County of San Mateo Planning & Building Department

Agricultural Advisory Committee

County Office Building
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-1825
Fax: 650/363-4849

Regular Meeting

BY VIDEOCONFERENCE ONLY

Date: **Monday March 8, 2021**

Time: **7:00 p.m. to 9:00 p.m.**

Place: **Virtual Meeting due to COVID-19 Shelter in Place Order**

Pursuant to the Shelter in Place Orders issued by the San Mateo County Health Officer and the Governor, the Governor's Executive Order N-29-20, and the CDC's social distancing guidelines which discourage large public gatherings, the Half Moon Bay Public Library is no longer open to the public for Agricultural Advisory Committee meetings.

*** PUBLIC PARTICIPATION**

Written Comments:
Members of the public may provide written comments by email to LRichstone@smcgov.org and should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda.

The length of the emailed comment should be commensurate with the 5 minutes customarily allowed for verbal comments, which is approximately 300-400 words. To ensure your comment is received and read into the record for the appropriate agenda item, please submit your comments no later than 5:00 p.m. the day before the meeting. The County will make every effort to read emails received after that time, but cannot guarantee such emails will be read into the record. Any emails received after the deadline which are not read into the record will be provided to the Committee after the meeting and become part of the administrative record.

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet, or other writings that may be distributed at the meeting should contact Laura Richstone, the Planning Liaison, by 10:00 a.m. on the Friday before the meeting at LRichstone@smcgov.org. Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting, the materials related to tit, and your ability to comment.

Virtual Meeting/Spoken Comments

Spoke public comments will be accepted during the meeting through Zoom. **Please read the following instructions carefully:**

1. The March 8, 2021 Agricultural Advisory meeting may be accessed through Zoom online at the **link https://smcgov.zoom.us/j/95697949985**. The **meeting ID** is: **956 9794 9985**. The meeting may also be accessed via telephone by dialing +1 669-900-6833 (Local). Enter the meeting ID: 956 9794 9985, then press #. (To find your local number: http://smcgov.zoom.us/u/admSDqceDg).

2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up to date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionalities may be disabled in older browsers including internet explorer.

3. You may be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.

4. When the Committee calls for the item on which you wish to speak, click on "raise hand" or *9 if calling in on a phone. The Secretary will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.

5. When called, please limit your remarks to the time limit allotted.

MATERIALS PRESENTED FOR THE MEETING:
Applicants and members of the public are encouraged to submit materials to the Agricultural Advisory Committee. All materials (including but not limited to models and pictures) submitted on any item on the agenda are considered part of the administrative record for that item and must be retained by the Committee Secretary. If you wish to retain the original of an item, a legible copy must be left with the Committee Secretary.

AGENDAS AND STAFF REPORTS ONLINE:
To view the agenda, please visit our website at https://planning.smcgov.org/agricultural-advisory-committee. Staff reports will be available on the website one week prior to the meeting. For further information on any item listed below please contact the corresponding Project Planner indicated.

CORRESPONDENCE TO THE COMMITTEE:
Laura Richstone, Agricultural Advisory Committee Liaison
455 County Center, 2nd Floor
Redwood City, CA 94062
Email: LRichstone@smcgov.org

NEXT MEETING:
The next regularly scheduled Agricultural Advisory Committee meeting is on April 12, 2021.

AGENDA

7:00 p.m.

1. **Call to Order**

2. **Member Roll Call**

3. **Oral Communications** to allow the public to address the Committee on any matter not on the agenda. If your subject is not on the agenda, the Chair will recognize you at this time.

4. **Committee Member Update(s) and/or Questions** to allow Committee Members to share news and/or concerns for items not on the agenda.

5. **Committee Discussion on 2021 AAC Calendar** and Holiday Conflict with the February 15, 2021 and October 11, 2021 regularly scheduled meeting dates.

6. **Committee Discussion and Update** on the current COVID-19 pandemic, potential policies needed to protect local agricultural and water from contamination, how the pandemic may affect local food supply, and access to farm labor and resources available to producers and farm workers.

REGULAR AGENDA

7. **Owner/Applicant:** **Charlie Floyd**
File Number PLN 2002-00727
Location: La Honda Road, San Gregorio
Assessor's Parcel No. 082-130-250

Consideration of a Coastal Development Permit and a Planned Agricultural Permit, to drill a domestic water well for a future single-family residence. There is minimal grading, no tree removal and minimal vegetation removal. The property is located on the south side of La Honda Road in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission. Please direct any questions to Project Planner Olivia Boo, at OBoo@smcgov.org.

