

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: *La Honda Road New Single-Family Dwelling and Driveway*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2018-00401

OWNER: Jamie Verdura

APPLICANT: Jamie Verdura

NAME OF PERSON UNDERTAKING THE PROJECT OR RECEIVING THE PROJECT APPROVAL (IF DIFFERENT FROM APPLICANT): N/A

ASSESSOR'S PARCEL NO.: 082-160-130

LOCATION: La Honda Road, San Gregorio

PROJECT DESCRIPTION

Coastal Development Permit, Planned Agricultural District Permit, and Grading Permit for the construction of a new two-story, 4,388 sq. ft. single-family residence, 1,069 sq. ft. three-car garage, 500 linear foot driveway, fire turnaround, and associated septic system on a vacant 7.85-acre parcel (legality confirmed via subdivision SMN76-16). The project proposes 4,334 cubic yards (c.y.) of grading to include 846 c.y. of cut, 2,167 c.y. of fill, and 1,321 c.y. of imported material. Two and one-half acres of the parcel will be set aside for hay harvesting. While no trees are proposed for removal, the project will require the removal of approximately 0.03 acres of Baccharis scrub habitat. To mitigate the loss of habitat, the applicant has proposed to restore .09 acres (3,920 sq. ft.) of habitat and an associated 5-year monitoring program. This project is appealable to the California Coastal Commission.

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:** All proposed development shall utilize earth tone colors to further blend in with the surrounding grassland vegetation and topography.

**Mitigation Measure 2:** All proposed exterior lighting shall be designed and located so as to confine direct rays to the subject property and prevent glare to the surrounding area. Manufacture cut sheets for any exterior light fixtures shall be submitted for review and approval to the Planning Department prior to the issuance of a building permit. All fixtures shall be rated dark-sky compliant and designed to minimize light pollution beyond the confines of the subject premises.

**Mitigation Measure 3:** The finishes of all exterior materials and/or colors shall be non-reflective.

**Mitigation Measure 4:** The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:

- a. Water all active construction areas at least twice daily.
- b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
- e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- f. 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 the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
- h. Replant vegetation in disturbed areas as quickly as possible.
- l. Install erosion control measures to prevent silt runoff to public roadway and/or into Dean Creek.
- j. All haul trucks transporting soil, sand, or other loose material on and off site shall be covered.
- k. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- l. A publicly visible sign with the telephone number and person to contact at the project site regarding dust complaints shall be posted. 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.

**Mitigation Measure 5:** Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 5:00 p.m., Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo Ordinance Code Section 4.88.360).

**Mitigation Measure 6:** Habitat Restoration — To mitigate for the loss of 0.03 acres of Baccharis scrub habitat, the applicant shall implement a restoration plan approved by the San Mateo County Planning and Building Department. The restoration plan shall provide for the restoration of 0.09 acres (3,920 sq. ft.) of Baccharis scrub habitat on the project parcel. The restoration plan shall include defined success criteria and a minimum five-year mitigation monitoring program with yearly reports submitted to the County of San Mateo Planning and Building Department.

**Mitigation Measure 7:** Birds — If grading is scheduled during the active nesting season (March through August), a qualified wildlife biologist shall conduct a pre-construction nesting survey of the property, including large trees within 250 feet of the property for nesting raptors, and any vegetation within 50 feet of the proposed development for other nesting birds. This survey shall occur no more than 30 days prior to initiation of grading activities to provide an accurate measure of the presence or absence of active nests within the project vicinity.

**Mitigation Measure 8:** Birds — If active nests are encountered, grading activities shall not commence until species-specific protection measures are prepared by a qualified biologist and submitted to the Planning and Building Department for approval to prevent nest abandonment.

**Mitigation Measure 9:** Birds — If nests are encountered during project construction grading within a 100-foot radius of the nest shall be halted and no construction related activities shall occur within this 100-foot buffer zone. The perimeter of said buffer zone shall be fenced or adequately demarcated and construction personnel shall be restricted from such areas until all young have fledged.

