

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: Joswiak Residence, Affordable Housing Unit, and Barn, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN2020-00133

APPLICANT: Kurt Simrock (Architect), 329 Bryant Street, Suite 3C, San Francisco, CA 94107

CONTACT PERSON: Camille Leung, Project Planner, 650/363-1826,
cleung@smcgov.org

OWNER: Gregory R. Joswiak Trust, 736 Arroyo Leon Drive, Half Moon Bay, Ca 94019

ASSESSOR'S PARCEL NO.: APN 066-230-050

LOCATION: The subject property, 2450 Purisima Creek Road, is an agriculturally-zoned parcel containing a 3,550 sq. ft. single-family residence, 915 sq. ft. horse barn, 150 sq. ft. shed, 2,300 sq. ft. barn and storage building, and 296 sq. ft. horse stall, located in the unincorporated North San Gregorio area of San Mateo County.

PROJECT DESCRIPTION

Planned Agricultural District, Coastal Development Permit (CDP), and Grading Permit to construct a new 6,200 sq. ft. two-story single-family residence with 1,025 sq. ft. attached garage, 725 sq. ft. basement, septic system, driveway and fire truck turnaround, 4,050 sq. ft. two-story barn, and one 706 sq. ft. Affordable Housing Unit (deed restricted) and septic system, on a 20.26-acre rural, agriculturally-zoned property. The project includes an After-the-fact CDP for emergency domestic well replacement (emergency approved under PLN2020-00109). Grading for access road/fire truck turnaround and structures totals 3,200 cubic yards (1,400 cy cut; 1,400 cy fill). Sixteen (16) trees are proposed for removal, including 7 significant trees. Associated Confined Animal Permit for keeping of 6 horses under PLN2020-00134. An existing residence, horse stable, and shed would be demolished. The CDP is appealable to the California Coastal Commission.

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, as mitigated, 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, as mitigated, will not have adverse impacts on traffic or land use.
5. In addition, the project, as mitigated, will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term environmental goals 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 and identified by the Lead Agency to avoid potentially significant effects:

Mitigation Measure 1: The applicant shall submit a lighting plan along with the building permit application which demonstrates compliance with the following requirements:

- a. No new light posts will be allowed. Path lighting on bollards of up to 4 feet are allowed along driveways and pathways.
- b. Exterior lighting shall be minimized, and earth-tone colors of lights used (e.g., yellow, brown toned lights, rather than blue toned fluorescents). In grassland, or grassland/forest areas, all exterior materials shall be of the same earth and vegetative tones as the predominant colors of the site (as determined by on-site inspections). Highly reflective surfaces and colors are discouraged.
- c. All exterior, landscape and site lighting shall be designed and located so that light and glare are directed away from neighbors and confined to the site. Low-level lighting shall be directed toward the ground.
- d. Exterior lighting should be minimized and designed with a specific activity in mind so that outdoor areas will be illuminated no more than is necessary to support the activity designated for that area.

Mitigation Measure 2: Upon the start of excavation activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- 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. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 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 California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h. 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.
- i. Construction-related activities shall not involve simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously).

Mitigation Measure 3: Within the 50 feet riparian buffer zone, with the exception of existing horse stable that is proposed to be demolished, disturbance of undisturbed areas and removal of riparian vegetation is prohibited. The applicant shall work with a professional biologist to prepare a demolition and restoration plan. Demolition and restoration activities shall be observed by a professional biologist.

Mitigation Measure 4: The Owner shall consult with CDFW prior to any work in the riparian habitat to determine whether a Streambed Alteration Agreement may be necessary or not.