---

8. **Owner** **Coastways Ranch, Inc.**
Applicant: **Charles Hudson**
File Number PLN 2020-00166
Location: 640 Cabrillo Highway, Pescadero
Assessor's Parcel No. 089-230-420

Consideration of an Agricultural Preserve and California Land Conservation (Williamson) Act Contract for a 426.6-acre parcel located just north of the San Mateo/Santa Cruz County line in the unincorporated Pescadero area of San Mateo County. Please direct any questions to Project Planner Laura Richstone at LRichstone@smcgov.org.

---

9. **Committee Review of Draft Farm Stand Guidelines**. Planning Staff is requesting input and feedback on these Draft Guidelines. The Guidelines were composed with

input from the Resource Conservation District, Environmental Health and the Planning Department.

---

10. Community Development Director's Report

11. Adjournment

Agricultural Advisory Committee meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting; or who have a disability and wish to request a alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact the County Representative at least five (5) working days before the meeting at (650) 363-1829, or by fax at (650) 363-4849, or e-mail LRichstone@smcgov.org. Notification in advance of the meeting will enable the Committee to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

ROLL SHEET – March 2021
Agricultural Advisory Committee Attendance 2020-2021

	Feb	Mar	Apr	May	May*	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Feb	Mar
VOTING MEMBERS														
Judith Humburg** Public Member		X	X	X	X	X	X	X		X	X	X	X	
BJ Burns Farmer, Chair		X	X	X	X	X	X	X		X	X	X	X	
Natalie Sare* Farmer	X	X	X			X	X			X	X	X	X	
Louie Figone Farmer	X	X		X	X							X		
Cynthia Duenas** Public Member	X	X	X	X	X	X	X			X	X	X		
John Vars Farmer, Vice-Chair	X	X	X	X	X		X	X		X	X	X		
William Cook Farmer			X	X	X	X	X	X		X		X		
Peter Marchi** Farmer	X	X	X	X		X		X			X	X	X	
Robert Marsh Farmer	X	X												
Ron Sturgeon Conservationist	X	X	X	X	X	X	X	X		X	X	X	X	
Lauren Silberman Ag Business	X	X	X	X	X	X	X	X		X	X	X	X	
Natural Resource Conservation Staff Jim Howard														
San Mateo County Agricultural Commissioner Koren Widdel		X		X		X	X	X		X	X	X	X	
Farm Bureau Executive Director Jess Brown	X	X	X	X	X	X	X	X		X	X	X	X	
San Mateo County Planning Staff Laura Richstone			X	X	X	X	X	X		X	X	X	X	
UC Co-Op Extension Representative Frank McPherson				X									X	

X: Present
Blank Space: Absent or Excused
Grey Color: No Meeting
*** Special Meeting**
**** As of 06/25/2019**

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM 7

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: March 8, 2021

TO: Agricultural Advisory Committee

FROM: Olivia Boo, Planning Staff, 650/363-1818

SUBJECT: Coastal Development Permit and a Planned Agricultural Permit, pursuant to Sections 6328.4 and 6353 of the County Zoning Regulations, to drill a domestic water well for a future single-family residence. There is minimal grading, no tree removal and minimal vegetation removal. The property is located on the south side of La Honda Road in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2002-00727 (Floyd)

PROPOSAL

The applicant is proposing to establish one new domestic well and has identified three possible well locations. A minimal amount of vegetation will be removed for the new domestic well. The property is undeveloped, and bounded by San Gregorio creek, a perennial stream, along the eastern and southern property line.

The parcel is dominated by non-native annual grassland, coast live oak woodland and riparian woodland. The creek and riparian woodland are outside of the proposed project footprint.

DECISION MAKER

Planning Commission

QUESTIONS FOR THE AGRICULURAL ADVISORY COMMITTEE

1. Will the development have any negative effect on surrounding agricultural uses? If so, can any conditions of approval be recommended to minimize any such impact?

2. What position do you recommend that Planning staff take with respect to the application for this project?

BACKGROUND

Report Prepared By: Olivia Boo, Project Planner, 650/363-1818

Applicant/Owner: Charlie Floyd

Location: South side of La Honda Road, approximately 1 mile east of Madera Lane

APN: 082-130-250 (Lot Merger County File Number: PLN 2006-00264)

Parcel Size: 3 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: Not Under Contract.

Existing Land Use: Undeveloped parcel, bordered by San Gregorio Creek and riparian vegetation along the east and south property lines.

Water Supply: Proposed domestic well with approval of this project.

Sewage Disposal: None.