**Mitigation Measure 10:** Birds — if avoidance of nests are not feasible, disturbance within the 100 foot nest buffer zone shall be prohibited until a qualified biologist can verify that the birds have either (a) not begun egg laying and incubation, or (b) that the juveniles from the nest are foraging independently and capable of independent survival. A report prepared by a qualified biologist verifying that the young have fledged or that egg laying activities have no occurred shall be submitted to the Planning and Building Department for review and approval prior to initiation of grading or construction activities within a 100 foot nest buffer zone.

**Mitigation Measure 11:** California Red-Legged Frog – A qualified biologist capable of monitoring projects shall be present on site prior to any disturbance activities as follows:

- a. An exclusion fence shall be installed along the edges of the proposed driveway and along the locations of the side and rear retaining walls (within 20 feet of proposed grading activities). Installation of the exclusionary fencing shall be overseen by a qualified biologist. The fence shall be at least 3 feet in height and trenched 6 inches deep. Furthermore, the fence shall be installed so that there are no openings or gaps through which a frog or small mammals could move into the project area. The exclusionary fencing shall have escape funnels in the fence every 100 feet or less for trapped small mammals and/or frogs to exit the project area. A cut sheet of the proposed exclusionary fencing shall be provided to the Planning and Department for approval prior to the issuance of any building permits.
- b. A pre-construction survey for CRLFs and SFDWs shall be conducted no less than 72 hours prior to the start of project activities (including the installation of the exclusionary fencing and equipment and materials staging) by a California Department of Fish and Wildlife (CDFW) certified biologist.
- c. Should any burrows be observed within the project area during the pre-construction survey by the CDFW certified biologist, the burrows shall be inspected to determine if they are being used by the CRLF. If CRLFs are present, the area shall be vacated and re-inspected in one week. If no animal use is noted, the burrows shall be carefully excavated using a small trowel or shovel and carefully prodded using a blunt object to determine the course of the tunnel such that the tunnel is excavated from the sides rather than the top, reducing the potential for any injury to an animal if present. Excavated burrows with no CRLFs shall be left open so they cannot be reoccupied. If non-listed species are located within the burrows they shall be translocated outside of the construction zone by the biologist.
- d. If any life stage of the CRLF is found during the pre-construction survey and/or burrow excavation, the biologist shall immediately contact the CDFW and USFW and cease work until appropriate actions (approved by CDFW, USFW, and the Planning and Building Department) are agreed upon.

- e. Immediately following the installation of the exclusionary fencing, the biological monitor shall survey the enclosed construction area for the presence of CRLF.
- f. All crewmembers shall attend an Environmental Awareness Training presented by a qualified biologist. The training shall include a description of the special-status species that may occur in the region, the project Avoidance and Minimization Measures, Mitigation Measures, the limits of the project work areas, applicable laws and regulations, and penalties for non-compliance. Colored photocards of CRLFs and SFDWs shall remain on the project site during construction. Upon completion of training, crewmembers shall sign a training form indicating they attended the program and understood the measures. Completed training form(s) shall be provided to the Project Planner before the start of project activities.
- g. Following the start of construction activities, a qualified biologist or trained biological monitor shall inspect the site weekly to monitor the integrity of the exclusionary fencing, confirm the limit of work and equipment is within the project boundaries, and assess the overall project adherence to the mitigation measures. A daily monitoring report shall be completed for each day the biologist is on site and shall include the date and time of work, weather conditions, biologist's name, construction activities performed that day, any listed species observed, and any measures taken to repair and/or maintain the exclusionary fencing. These logs shall be available to the County upon request and a logbook of complied reports shall be submitted to the Planning and Building Department prior to building permit final approval.
- h. The biological monitor has the authority to halt all or some of the grading or construction activities to protect habitat and/or individual sensitive species.
- i. The biological monitor shall complete daily monitoring reports for each day present on site, to be maintained in a monitoring logbook. Reports shall contain

**Mitigation Measure 12:** Wildlife Encounters – If any wildlife is encountered during Project activities, said encounter shall be reported to a qualified biologist and wildlife shall be allowed to leave the work area unharmed. Animals shall be allowed to leave the work area of their own accord and without harassment. Animals shall not be picked up or moved in any way

**Mitigation Measure 13:** San Francisco Dusky-Footed Woodrat – The construction contractor shall install woodrat exclusion fencing along the southern and easterly property lines in accordance with Drawing No. A112 on the site plan.