Mitigation Measure 5: The applicant shall implement the following mitigation measures to avoid direct impacts to California Red-legged Frog (CRLF), San Francisco dusky-footed woodrat (SFDFW), protected nesting birds and raptors, if present during the course of activities on the site:

- a. Pre-construction surveys for SFDFW houses shall be performed no less than 30 days prior construction (including ground disturbance work and/or demolition of existing structures). If stick houses are found and avoidance is not feasible, the houses shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the house and a buffer of 25 to 50 feet shall be established by the biologist for a minimum of 3 weeks to allow young time to mature and leave the nest. Nest material shall be moved to a suitable adjacent area for reuse. Pre-construction surveys shall be provided to the Project Planner for review and approval, prior to start of any work at the Project Site.
- b. A pre-construction survey for CRLF shall be performed within 48 hours of ground disturbing activities. Non-listed species if found, may be relocated to suitable habitat outside the Project Site. If CRLF is found, work should be halted, and the USFWS will be contacted. If possible, CRLF should be allowed to leave the area on its own. If the animal does not leave on its own, all work shall remain halted until the USFWS provide

authorization for work to resume. Pre-construction surveys shall be provided to the Project Planner for review and approval, prior to start of any work at the Project Site.

- c. No ground-disturbing work (including demolition or vegetation removal) shall be performed during or within 48 hours of any rain event (greater than 0.5 inches) between November 1 and April 31 when CRLF are most likely to disperse into upland habitats. Furthermore, no work shall occur within 30 minutes of sunrise or sunset during this period.
- d. Environmental awareness training shall be provided to all construction crew prior to the start of work. Training will include a description of all biological resources that may be found on or near the Project site, the laws and regulations that protect those resources, the consequences of non-compliance with those laws and regulations, instructions for inspecting equipment each morning prior to activities, and a contact person if protected biological resources are discovered on the Project site.
- e. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting), rolled erosion control products, or similar material shall not be used. Acceptable substitutes include coconut coir matting or tackifier hydroseeding compounds. Compliance shall be demonstrated in an erosion and sediment control plan provided with the building permit application.
- f. Tree and vegetation removal activities shall be initiated during the non-nesting season of from September 1 to January 31 of protected nesting birds and raptors when possible.
- g. If work cannot be initiated during this period, then nesting bird pre-construction surveys shall be performed in trees proposed for removal and suitable nesting habitat within 500 feet of the project footprint. Pre-construction surveys shall be provided to the Project Planner for review and approval, prior to start of any work at the Project Site.
- h. If nests are found, a no-disturbance buffer shall be placed around the nest of protected nesting birds and raptors until young have fledged or the nest is determined to be no longer active by the biologist. The size of the buffer may be determined by the biologist based on species and proximity to activities but should generally be between 50 to 100 feet for songbirds and up to 500 feet for nesting raptors.

Mitigation Measure 6: Prior to any land disturbance and throughout the grading operation, the applicant shall implement the tree protection measures of the Tree Inventory and Protection Plan Report, revised September 21, 2021, prepared by Ned Patchett Consulting, and said protections shall remain in place undisturbed throughout construction.

Mitigation Measure 7: Although no cultural resources were found on the subject property, previously unknown archaeological materials may be encountered during grading or construction. In the event that cultural, paleontological, or archeological 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 archeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archeologist and any recording, protecting, or curating shall be borne solely by the project sponsor. The archeologist 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. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

Mitigation Measure 8: The applicants and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains, whether historic or prehistoric, during grading and construction. 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 9: Prior to the issuance of the building permit for any project structure, the applicant shall revise the Erosion and Sediment Control Plan to incorporate the following additional measures, subject to the review and approval of the Community Development Director:

- a. Show type and location of biological mitigation measures on the plan. Biological mitigation measures should be shown for all project areas, including the riparian area near the AHU. Please have Project Biologist confirm that the revised plan adequately addresses biological mitigation measures.
- b. Show location of utility trenches, indicate utility types, and identify timing of installation for all project buildings, including AHU.
- c. Construction Access Route for AHU: Show measures to reduce tracking onto Purisma Creek Road.

Mitigation Measure 10: The applicant shall adhere to the San Mateo County-wide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.
- d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
- f. Control and prevention of 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.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.

- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

Mitigation Measure 11: Once approved, erosion and sediment control measures of the revised Erosion and Sediment Control Plan shall be installed prior to beginning any site work and maintained throughout the term of grading and construction, until all disturbed areas are stabilized. Failure to install or maintain these measures will result in stoppage of construction until corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Building Inspection Section.