Flood Zone: Flood zone A (1 percent Annual chance of flooding); Community Panel Number 06081C0390E, effective October 16, 2012.

Environmental Evaluation: A Mitigated Negative Declaration will be circulated by staff.

Setting: The parcel is undeveloped, accessed by a gravel road off La Honda Road. The subject property is located behind an existing developed property, approximately 400 feet from La Honda Road and not visible from La Honda Road. The property is bordered along the east and south property line by San Gregorio Creek.

Will the project be visible from a public road?

The parcel is on the south side of La Honda Road, located behind another developed property and not visible from La Honda Road.

Will any habitat or vegetation need to be removed for the project?

Minor vegetation is proposed to be removed to drill the domestic well. The propose well location is approximately 65 feet from the front property line.

Is there prime soil on the project site?

The San Mateo County Geographic Information System (GIS) indicates the parcel does not contain prime soils.

DISCUSSION

A. KEY ISSUES

Planning staff has reviewed this proposal and has concluded the following:

1. Planned Agricultural District (PAD) Requirements:

The project conforms to the substantive criteria for the issuance of a PAD permit, as applicable and outlined in Section 6355 of the Zoning Regulations. As proposed and conditioned the project conforms to the following policies:

a. General Criteria

(1) *The encroachment of all development upon land which is suitable for agricultural uses shall be minimized.*

The San Mateo County Geographic Information System (GIS), shows there are no prime soils on the parcel, only CeF2 soil which is best for grazing. Construction of the well will convert a small area of the soil, but the majority of the remaining land will be undisturbed.

(2) *All development permitted on a site shall be clustered*.

The proposed domestic well will be located approximately 65 feet from the front property line, 116 feet from the right-side property line, 80 feet from the left property line and 200 feet from the rear property line. Although the project is for a domestic well, upon securing a domestic well, the applicant has plans to construct a single-family residence, detached carport and water tanks by applying for a separate Planned Agricultural Permit permit, the plan will be to cluster the development.

(3) *Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code*.

The project, as proposed and conditioned, conforms to the following applicable Development Review Criteria of Chapter 20A.2 of the San Mateo County Ordinance Code.

Section 6324.1 (*Environmental Quality Criteria*), Section 6324.2 (*Site Design Criteria*) and Section 6325.2 (*Primary Fish and Wildlife Habitat Areas Criteria*) seek to cluster development, minimize grading and changes in vegetative cover, locate development so that it is subordinate to the pre-existing character of the area and protect primary wildlife habitat areas.

The domestic well will have minimal visual impact on the property. No grading is proposed for the well, and no trees are proposed for removal.

Sensitive Vegetation Communities

The submitted WRA Environmental Consultants biologist reported. Two sensitive vegetative communities observed on site, coast live oak woodland and riparian woodland. Oak woodlands are not considered sensitive natural communities by the Local Coastal Program (LCP) or the California Department of Fish and Wildlife (CDFW) Natural Communities List they are given special consideration under the California Oak Woodland Conservation Act. These vegetative communicates are adjacent to the project and may be impacted by the domestic well if trees are trimmed or removed. No tree removal or tree trimming is proposed for the domestic well, thus no mitigation measures are necessary.

Riparian Resources

The LCP Land Use Plan defines riparian canopy as vegetation along a perennial or intermittent stream, composed of a minimum 50 percent of the following species: red alder, jaumea, pickleweed, big leaf maple, narrow -leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and boxelder. The dominant tree cover along the drip line was alder (40 percent) and boxelder (30 percent). The remaining 30percent included willow, California bay, and dogwood. The understory included poison oak hemloch, thistles, and stinging nettle. There is no encroachment of the proposed project into the riparian dripline, thus no mitigation measures are required.

Wetland and Water Features

San Gregorio Creek is a perennial stream within the Study Area. Within the Study Area, San Gregorio Creek flows north to south. The LCP has established a 50-foot buffer zone for perennial creek systems. If riparian vegetation is present, a buffer extends 50 feet from the limit or dripline of the riparian vegetation. The proposed well locations are approximately 35 feet outside the limits of riparian. No mitigation measures are necessary.

There is a man-made ditch existing along the northern property line, the ditch contains large amounts of fallen trees, branches and is largely unvegetated at the bottom and sides. It is surrounded by poison oak, coast live oak, and arroyo willow. The ditch is mand-made in upland habitat and not considered a sensitive community. No wetlands were observed on -site. No special status plant species were observed in the Study Area. No mitigation measures are necessary.