- a. Woodrat exclusion fencing shall be installed prior to the start of construction including equipment and materials staging.
- b. Woodrat exclusion fencing shall be the same exclusion fencing that will be installed for the California red-legged frog. The escape funnel provided for the snakes and frogs shall have a small enough escape funnel (i.e., less than 3" x 3" exit) to prevent woodrats from passing through.
- c. If woodrat nests are observed within the project area outside of the breeding season (February to July) the project biologist may dismantle the nest (outside of the breeding

season), allowing individuals to relocate to suitable habitat within the adjacent open space areas.

- d. If woodrat nests with young are observed within the project site, an exclusion fence shall be erected around the nest site. The fencing shall provide adequate enough area to provide foraging habitat for the woodrats at the discretion of the project biologist. Site preparation (i.e., grubbing and grading) within the fenced area shall be postponed or halted until young have left the nest. A biological monitor shall be onsite during periods when disturbance activities occur near the active nest to ensure no inadvertent impacts will occur to the nests.

**Mitigation Measure 14:** The restoration plan shall be overseen by a qualified restoration ecologist as recommended by the project applicant and approved by the County of San Mateo Planning and Building Department.

**Mitigation Measure 15:** Propagules -- All plant propagules except erosion control seed shall be collected from a local genetic source using Best Management Practices that control or eliminate for the sudden oak death pathogen (*Phytophthora ramorum*). Ideally, propagules shall be collected from the project site. In the event that this is not feasible, materials shall be collected from San Mateo County within a 2-mile radius from the coast and below 1,000 feet in elevation.

**Mitigation Measure 16:** Site Preparation -- As necessary, soils at planting locations shall be de-compacted as to allow for root growth.

**Mitigation Measure 17:** Planting Layout -- Planting layout shall avoid a grid pattern in order to mimic a more random, natural distribution of plants. Plants shall be laid out in the field by the project Restoration Ecologist.

**Mitigation Measure 18:** Irrigation -- Each plant shall be watered with two gallons per week during the dry season (June -- October) with adjustments as deemed necessary by the project Restoration Ecologist to ensure plant survival.

**Mitigation Measure 19:** Irrigation System -- A temporary irrigation system shall be designed and installed by a qualified landscape contractor. The irrigation system and all associated parts shall be removed upon plant establishment (typically 2 years).

**Mitigation Measure 20:** Performance Criteria -- The restoration plan shall adhere to the performance criteria below. Failure to meet these criteria during the 5-year monitoring period may require additional restoration activities.

- a. Year 1: Minimum 80% plant survival.
- b. Year 2- 4: Minimum 60% plant survival.
- c. Year 5: Minimum 50% plant survival.
- d. Year 1-5: Less than 5% invasive exotic plant cover permitted within the restoration area.

**Mitigation Measure 21:** Reporting -- A Biological As Built Report shall be submitted to the County of San Mateo Planning and Building Department within 30 days of completion of the restoration plan implementation. This report shall include final maps indicating the restoration and plating areas, along with the final numbers of plants installed.

**Mitigation Measure 22:** Reporting – By December 31 of each year of the restoration plan a Mitigation Monitoring Report shall be submitted to the San Mateo County Planning and Building Department and shall include the following information:

- a. Dates monitoring occurred.
- b. Adherence to the performance criteria to include results of quantitative monitoring including copies of field data sheets.
- c. Photos
- d. Summary of restoration actions taken during the reporting period
- e. Any changes proposed or implemented to the project as a result of monitoring including but not limited to: invasive exotic control techniques, plant replacement, and watering schedules.

**Mitigation Measure 23:** Initiation of the habitat restoration plan shall occur prior to final building approval for the proposed residence.

**Mitigation Measure 24:** In the event that cultural, paleontological, or archaeological resources are encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. In addition, an archaeological report meeting the Secretary of the Interior's Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred.

**Mitigation Measure 25:** If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource, pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.

