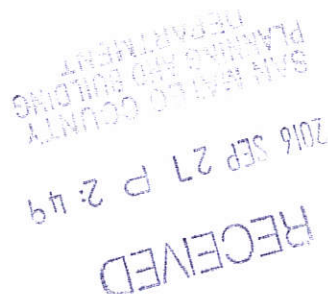
Please feel free to contact me if you have questions regarding our comments. I can be reached by telephone at (415) 904-5292 or e-mail at renee.ananda@coastal.ca.gov.

Sincerely,


Renee Ananda, Coastal Program Analyst
North Central Coast District

Attachment

CC: Lennie Roberts, Committee for Green Foothills



Attachment L

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



April 19, 2016

Carmelisa Morales, Project Planner
San Mateo County Planning and Building Department
455 County Center, 2nd Floor
Redwood City, California 94063

Re: San Mateo County Planning Case Number PLN2016-00106 (Burke)

Dear Ms. Morales,

Thank you for forwarding the project referral for County Planning Case Number PLN2016-00106 dated March 18, 2016. We appreciate the opportunity to provide you with our comments. The proposed project is located on a vacant parcel (APN 086-211-030) in Pescadero west of Cabrillo Highway, San Mateo County. The applicant is requesting a Coastal Development Permit (CDP) for construction of a four-foot high, approximately 476-foot long, split-rail fence along the northern boundary of the property adjacent to a corridor dedicated for public access. The proposed project also includes installation of three signs (as shown on the "Proposed Split Rail Fence and Signs" dated 3/8/16).

The parcel was previously the subject of two prior Coastal Act violations (V-2-03-03 and V-2-13-004). The violations involved unpermitted construction / installation of unauthorized fence and signs that impeded the public's ability to access the existing trail (Arnold Miller) and the bluff top, in violation of San Mateo County's Local Coastal Program (LCP). The unauthorized fence and signs were removed, thus both violations have been resolved.

The proposed project site is located adjacent to Arnold Miller Trail an existing public trail that provides access to the coastal bluff area; and is within a scenic corridor. The County evaluation must address the proposed project's consistency with LCP policies for the protection of scenic resources. Importantly, the Arnold Miller trail and the bluff top area must remain accessible to the public at all times. The proposed sign, as presented in the sign detail states "No Trespassing, Stay on Path". The signs must not prevent the public from using the trail to access the coastal bluff; therefore we suggest that the signs more clearly inform the public that the Arnold Miller trail and bluff is accessible. We recommend that the sign detail be revised to read as: "No Trespassing on Private Property. Stay on Public Access Path". We recommend the County require that the applicant evaluate the proposed project site for the occurrence of potential sensitive resources and ensure that the proposed fence and signs will not result in impacts to sensitive species, including any migration or dispersal corridors, and or habitat, consistent with LCP policies for the protection of sensitive resources.

Please feel free to contact me if you have questions regarding our comments. I can be reached by telephone at (415) 904-5292 or e-mail at renee.ananda@coastal.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Renée Ananda".

Renée Ananda, Coastal Program Analyst
North Central Coast District

CC: Jo Ginsberg, Coastal Commission, Enforcement

RECEIVED
SAN MATEO COUNTY
PLANNING AND BUILDING
DEPARTMENT

2016 SEP 27 P 2:49

RECEIVED

Attachment L

March 3, 2017

Byung Ju
Pacific Development Group Inc
46790 Lakeview Boulevard
Fremont, CA 94538

Re: Monterey Cypress Nursery Project of the Ju Property in Pescadero, California

Dear Mr. Ju:

The purpose of this letter is to assess potential impacts for the Cypress Nursery Project component of the proposed activities on the Ju Property located in Pescadero, San Mateo County, California (APN 086-211-030) (Study Area). WRA performed previous site assessments on the overall property (WRA 2015) and the eastern edge of the property (WRA 2016), and received the nursery project plans for review in early 2017.

