



September 15, 2022

Steven Monowitz, Camille Leung, and Glen Jia
San Mateo County Planning
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: PLN2021-00478 Owner-Applicant: Rodrigo Lacasia-Barrios, Location: San Carlos Avenue, El Granada; APN: 047-105-020. Proposed construction of a new 2,226 sq. ft. three-story, single-family residence with attached 795 sq. ft. ADU and 374 sq. ft. garage on a 7,070 sq. ft. parcel associated with a staff level Coastal Development Permit (CDP) and Variance.

Dear Steve, Camille, and Glen,

On behalf of Green Foothills, I have reviewed the September 1, 2022 letter from Coast Ridge Ecology and disagree with Mr. Kobernus's conclusions that the Arroyo Willow forest that covers approximately 25% of the subject property is not a wetland as well as a riparian area.

County LCP Policy 7.14 Definition of Wetlands broadly defines wetlands as "an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground." Policy 7.14 also includes a list of 12 plants that are **typically** found in wetlands in San Mateo County and states that to qualify, a wetland must contain at least 50% cover of these plants. This LCP policy only includes some of the wetlands associated plants in San Mateo County coastal zone that could indicate the presence of a wetland, and as such, is illustrative of typical wetland species and is not exclusive of all others.

For further analysis and support of the broader and more inclusive determination of arroyo willow (*salix lasiolepis*) indicating presence of a wetland in coastal San Mateo County, please refer to the California Coastal Commission's unanimous decision re: Dispute Resolution Number 2-19-1004-EDD (Ralston Single-Family Residence), November 13, 2019. The Commission's decision was based in part on the Coastal Commission's Ecologist, Dr. Lauren Garske-Garcia's analysis and conclusion that the biological resources (specifically mature arroyo willow thickets) on the Ralston property qualify as both an intermittent stream and a wetland.

I also call your attention to the Review of the August 9, 2019 Biological Assessment for the Hermosa Avenue Property prepared for Green Foothills by Gary Deghi, Vice President/Senior Environmental Scientist, Huffman-Broadway Group, Inc. Mr. Deghi's review and analysis included the following conclusion: "The indicator status of arroyo willow in the most recent National Wetland Plant List: 2016 wetland ratings (Lichvar et al 2016) is shown as a facultative wet (FACW) plant (plants that usually occur in wetlands; estimated probability 67-99%, but occasionally found in non-wetlands). The presence of



dominant FACW vegetation would be sufficient to define the willow thicket as a coastal wetland under the CCA definition of a wetland.”

While the particular issue with the Ralston Dispute Resolution matter was whether the parcel was within an area that was Categorically Excluded from the requirement for a Coastal Development Permit, in this case, county planning staff acknowledges that a Coastal Development Permit (CDP) is required for the proposed development of a 2,226 sq. ft. single family residence, attached 795 sq. ft. ADU and 374 sq. ft. garage on a 7,070 sq. ft. parcel. However, county planning staff has determined that only a staff-level CDP approval is required, and the CDP is not appealable to the Coastal Commission. Green Foothills also disputes these determinations.

If you disagree with Green Foothills contention that the willow thicket on the Lacasia property qualifies as a wetland as well as a riparian area, please follow the Dispute Resolution process as specified in Section 13569 of the Coastal Commission’s Regulations (California Code of Regulations (CCR), Title 14) and refer this matter to the California Coastal Commission’s Executive Director for a resolution of this matter.

Thank you for your attention to our comments.

Sincerely,

Lennie Roberts, Legislative Advocate, Green Foothills

Cc: Dan Carl, District Director, California Coastal Commission
Stephanie REXING, District Manager, California Coastal Commission
Erik Martinez, Coastal Planner, California Coastal Commission
Rich and Kathy Klein
Susana van Bezooijen
Mike Ferreira, Coastal Issues Committee, Sierra Club, Loma Prieta Chapter



Date: August 7, 2022
To: Glen Jia, Project Planner and
Camille Leung, Senior Planner
From: Lennie Roberts, Legislative Advocate, Green Foothills
Re: Item # 4 on the August 11, 2022 Coastside Design Review Committee meeting: “Consideration of a Design Review recommendation for the construction of a new 2,226 sq. ft. three-story, single-family residence with attached 795 sq. ft. ADU and 374 sq. ft. garage on a 7,070 sq. ft. parcel associated with a staff level Coastal Development Permit (CDP) and Variance. Staff will make a decision on the IS-MND, CDP, and Variance after August 11, 2022. The project is not appealable to the California Coastal Commission. Owner-Applicant: Rodrigo Lacasia-Barrios, File #PLN2021-00478, Location: San Carlos Avenue, El Granada, APN: 047-105-020”

Dear Glen and Camille,

Green Foothills objects to the CDRC Agenda listing of the proposed single-family residence, ADU and garage, specifically the following: “Staff will make a decision on the Initial Study-Negative Declaration, CDP, and Variance after August 11, 2022,” and “The project is not appealable to the California Coastal Commission.”

First, No Notice of the IS-MND was sent to Green Foothills, and I have not been able to find the referenced IS-ND on County Planning’s website. Staff should be well aware of our concerns about this project, as we commented extensively on the parcel legalization and spoke at the ZHO public hearing. We should have been notified of the availability of the IS-MD. Please send me the Draft IS-ND and please extend or re-open the comment period.

Second, due to the presence of riparian vegetation/wetlands on the parcel, a staff-level decision for the CDP and Variance appears to be inappropriate. Could you please advise as to the basis for a staff level decision?

Finally, Green Foothills strongly disagrees with the statement that the CDP is not appealable to the Coastal Commission. The subject parcel supports a dense Arroyo Willow riparian woodland that covers approximately 25%-30% of the property, as depicted on the 11/17/2020 Boundary and Topographic Map by Turnrose Land Surveying which was part of the COC-B approval process. The Arroyo Willow riparian woodland is described by Tom Mahoney of Albion Environmental in his October 15, 2004 Report on the subject parcel as: “Riparian woodland, composed of the Arroyo Willow series (Sawyer and Keeler-Wolf 1995) occurs along the western half of the Project Area. The riparian area is structurally mature, and forms an intact canopy extending from the Project Area down to the unnamed drainage channel to the west...”. Mr. Mahoney also describes the understory vegetation: “...including spreading rush (*Juncus patens*), a facultative wetland species 4 and slough sedge (*Carex obnupta*), an obligate wetland indicator species.”

Development within 100 feet of a wetland is appealable to the California Coastal Commission, per County Zoning Regulations Section 6328.3(s)(2) which states (in relevant part): “Projects Appealable to the Coastal Commission...Projects located within 100 feet of any wetland”. The proposed project has the potential for significant adverse impacts to coastal resources, and the CDP must maximize protection of those resources, through adequate setbacks of development, and other measures to prevent changes to existing patterns of surface and subsurface drainage, and/or removal of environmentally sensitive habitat species, etc.

Please correct the project description on the CDRC August 11, 2022 Agenda accordingly.

If you disagree regarding the issue of appealability of the CDP, please follow the Dispute Resolution process as specified in Section 13569 of the Coastal Commission’s Regulations (California Code of Regulations (CCR), Title 14) and refer this matter to the California Coastal Commission’s Executive Director for a resolution of the disagreement.

Thank you for your attention to our comments.

CC: Erik Martinez, California Coastal Commission
Rich and Kathy Klein
Susana van Bezooijen