COUNTY OF SAN MATEO
PLANNING AND BUILDING

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April 28, 2023

San Mateo County Parks Department
Hannah Ormshaw
455 County Center, 4th Floor
Redwood City, CA 94063

Subject: **LETTER OF DECISION**
File Number: PLN2022-00125
Location: Quarry County Park, El Granada
APN: 047-330-010; 047-340-010, -020, -040, -290

On April 26, 2023, the Planning Commission considered your request for a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, and certification of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act, to implement a wildfire fuel reduction program, including construction of a new fire access road and bathroom facilities, at Quarry County Park in the unincorporated El Granada area of San Mateo County.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission adopted the Mitigated Negative Declaration and approved the requested Coastal Development Permit, County File Number PLN2022-00125 by making the required findings and adopting the conditions of approval listed in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on May 10, 2023.**

An approval of this project is appealable to the California Coastal Commission. Any aggrieved person may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the notice of Final Local Decision. Please contact the Coastal Commission's North Central Coast District Office at (415) 904-5260 for further information concerning the Commission's appeal process.

The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired, and no appeals have been filed.

Please direct any questions regarding this matter to Project Planner Michael Schaller mschaller@smcgov.org.

To provide feedback, please visit the Department's Customer Survey at the following link: http://planning.smcgov.org/survey.

Sincerely,

M. Schaller, for

Steve Monowitz
Community Development Director

cc: Department of Public Works
Building Inspection Section
Coastside Fire Protection District
City of Half Moon Bay
Midcoast Community Council
California Coastal Commission

Attachment A

County of San Mateo
Planning and Building Department

FINDING AND CONDITIONS OF APPROVAL

Permit Number: PLN 2022-00125 Hearing Date: April 26, 2023

Prepared By: Michael Schaller
Senior Planner

Adopted By: Planning Commission

FINDING

Regarding the Environmental Review, Find:

1. 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.

2. That, on the basis of the Initial Study, comments received thereto, and testimony presented and considered at the public hearing, that there is no substantial evidence that the project, if subject to the mitigation measures contained in the negative declaration, will have a significant effect on the environment.

3. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.

4. That the mitigation measures identified in the Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with 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 required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program with regards to the protection of biotic and visual resources.

6. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program as discussed in Section A(2) of this Staff Report. Protection measures will be implemented to prevent any impact to biological resources, including the San Francisco Garter Snake and California Red-Legged Frog.

CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on April 26, 2023. The Community Development Director may approve minor revisions or modifications to the Project if they are found to be consistent with the intent of and in substantial conformance with this approval.

   Compliance with existing Routine Maintenance Program Best Management Practices

2. This permit proposes to continue existing Wildfire Fuel Reduction activities, previously permitted in select areas of Quarry Park under the Parks Department's Routine Maintenance Program, into additional areas of the park. The approved Wildfire Fuel Reduction activities shall continue to utilize and comply with the previously approved RMP's Best Management Practices (BMPs) as listed in Attachment D of this report.

   Project Specific Mitigation Measures

   In addition to continued implantation of the RMP's Best Management Practices, the project's CEQA document identified the following measures as necessary to avoid significant impacts to the environment:

3. **Mitigation Measure BLGY-1. California Strawberry Pre-Construction Survey.** Within one year of project activities, a qualified biologist shall conduct a pre-construction survey for California Strawberry during the appropriate blooming period (February to March) to determine if this species is present within and adjacent to the vault toilet construction, South Ridge Fire Road, and fuel management work areas. If this species is absent, no further surveys or measures are required. If this species is present, comply with Policy 7.49 of the Sant Mateo County Local Coastal Program (LCP), which would include the following measures:

If the California strawberry is present in proposed work areas, a qualified professional doing work in strawberry breeding shall determine the value of the plant patch. If the breeder determines that the patch has significant value, project activities shall be designed to avoid direct impacts on the strawberry. Under the direction of the qualified biologist, occupied areas shall be marked with high visibility physical barriers such as orange construction fencing to delineate Environmentally Sensitive Areas (ESAs) where the strawberries are present. For activities involving the use of mechanical equipment, the fencing will be installed around plant occurrences including a 50-foot disturbance-free buffer. For activities involving the use of hand tools, high-visibility flagging may be installed in place of construction fencing, around plant occurrences including a 10-foot disturbance free buffer. In all cases, ESAs shall include signage that states that the area shall be avoided.

a. If project activities cannot avoid areas of high value strawberry patches and would result in the destruction of plants, a Habitat Mitigation Monitoring Plan (HMMP) shall be developed to ensure that impacts are appropriately mitigated. At a minimum, the MMP shall:

    (1) Describe proposed impacts to the species.