In the 2015 WRA memorandum, property is noted as zoned by the County of San Mateo as a “Planned Agricultural District”. It is currently an open, undeveloped parcel situated between the Cabrillo Highway and the Pacific Ocean. Under existing conditions, the majority of the site is covered with dense vegetation typical of coastal scrub habitat in the region. Along the eastern edge of the property, non-native grassland and areas of mustard (*Brassica* sp.) has been mowed and access roads are in place. Plant species observed on the property during WRA’s April 9, 2015 site visit included mature coyote brush (*Baccharis pilularis*) shrubs, as well as a mix of native and non-native herbaceous species including blackberry (*Rubus* sp.), coastal bush lupine (*Lupinus arboreus*), California poppy (*Eschscholzia californica*), poison oak (*Toxicodendron diversilobum*), seaside woolly sunflower (*Eriophyllum staechadifolium*), thrift seapink (*Armeria maritima*), coast dudleya (*Dudleya* sp.), soap plant (*Chlorogalum pomeridianum*), Scarlet pimpernel (*Anagallis arvensis*), pampas grass (*Cortaderia* sp.), mustard, rigput brome (*Bromus diandrus*) and iceplant (*Carpobrotus edulis*).



Figure 1 Mowed area during the 2015 site visit

Proposed Nursery Activities

The Proposed Cypress Project will be located along the eastern portion of the site. Based on our review of the nursery boundary map (attached; Turnrose land Surveying 2016), the

proposed sheds will be located within the currently mowed portions of the site. The Cypress Project has five phases; Phases 1 through 4 will include small areas of localized mowing within the coastal scrub. The strategy is to provide seedlings with graduated mowed strips running from North to South; the existing, untouched vegetation on either side of these bands will provide wind protection to the seedlings and help prevent wind burn during their initial establishment. This allows for existing vegetation to continue to grow between the rows until such time there are enough acclimated Cypress trees to provide wind break for new set of phased Cypress seedlings. The mowing practices shall be equivalent to typical agricultural mowing practices commonly found on the coast near Pescadero & surrounding areas bordering Half Moon Bay, California.

Discussion and Recommendations

Based on the information provided by the client, our previous site visits, and the proposed Nursery Project maps, the proposed project activities will not permanently impact sensitive biological communities or special-status plant or animal species beyond the effects of current allowed agricultural practices.

Please contact me if you have any questions.

Sincerely,



Leslie Lazarotti

References

Turnrose Land Surveying. Boundary Map. Dated 12/7/16

WRA, Inc (WRA). 2015. Response to January 20, 2010 letter from the County of San Mateo Planning and Building Department regarding possible vegetation removal within the Byung Ju property (APN 086-211-030). Memorandum dated May 19, 2015.

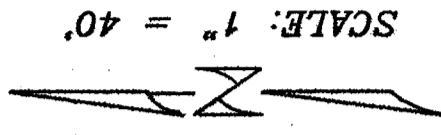
WRA. 2016. Biological Reconnaissance Review of the [Fence Installation Project] of the Ju Property. Letter Report dated May 26, 2016.

Ju, Byung. Personal Correspondence. Dated February 14, 2017.

Attachment 1:
Turnrose Land Surveying 2016

NOTES:

- 1) EASEMENTS SHOWN WERE TAKEN FROM RECORDED DOCUMENTS NOTED IN A PRELIMINARY REPORT PREPARED BY CHICAGO TITLE COMPANY DATED OCTOBER 1, 2014 WITH TITLE NUMBER FWTO-4071400317-KD.
 - 2) ELEVATIONS SHOWN ARE BASED UPON A CONTROL POINT BEING A HUB WITH SPIKE AND SHINER SHOWN AS 1-1 WITH AN ASSUMED ELEVATION OF 200.00 FEET. THIS IS NOT SEA LEVEL DATUM. THE ELEVATIONS SHOWN ARE FOR RELATIVE PURPOSES ONLY.
 - 3) THE BLUFF LOCATION IS AN APPROXIMATE LOCATION AND GENERALLY REPRESENTS POINTS OF REFERENCE APPROXIMATELY 2' FROM THE EDGE OF A DRASTIC CHANGE IN SLOPE.
 - 4) SEE CORNER RECORD NO. 2386 FOR ADDITIONAL BOUNDARY INFORMATION.
 - 5) PROPOSED FEATURES (SHEDS, PLANTING AREA, WATER TANK, ETC.) WERE DERIVED FROM SKETCHES AND CONVERSATIONS WITH OWNER AND CONSULTANTS.
- INDICATES SET 2X2 HUB WITH TAG "L.S. 7454"