Madrone, coast live oak and California bay laurel trees exist on the property. No removal is required for the domestic wells, future removal with a tree removal permit will be required if the property is developed with a single-family residence, carport, driveway and water tanks.

Foothill Yellow-Legged Frog

The Foothill yellow-legged frog is historically known within the San Gregorio Creek and is presumed present since the creek maintains perennial flow. However, it is not likely presumed present in the upland habitats within the proposed Project footprint. Measures to protect the riparian habitat, including the LCP riparian setbacks are considered sufficient to protect the foothill yellow-legged frog. No additional measures are recommended.

Steelhead

Steelhead is presumed present within San Gregorio Creek in the Study Area but is not present within the proposed Project footprint. Measures to protect the riparian habitat, including LCP riparian setbacks are considered sufficient to protect steelhead and its critical habitat. No further measures are recommended.

San Francisco Dusky-Footed Woodrat

San Francisco dusky-footed woodrat was observed within the Study Area outside of the Project footprint area. Although no San Francisco dusky-footed woodrats are currently present within the Study Area, there is a high potential for this species to re-establish within the Study Area. Therefore, the pre-grading survey within the Study Area and ditch crossing is relevant and recommended to avoid impacts to the San Francisco dusky-footed woodrat. The 2020 updated report states these recommendations are still recommended.

California Red-Legged Frog

The California red -legged frog (CRLF) has the potential to occur in the Study Area. Elements that support CRLF are aquatic breeding, aquatic non-breeding, upland and dispersal habitats. The man-made ditch is largely determined strictly from surface run-off and does not maintain water for a suitable length of time or contain suitable breeding characteristics to be considered breeding habitat. It is not contiguous or aquatic non-breeding habitat because it lacks water for much of the year. San Gregorio Creek is adjacent to the Study Area however it does not contain breeding habitat and only provides a dispersal and movement corridor for this species. Upland habitat is typical 300 feet of breeding habitat and provides refuge for CRLF during the dry season, the Study Area is not considered dispersal habiat based on upon the open and dry habitat with the Project. The California red -legged frog is unlikely to be present, and will avoid impacts to riparian habitat; therefore, no further measures are recommended.

Section 6325.3 (*Primary Agriculture Resources Area Criteria*) allows only agricultural and compatible uses on primary agricultural land and agricultural preserve land, and encourages structural uses be located away from prime agricultural soils whenever possible.

The property does not contain prime soils, thus the proposed domestic well, will not have an impact on prime soils.

b. Water Supply Criteria

Adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.

The proposed domestic well has been reviewed by Environmental Health Services and received preliminary approval and is not expected to impact ground water or the watershed. The project site is not near any existing ponds.

2. Compliance with Local Coastal Program (LCP) Policies:

The project complies with the following applicable LCP Policies:

a. Land Use Component

Policy 1.8 (*Land Uses and Development Densities in Rural Areas*) new development in rural areas shall not: (1) have significant adverse impacts, either individually or cumulatively, on coastal resources and (2) diminish the ability to keep all prime agricultural land and other land suitable for agriculture (as defined in the Agriculture Component) in agricultural production.

The proposed domestic well is expected to have minimal to no impact on coastal resources, including sensitive habitat, wetland, riparian corridor and scenic views, per discussion under General Criteria, Section 1.a. There is no existing agriculture use on the property. The well is a low profile structure and located 65 feet from the front property line, the parcel is not visible from La Honda Road, the well may be minimally visible to those driving by the property for visitors to an outdoor established camp, Optimist Volunteers for Youth center, located to the east and adjacent of the subject and is accessed by the same road.

If further development is pursued as planned by the applicant, the domestic well, based on review of preliminary development plans, is expected to be clustered with the future single-family residence, carport, and two water tanks.

b. Agricultural Component

Policy 5.6 (*Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture*) allows domestic wells for residential use, Policy 5.10 (*Conversion of Land Suitable for Agriculture Designated as Agriculture*) are met. These policies allow for conditionally permitted uses, including domestic wells, provided the following can be met as discussed below:

All lands suitable for agriculture and other lands within a parcel shall not be converted to uses permitted by a Planned Agricultural Permit unless all the following criteria are met:

(1) *All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable*.

The proposed domestic well location will be located on a 3-acre size parcel, what is considered a smaller size parcel for agriculture use, consisting of Other Lands. It is not suitable for any other activity beyond grazing. The Natural Resources Conservation Service Web Soil Survey note type CEf2 soil, which is best for grazing. The domestic well will be located in the grazing area but will be a very small footprint of area.