    (2) Proposed mitigation including some combination of transplantation or reestablishment of impacted populations and/or preservation and management of existing populations.

    (3) Identify success criteria, including achieving the establishment of a new viable occurrences of the strawberry or re-establishment of the strawberry, equal or greater in extent and numbers to the affected occurrence.

    (4) Provide a detailed implementation plan, including relocation methods as well as a schedule for completing and monitoring the relocation.

    (5) Set goals and performance criteria for transplants or plantings, including (a) survivorship, (b) density, (c) percent cover, and (d) control of invasive weeds with a California Invasive Plant Council Inventory (Cal-IPC) rating of moderate or high.

    (6) Specify a minimum monitoring period of 3 years, with annual reports.

(7) Identify contingency and adaptive management measures if the relocation or reestablishment plantings are not meeting success criteria.

b. Update the HMMP on an as-needed basis. Because some projects would be initiated over the course of several years, additional pre-activity surveys may detect new California strawberry patches. In that case, if direct impacts on this species cannot be avoided during successive fuel treatment projects, the County will amend the HMMP with applicable information on new impacts and mitigation as outlined above.

4. **Mitigation Measure BLGY-2a. Burrowing Owl Pre-activity Survey and Avoidance.** Pre-activity surveys for burrowing owls will be conducted prior to the initiation of all project activities within suitable habitat (e.g., grassland, rocky outcrop, and scrub habitats) in the Highest and Moderate fuel reduction treatment effectiveness areas. Although burrowing owls are not expected to breed on the site, surveys shall be conducted year-round to detect potential dispersing juveniles, non-breeding adults, wintering, and migrating individuals. If burrowing owls are observed during the surveys, then Mitigation Measure BLGY-2b will be implemented.

a. Pre-construction surveys will be completed in conformance with the CDFW's 2012 guidelines (CDFG 2012), or any more current protocols if any become available, which include the following:

(1) At least 14 days prior to the onset of vegetation mowing/removal or ground disturbing activities, an initial habitat assessment will be conducted in suitable habitat (e.g., grassland, rocky outcrop, and scrub habitats) by a qualified biologist to determine if suitable burrowing owl habitat is present. A qualified biologist is an individual who has a degree in biological sciences or related resource management with a minimum of two seasonal years post-degree experience conducting surveys for burrowing owl. During or following academic training, the qualified biologist will have achieved a high level of professional experience and knowledge in biological sciences and special-status species identification, ecology, and habitat requirements.

(2) During the habitat assessment, the biologist will survey the entire activity area for burrows that could be used by burrowing owls, including burrows of the California ground squirrel, American badger,

striped skunk, or coyote for nesting and roosting, and signs of use (e.g., feathers, pellets, whitewash).

(3) The survey shall also include all areas within 250 feet of the site, as access allows.

(4) If no suitable burrowing owl habitat is present, no additional surveys will be required.

(5) If suitable burrows and signs of activity are found, an additional survey shall be conducted within the 24-hour period prior to the initiation of project activities in any given area.

5. **Mitigation Measure BLGY-2b: Implement Buffer Zones for Burrowing Owls.** If burrowing owls are determined to be present, a 150-foot buffer zone will be maintained around the occupied burrow(s). If maintaining such a buffer is not feasible, then the buffer must be great enough to avoid injury or mortality of individual owls, as determined by the qualified biologist. No ground-disturbing activities will occur in the buffer until it is determined that the owl has vacated the area. If avoidance of occupied habitat cannot be avoided, the owl(s) will be passively relocated by the qualified biologist using one-way doors, which should be installed in all burrows within the impact area and left in-place for at least two nights. These one-way doors will then be removed and the burrows back-filled immediately prior to vegetation mowing/removal or grading. If relocation occurs during the breeding season (February 1 – August 31) owls will not be relocated unless the biologist can determine that the owls are not actively breeding.