Mitigation Measure 12: It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

Mitigation Measure 13: At the time of building permit application, the applicant shall demonstrate compliance with the measures indicated on the applicant-completed EECAP Development Checklist (Attachment G) to the extent feasible. Such measures shall be shown on building plans.

Mitigation Measure 14: At the time of building permit application, the applicant shall demonstrate compliance with the following measures, to the extent feasible, where such measures shall be shown on building plans:

- a. BAAQMD BMP: Use alternative fueled (e.g., biodiesel, electric) construction vehicles/equipment of at least 15 percent of the fleet;
 - b. BAAQMD BMP: Use local building materials of at least 10 percent;
 - c. BAAQMD BMP: Recycle or reuse at least 50 percent of construction waste.
- Inclusion of these practices in project construction and/or operation shall be demonstrated, to the extent feasible, prior to the Current Planning Section's approval of the building permit for the proposed residence.

Mitigation Measure 15: Prior to the issuance of a building permit for any horse keeping facilities, the Owner shall submit a Manure Management Plan, including a written description of the method for and the frequency of processing, storing, and disposing of or using manure product on site. The written description shall include the types of equipment and storage facilities used during the manure management process, and comply with the following requirements:

- A. Manure storage piles shall be not visible from Purisima Creek Road and shall be screened to reduce visibility.
- B. Manure piles shall be located a minimum of 75 feet from the creek.

- C. Manure piles shall be covered during the rainy season from October 1 to April 30 of every year.
- D. Drainage facilities to handle manure pile run off shall be shown on a Drainage Plan, which shall include pile locations, topographic contours, and location of creek and 50-foot buffer zone. The Drainage Plan shall be subject to review by County Environmental Health Services, the Drainage Section, and the Project Planner.

Mitigation Measure 16: Per County Environmental Services staff, the applicant may retain the old domestic well for irrigation uses only, subject to the following requirements: 1) all setbacks are met, including from well to well, 2) the well is not damaged and has an appropriate sanitary seal, 3) the two water systems (one potable, one non-potable) are kept separate.

Mitigation Measure 17: At the time of application for a building permit, the applicant shall submit a permanent stormwater management plan to the Building Inspection Section for review for compliance with Municipal Stormwater Regional Permit Provision C.3.i and the County's Drainage Policy.

Projects subject to Provision C.3.i (individual single-family home projects that create and/or replace 2,500 sq. ft. or more of impervious surface, and other projects that create and/or replace at least 2,500 sq. ft. of impervious surface but are not C.3 Regulated Projects) shall implement at least one (1) of the three (3) site design measures listed below:

- a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
- b. Direct roof runoff onto vegetated areas.
- c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.

A site drainage plan is required that demonstrates how roof drainage and site runoff will be directed to an approved location. In compliance with the County's Drainage Policy, this plan must demonstrate that post-development flows and velocities to adjoining private property and the public right-of-way shall not exceed those that existed in the pre-developed state.

Mitigation Measure 18: As the project involves over 1 acre of land disturbance, the property owner shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project's NOI, WDID Number, and Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Current Planning Section and the Building Inspection Section, prior to the issuance of the grading permit "hard card."

Mitigation Measure 19: 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 cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

RESPONSIBLE AGENCY: State Regional Water Quality Control Board

REVIEW PERIOD: Wednesday, November 10, 2021 – Tuesday, November 30, 2021.

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the contact person listed here, no later than **5:00 p.m., on Tuesday, November 30, 2021.**

SCHEDULED PUBLIC MEETING OR HEARING:

Planning Commission Meeting – 9 a.m. on December 8, 2021 (Tentative Date; remote meeting)

ADDRESS OF AVAILABLE DOCUMENTS FOR REVIEW: Documents are available at County of San Mateo Planning and Building Department, 455 County Center, Second Floor, Redwood City, CA 94063. Please contact the Project Planner to view the documents. The Mitigated Negative Declaration and all documents incorporated by reference are available at: <https://planning.smcgov.org/ceqa-docs>