(2) *Continued or renewed agricultural use of the soils is not capable of being accomplished in a successful manner within a reasonable period, taking into account economic, environmental, social, and technological factors (Section 30108 of the Coastal Act).*

The property does not contain prime soils, although the site is noted on the County's mapped areas to contain soils with agricultural ability, the soil type is best for grazing. Any loss of agricultural land is not considered significant because the soil is best suited for grazing and the size of the parcel, 3 acres, is quite small for productive grazing.

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

The project site is small for agricultural use at 3 acres. Only a domestic well is proposed at this time. If the development is pursued for the single-family house, carport and water tanks, all development will be conditioned to be clustered with the domestic well.

(4) *Public services and facility expansions and permitted uses will not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*

The proposed development does not require public service or facility expansion and does not limit the agricultural viability of the parcel. The proposed project does not include aspects that would result in degraded air or water quality since the well will require certification by Environmental Health Services (well drilling permit).

Policy 5.22(b) (*Protection of Agricultural Water Supplies*) seeks to ensure adequate and sufficient water supplies needed for agricultural

production and that sensitive habitat protections are not diminished, as discussed under (*Agricultural Component*) Policy 5.6(b) and Water Supply Criteria above. As discussed in Section a, General Criteria, no sensitive habitat is expected to be impacted by the domestic well, no wetlands are present with the Study Area. The pre-construction survey for the San Francisco dusky-footed woodrat and nesting birds, as implemented will avoid impacts to sensitive resources and species. There is no agricultural production on the property.

c. Sensitive Habitats Component

Policy 7.3 (*Protection of Sensitive Habitats*) seeks to protect sensitive habitats from adverse impacts caused by development.

As discussed under General Criteria, 1.a., the proposed domestic well is not expected to impact any sensitive habitat. The proposed well location is outside of the riparian corridor buffer. The pre-construction survey for the San Francisco dusky-footed woodrat and nesting birds, as implemented will avoid impacts to sensitive resources and species.