6. **Mitigation Measure BLGY-3. Reconnaissance and Focused Surveys.** Within one year of initiation of the Project, a qualified biologist shall conduct a reconnaissance survey of all proposed treatment areas in potentially suitable habitat (grassland and scrub habitats) to assess the suitability of the habitat for the crotch bumble bee and obscure bumble bee, including potential foraging, nesting, and overwintering habitat that may support these species. If suitable habitat is present, focused surveys shall be conducted within the year that each treatment project is scheduled to occur. Reconnaissance and focused surveys should be conducted during the flight season (March - September), timed to occur when detection probability is highest, including surveys in early spring (early April) and early summer (early July). Focused surveys should be conducted during two to four evenly spaced sampling periods during the flight season. Surveys shall be conducted by a qualified biologist with knowledge in the life history and ecology of special-status bumble bees and has a minimum of two field seasons of experience conducting focused surveys for these species.

If focused surveys do not identify occupied or suitable habitat, no additional surveys and mitigation are warranted. If treatment project sites are occupied by special-status bumble bees or suitable habitat, Mitigation Measure BLGY-4 shall be implemented.

7. **Mitigation Measure BLGY-4. Bumble Bee Avoidance Measures**
If focused surveys identify occupied or suitable habitat within the project footprint, the following avoidance measures shall be implemented:

   a. **Avoid Treatment Activities During Active Bumble Bee Season.** To the extent feasible, conduct all treatment activities during the time of year when bees are not active (October – February) of any given year. If avoidance of the active bumble bee season is not feasible, implement b) below.

   b. **Avoid Injury and Mortality to Bumble Bee Colonies.** If treatment activities cannot avoid the active bumble bee season, the biologist should establish no-work buffers around active nest colonies identified during surveys. The size and configuration of the no-work buffer would be based on the best professional judgment of the biologist. At a minimum, the buffer should provide at least 20 feet of clearance around nest entrances for manual treatment activities with motorized and non-motorized hand tools, and 40 feet of clearance for treatment activities with heavy equipment but may be adjusted as determined by the qualified biologist using the most current and commonly accepted science and published guidance. Construction activities should not occur within the no-work zone buffers until the colony is no longer active (i.e., no bees are seen flying in or out of the nest for three consecutive days), as determined by the qualified biologist.

   c. **Maintain Habitat Function for Special-Status Bumble Bees.** To the extent feasible, treatment activities will be designed to maintain habitat function including maintaining some amount of foraging (i.e., floral resources) and nesting habitat for special-status bumble bees during implementation of all treatment activities in occupied or suitable habitat in two ways. First, habitat function should be maintained by dividing suitable habitat into a smaller number of treatment units so that the entire treatment area is treated across two or more years. This method will maintain suitable habitat for special-status bumble bees during treatment activities and temporary retention of floral resources in the treatment area. Second, maintenance of habitat function shall also be achieved by conducting treatment activities in a patchy pattern such that entire habitat patches (e.g., entire northern coastal scrub habitat on the southern portion of the site) are

not treated/removed and untreated portions of occupied or suitable habitat are retained.

d. **Avoidance of Impacts on Bumble Bees from Herbicide Application.** If suitable foraging, nesting, or wintering habitat is present in a proposed work area that supports occupied or suitable habitat for special-status bumble bees, no herbicides will be applied to plants that are in bloom, including any native and non-native plants. Prohibit the use of the herbicide paraquat dichloride at any time, regardless of blooming, in suitable foraging, nesting, or potential wintering habitat of special-status bees.