12/7/16

Michael L. Turnrose

REVISED 12/7/16

BOUNDARY MAP

LANDS PER DN 2014-117253

OF THE PARCEL SHOWN ON VOLUME 11 OF L.I.S. MAPS AT PAGE 51 BEING MORE COMMONLY KNOWN AS ASSESSORS PARCEL NUMBER 86-311-080 SAN MATEO COUNTY RECORDS, CALIFORNIA.

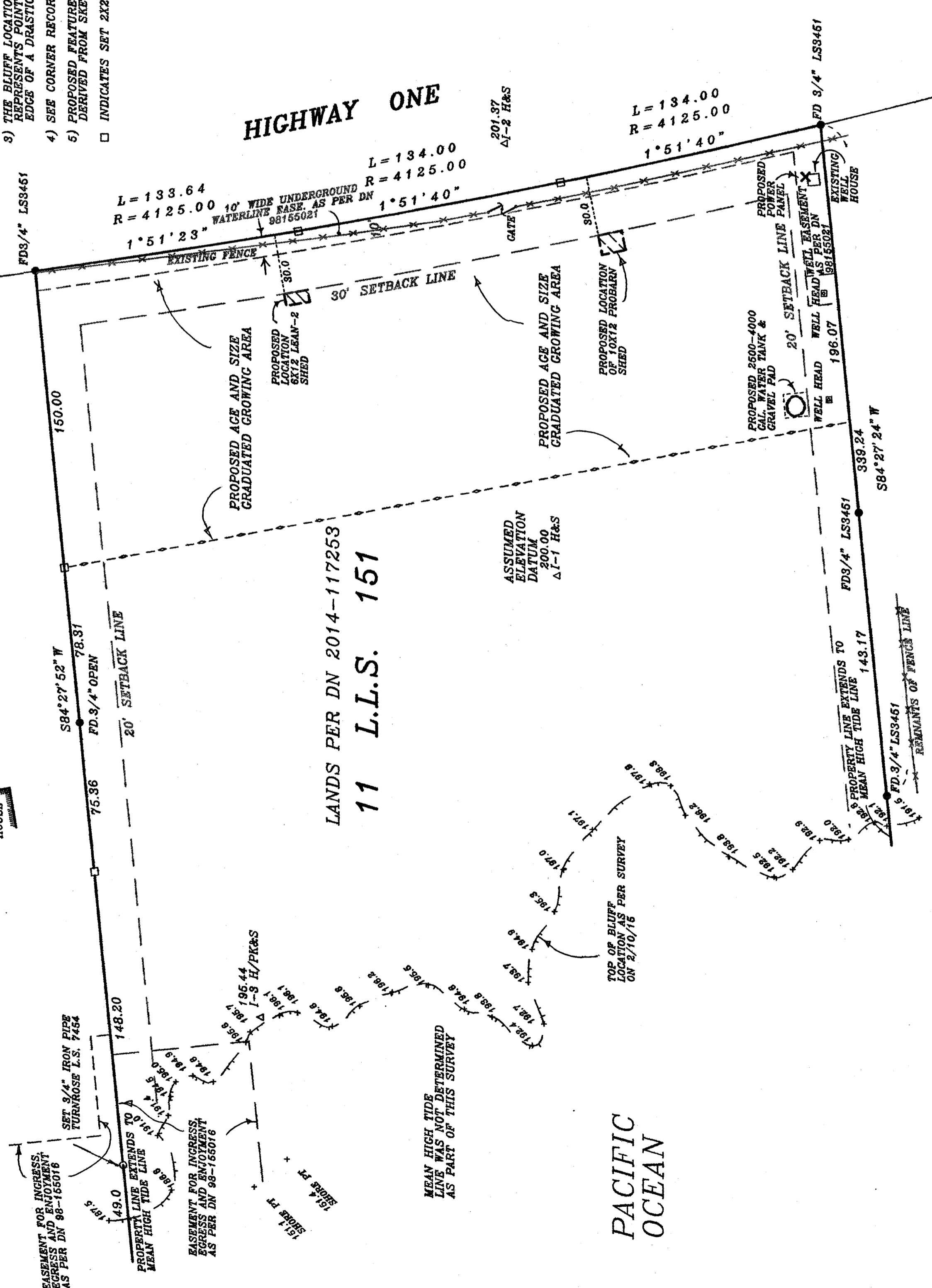
FOR: INCUMEDX - C/O BYUNG JU
46790 LAKEVIEW BLVD.
FREMONT, CA 94538
510.996.2383