ATTACHMENTS

A. Vicinity Map
B. Plans
C. WRA Biologist Report 2015
D. WRA Biologist Report 2020

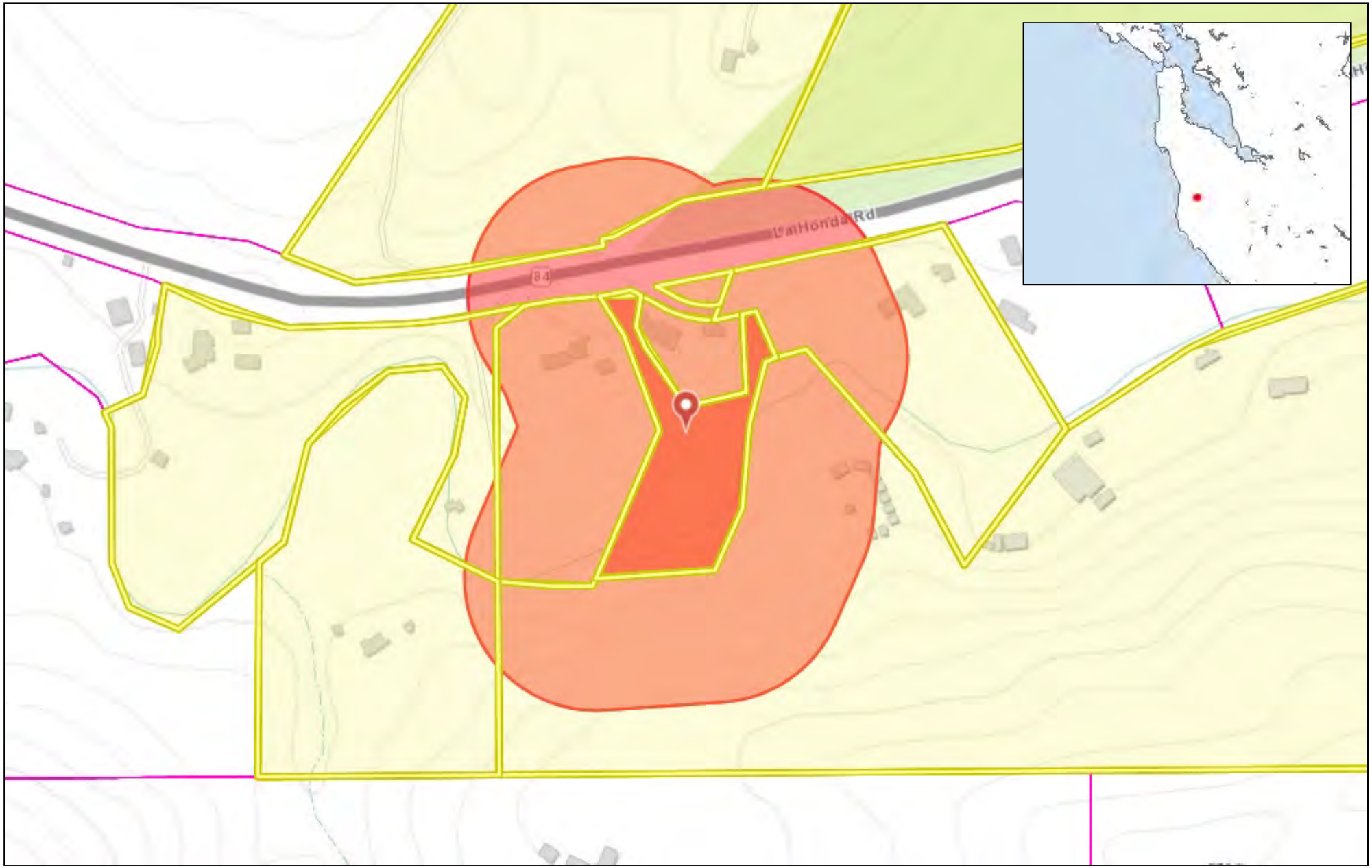
OSB:cmc – OSBFF0528_WCU.DOCX

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT A

San Mateo County

County San Mateo, CA



0.14 0 0.07 0.14 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

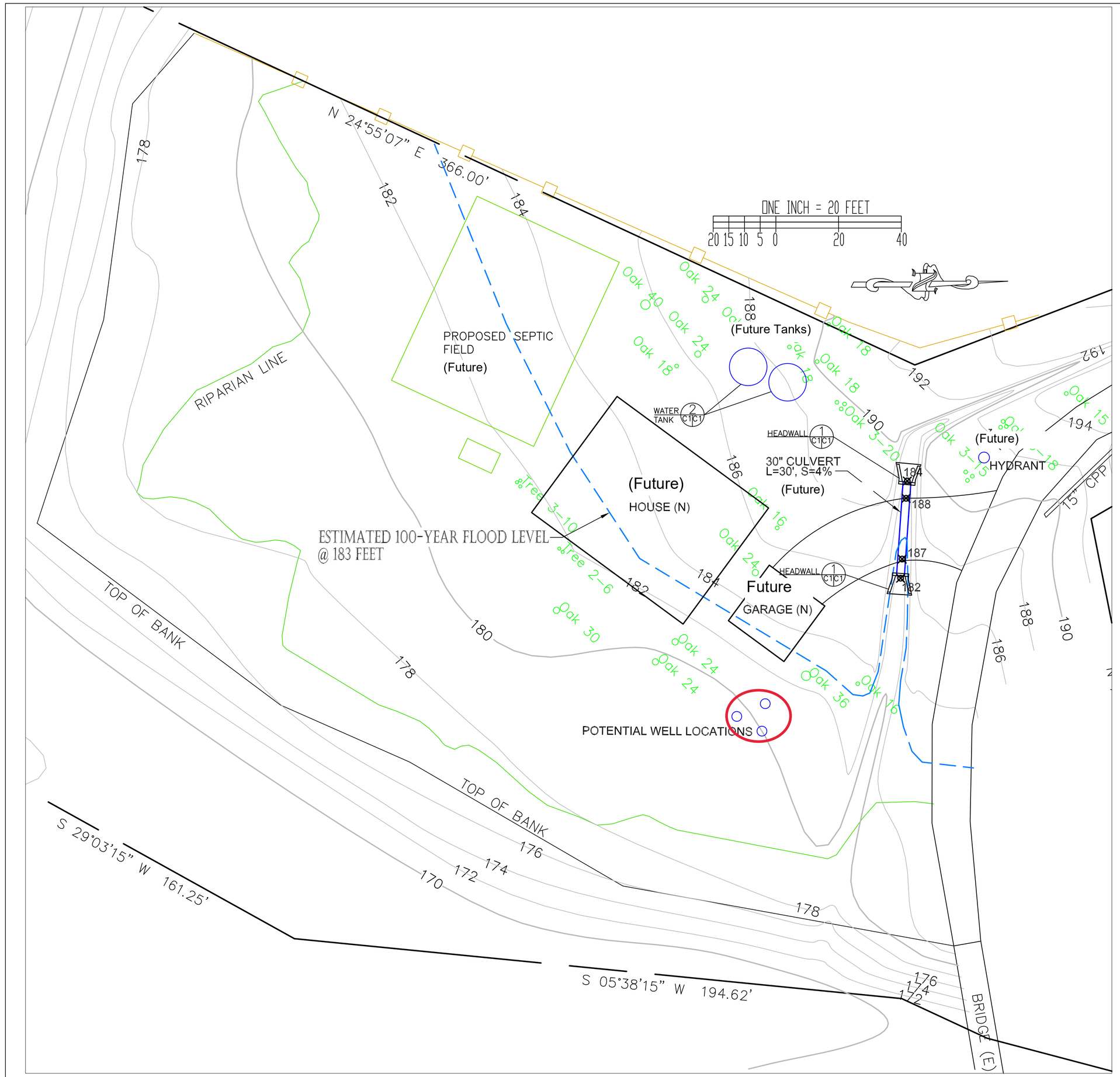