8. **Mitigation Measure BLGY-5. Roosting Bat Surveys and Avoidance.** To minimize impacts on maternity colonies during the maternity season (March 15 – August 31) or non-reproductive bats during winter torpor season (November 1 – March 1) the following measures will be implemented:

a. In the year of project activities, a qualified biologist shall conduct a bat habitat assessment and map with a GIS device and mark all trees in the work area that support potentially high-quality roost trees.

b. If work is planned to occur during the maternity season, no more than 30 days prior to project activities, a qualified biologist shall conduct a pre-activity survey for roosting bats of all suitable roost trees that were identified during the habitat assessment. The biologist will conduct a survey to look for evidence of bat use within suitable habitat. If evidence of use is observed, or if high-quality roost sites are present in areas where evidence of bat use might not be detectable, an evening emergence survey and/or a nocturnal acoustic survey may be necessary to determine if a bat colony is present and to identify the specific location of the bat colony.

c. If no active maternity colony or non-breeding bat roost is located, project work can continue as planned.

d. If an active maternity colony or non-breeding roost is located, the project work will be modified to avoid disturbance of the roosts, to the extent feasible.

e. If an active maternity colony is located and Project work cannot be modified to avoid removal or disturbance of the occupied tree, disturbance will be scheduled to take place outside the maternity roost season (April 15– August 31), and a disturbance-free buffer zone (determined by a qualified bat biologist) will be implemented during the maternity roost season.

f. If an active non-breeding bat roost is located and project work cannot be modified to avoid removal of the occupied tree, the tree will be removed using methods using a two-day phased method as follows:

(1) Day 1, under supervision of a qualified biologist, tree limbs or tree top (tree topping) not containing suitable bat roosting habitat will be removed using chainsaws only; then

(2) Day 2, the rest of the tree can be removed.

g. Because bats are rarely detected during the deep torpor period, no surveys are recommended during this time. Instead, if high quality roost trees are proposed to be removed during the deep torpor season, the County will avoid the removal only of the suitable roost trees to the extent feasible to avoid mortality to hibernating bats.

h. The County will also follow any applicable measures in CDFW Streambed Alternation Agreement permits.

9. **Mitigation Measure BLGY-6. Fuel Management Plan.** The County shall prepare a management plan to ensure that sensitive resources are not impacted by fuel reduction activities. The plan shall be prepared by a wildland resources expert in coordination with a biologist/ecologist knowledgeable about the habitats. The plan shall include the following:

a. Describe the purpose of the management plan and focus on protection of biological resources while reducing fuels and providing buffer zones.

b. Identify the different vegetation treatments associated with fuel reduction areas or zones, if applicable.

c. Describe the sensitive resources and how they will be protected. In particular, the plan shall include protection measures for special-status wildlife that occur or are known to occur in non-timber woodland and other habitats that would be impacted by the Project site including the San Francisco dusky-footed woodrat, California red-legged frog, San Francisco garter snake, burrowing owl, crotch bumble bee, monarch butterfly, special-status birds, common nesting birds and roosting bats; and special-status plants including Hickman's cinquefoil, Marin checker lily, bent-flowered fiddleneck, western leatherwood, perennial goldfields, Oregon polemonium, and San Mateo tree lupine.

d. Provide BMPs for fuel management, which may include the following:

(1) seasonal restrictions on removal of vegetation

(2) restrictions on removal of native vegetation

(3) pre-activity surveys for sensitive species (e.g., special-status plants and wildlife)

(4) protection measures for sensitive species and habitats (e.g., fencing)

(5) worker environmental awareness training

(6) vegetation disposal guidelines

(7) describe protection measures for sensitive resources such as temporary fencing and worker training

(8) map sensitive resources (e.g., dusky-footed woodrat nests, rare plants [if found]) with GPS or other method that allows them to be searched for in subsequent years

(9) biological monitoring requirements

(10) guidelines for herbicide treatments and herbicides that should be avoided

(11) avoidance of removal of native species to the extent practicable

(12) description of sensitive habitats to avoid

e. Prior to the beginning of vegetation removal within the work area covered by the Fuel Management Plan, the Parks Department will submit the Plan to the Planning Department for a determination of compliance with the conditions of this CDP and the conditions of the Routine Maintenance Program CDP approval.