**Mitigation Measure 26:** In the event of discovery or recognition of any human remains during project construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains and State of California Health and Safety Code Section 7050.5 shall be followed. The applicant shall then immediately notify the County Coroner's Office, the County Planning and Building

Department, and possibly the State Native American Heritage Commission to seek recommendations from a Most Likely Descendant (Tribal Contact) before any further action at the location of the find can proceed. All contractors and sub-contractors shall be made aware of these requirements and shall adhere to all applicable laws including State Cultural Preservation laws. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

**Mitigation Measure 27:** The project shall comply with all State and Local building energy efficiency standards, appliance efficiency regulations, and green building standards.

**Mitigation Measure 28:** The design of the proposed development (upon submittal of the Building Permit) on the subject parcel shall generally follow the recommendations cited in the geotechnical report prepared by Murray Engineers Inc., regarding seismic criteria, grading, drilled piers, slab-on grade construction, and surface drainage. Any such changes to the recommendations by the project geotechnical engineer cited in this report and subsequent updates shall be submitted for review and approval by the County's Geotechnical Engineer.

**Mitigation Measure 29:** The applicant shall submit an erosion control plan in compliance with the County's General Erosion and Sediment Control Plan Guidelines Checklist for review and approval as part of the building permit plans submittal.

**Mitigation Measure 30:** No grading shall be allowed during the wet weather season (October 1 through April 30) to avoid increased potential soil erosion, unless the applicant applies for an Exception to the Winter Grading Moratorium and the Community Development Director grants the exception. Exceptions will only be granted if dry weather is forecasted during scheduled grading operations, and the erosion control plan includes adequate winterization measures (amongst other determining factors).

**Mitigation Measure 31:** An Erosion Control and Tree Protection Pre-Site Inspection shall be conducted prior to the issuance of a grading permit "hard card" and building permit to ensure the approved erosion control measures are installed per the plans.

**Mitigation Measure 32:** To reduce erosion, the applicant shall reseed disturbed areas not planned for landscaping with native grasses at the end of construction. These grasses will cover the exposed dirt areas and reduce erosion and loss of topsoil during rain events.

**Mitigation Measure 33:** The applicant shall implement dust control measures, as listed below. Measures shall be included on plans submitted for the building permit and encroachment permit applications. The measures shall be implemented for the duration of any grading, demolition, and construction activities that generate dust and other airborne particles. The measures shall include the following:

- a. Water all active construction areas at least twice daily.
- b. Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
- c. Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least 2 feet of freeboard.



- d. Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at the construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- e. Sweep daily (preferably with water sweepers) all paved access roads, parking, and staging areas at the construction sites.
- f. Sweep adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- h. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour (mph).
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- j. Replant vegetation in disturbed areas as quickly as possible.

**Mitigation Measure 34:** Should any traditionally or culturally affiliated Native American Tribe respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to project implementation.

**Mitigation Measure 35:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall cease within a fifty meter radius of the find, the Planning Department shall be notified, and a qualified archaeologist retained to examine the find and provide appropriate recommendations. These measures shall be approved by the County Planning Department prior to implementation and prior to the continuation of any work in the subject area.

**Mitigation Measure 36:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the confidentiality of the resource.

#### RESPONSIBLE AGENCY CONSULTATION

San Mateo County Building Inspection Section  
San Mateo County Department of Public Works  
San Mateo County Geotechnical Section  
San Mateo County Drainage Section  
Northwest Information Center at Sonoma State

INITIAL STUDY

The San Mateo County

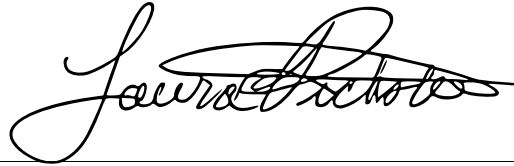
Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: April 1, 2020 to April 21, 2020

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., April 21, 2020.**

CONTACT PERSON

Laura Richstone  
Project Planner, 650/363-1829  
LRichstone@smcgov.org

A handwritten signature in black ink that reads "Laura Richstone". The signature is written in a cursive style with a large, looping initial "L".

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Laura Richstone, Project Planner

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