SAN MATEO COUNTY CALIFORNIA
SCALE: 1" = 40' DATE(S) OF SURVEY--2/10/15, 4/9/15

TURNROSE LAND SURVEYING

125 EAST MAIN ST., SUITE 4
RIPON, CA 95366
925.592.5700
BAY AREA 660.324.3316

JOB 15-05



CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



January 3, 2017

Carmelisa Morales, Project Planner
San Mateo County Planning and Building Department
455 County Center, 2nd Floor
Redwood City, California 94063

Re: San Mateo Co. Planning Case Number PLN2016-00106 (Burke) – Revised


Dear Ms. Morales,

Thank you for sending the revised project referral dated December 16, 2016 and received in our North Central Coast District Office on December 19, 2016. The proposed project is revised to include a Coastal Development Permit (CDP) and Planned Agricultural District (PAD) permit for the construction of a 4-ft tall fence, two accessory structures, and an agricultural operation to grow Monterey cypress trees. We previously provided you with written comments, dated April 19, 2016 and September 26, 2016, regarding the original project that included construction of the fence and installation of three signs. These letters are enclosed as those comments still apply. The project now includes propagation and incubation of Monterey cypress trees to acclimatize them to the coastal environment before selling them for transplantation. This letter serves to supplement our prior comments.

The proposed project site is located on a vacant parcel within the PAD/CD zoning district in Pescadero west of the Cabrillo Highway. Local Coastal Program (LCP) Section 6350 states that the purpose of the PAD is to preserve and foster existing and potential agricultural operations in San Mateo County and to minimize conflicts between agricultural and non-agricultural land uses. The analysis in the September 14, 2016 Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the original project determined that the proposed project would not result in an impact on agricultural resources. We suggest that the County re-visit the IS/MND in order to address the change in the proposed project description. We recommend that the County analyze the proposed project for its consistency with the agricultural policies of the LCP as the parcel contains Prime Soils (Class II and III). The proposed project should be evaluated for its consistency with LCP Sections 6351.A, 6352.A, the substantive criteria for issuance of a PAD permit as provided in LCP Section 6355, as well other applicable policies for the protection of agricultural resources. The County analysis must consider the proposed operation's impact on water supplies for agricultural production and sensitive habitat protection. The proposed project must not diminish the availability of water supplies in the watershed for agriculture and sensitive habitat, as required by the LCP.

Please feel free to contact me if you have questions regarding our comments. I can be reached by telephone at (415) 904-5292 or e-mail at renee.ananda@coastal.ca.gov.

Sincerely,


Renee Ananda, Coastal Program Analyst
North Central Coast District

Enclosures

Attachment N