10. **Mitigation Measure HAZ-1: Use of Best Management Practices.** The County shall require the construction contractor use the following best management practices (BMPs) to minimize potential release of hazardous materials used during construction activities:

a. Follow manufacturer's directions on use, storage and disposal of chemical products used in construction.

b. Avoid overtopping construction equipment fuel gas tanks.

c. Provide secondary containment for any hazardous materials temporarily stored on site.

d. During routine maintenance of construction equipment, properly contain and remove grease and oils.

e. Perform regular inspections of construction equipment and materials storage areas for leaks and maintain records documenting compliance with the storage, handling and disposal of hazardous materials; and

f. Properly dispose of discarded containers of fuels and other chemicals.

11. **Mitigation Measure HYD-1: Stormwater Pollution Prevention Plan.** The County shall, by contract specifications, ensure contractors prepare and implement a SWPPP for each phase of the proposed project to be implemented involving grading or earthwork activity. Erosion control measures shall be in place prior to the start of each phase's respective construction activities and remain in place throughout the construction duration. The plan must provide a BMP monitoring and maintenance schedule and identify parties responsible for monitoring and maintenance of construction-phase BMPs. Erosion and water quality control measures identified in the plan must comply with the Construction Site Control requirements (C.6) of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (Order No. R2-2015-004922), and the County's standard Water Pollution Control Plan specifications. At a minimum, the SWPPP shall include, but not be limited to, the following measures (County of San Mateo, 2017):

a. Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place.

b. Sediment shall be retained on-site by a system of sediment basins, traps, or other appropriate measures.

c. A spill prevention and countermeasure plan shall be developed that will identify proper storage, collection, and disposal measures for potential

pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. The plan will also require the proper storage, handling, use, and disposal of petroleum products.

d. Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction.

e. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.

f. Surface waters, including ponded waters, must be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.

g. Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out. Store, cover, and isolate construction materials, including topsoil and chemicals, to prevent runoff losses and contamination of groundwater.

h. Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events. All removed topsoil shall be reused during construction to the extent feasible. Unused topsoil, if any, shall be broadly redistributed to the surrounding ruderal/developed areas in such a manner that topography and vegetation cover would not be adversely impacted.

i. Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.

j. Disturbed areas will be re-vegetated after completion of construction activities.

k. All necessary permits and approvals shall be obtained.

l. Provide sanitary facilities for construction workers.

12. **Mitigation Measure TRA-1**: Traffic Control Plan. The County shall require the construction contractor(s) to prepare and implement a traffic control plan to reduce traffic impacts on the roadways at and near the work sites, as well as to reduce potential traffic safety hazards and ensure adequate access for emergency responders and construction vehicles, as appropriate. To the extent applicable, the traffic control plan shall conform to the California Manual on Uniform Traffic Control Devices (MUTCD), Part 6 (Temporary Traffic Control) (Caltrans 2014). The traffic control plan shall include, but not be limited to, the following elements:

a. Circulation and detour plans to minimize impacts on local road circulation during road and lane closures. Flaggers and/or signage shall be used to guide vehicles through and/or around the construction zone.

b. Identifying truck routes designated by the County. Haul routes that minimize truck traffic on local roadways shall be utilized to the extent possible.

c. Sufficient staging areas for trucks accessing construction zones to minimize disruption of access to adjacent public rights-of-way.

d. Controlling and monitoring construction vehicle movement through the enforcement of standard construction specifications by on-site inspectors.

e. Scheduling truck trips outside the peak morning and evening commute hours to the extent possible.

f. Limiting the duration of road and lane closures to the extent possible.

g. Implementing roadside safety protocols. Advance “Road Work Ahead” warning and speed control signs (including those informing drivers of State legislated double fines for speed infractions in a construction zone) shall be posted to reduce speeds and provide safe traffic flow through the work zone.

h. Coordinating construction administrators of emergency service providers (including all fire protection agencies), and recreational facility managers. Operators shall be notified at least one month in advance of the timing, location, and duration of construction activities and the locations of detours

and lane closures, where applicable. All roads shall remain passable to emergency service vehicles at all times.

i. Repairing and restoring affected roadway rights-of-way to their original condition after construction is completed.