1: 4,514

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B



LEGEND

EXISTING CONTOURS

182 PROPOSED SPOT ELEVATION

GENERAL NOTES

1. PLANS PREPARED AT THE REQUEST OF:
   CHARLES FLOYD, OWNER
2. SURVEY AND TOPOGRAPHY BY PAT McNULTY, SURVEYED IN APRIL 2019.
3. ELEVATION DATUM ASSUMED.
4. THIS IS NOT A BOUNDARY SURVEY.

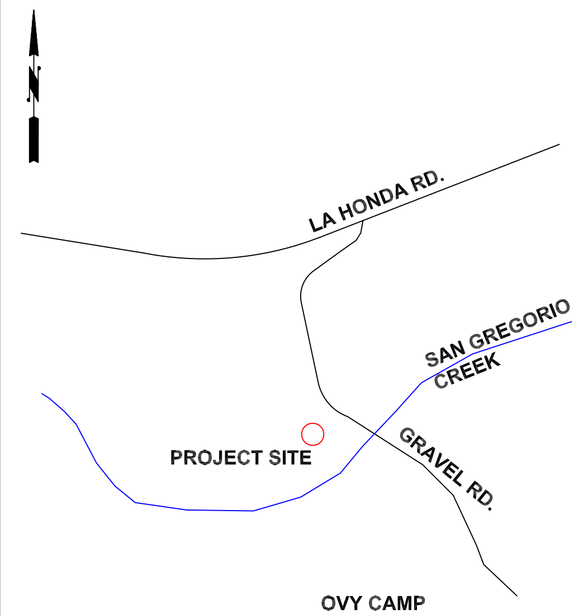
FLOOD LEVEL:

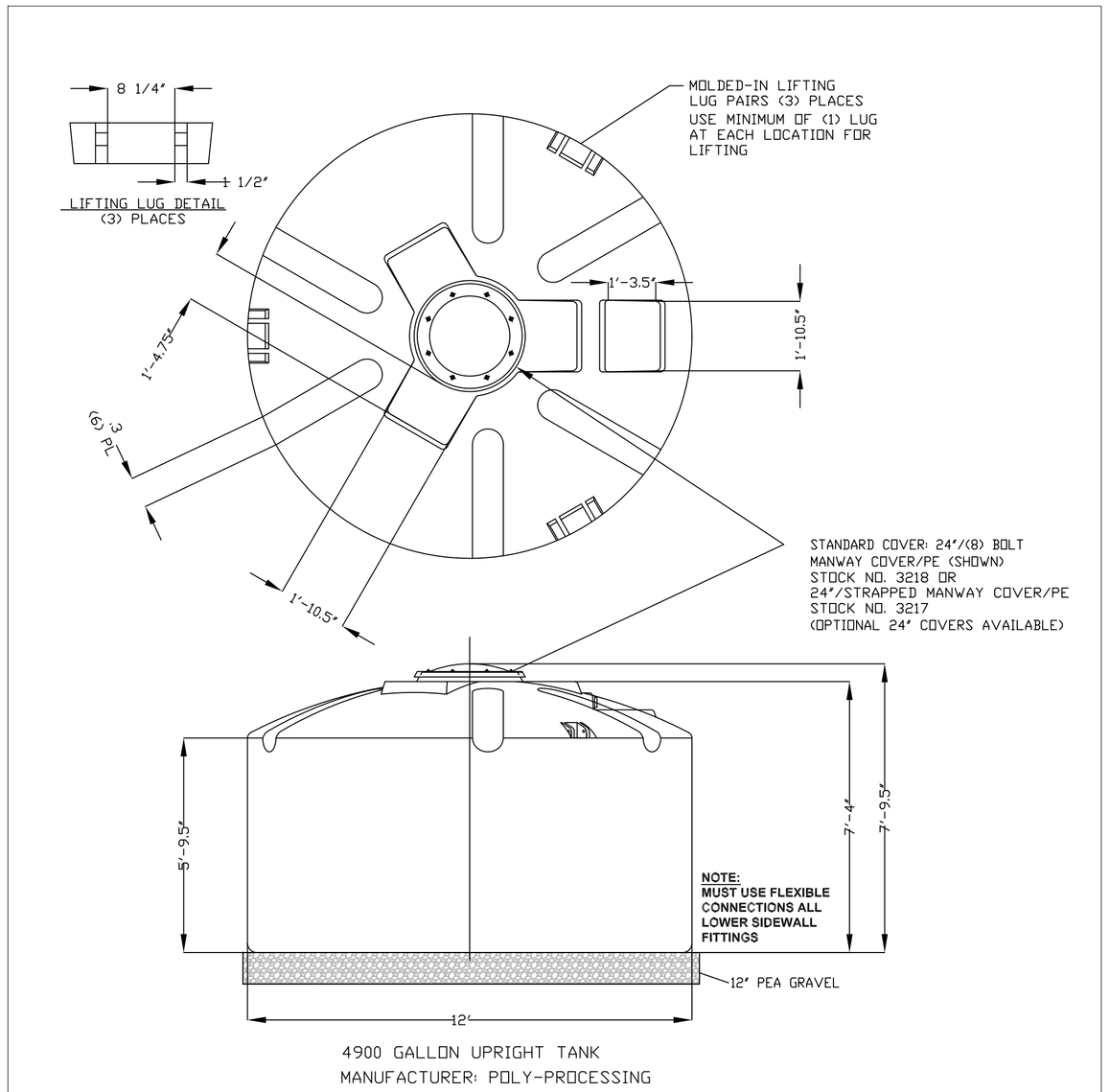
FEMA MAP DOES NOT QUANTIFY LOCAL FLOOD LEVEL ELEVATION. 100-YEAR FLOOD ELEVATION ESTIMATED, BASED ON SITE EVIDENCE, TO BE 183 FEET.

WATER TANK NOTES

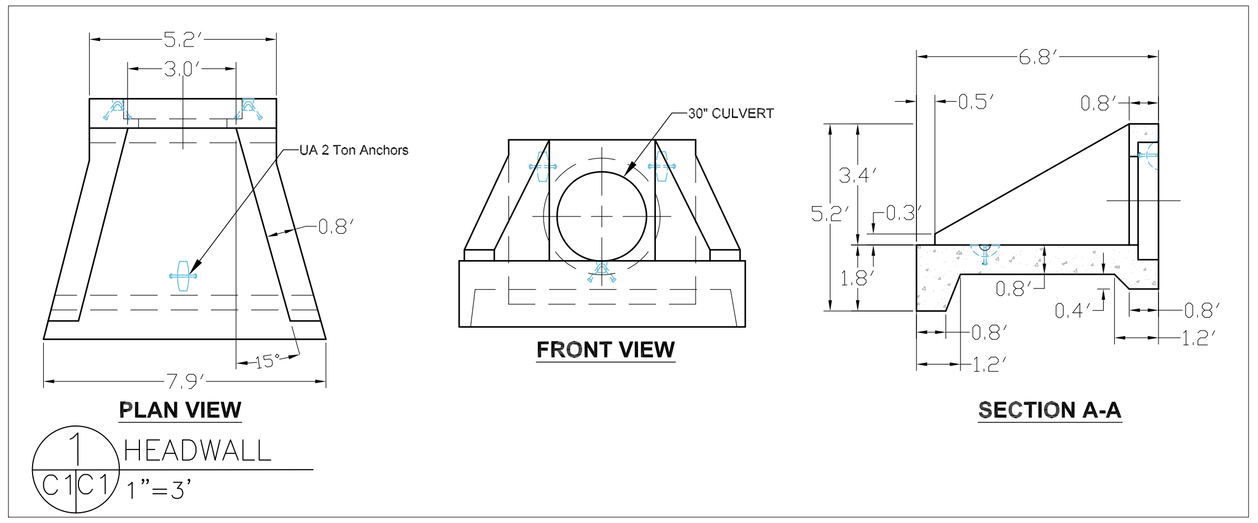
1. WATER TANKS FOR FIRE PROTECTION SHALL REMAIN FULL AT ALL TIMES, AND BE FILLED AUTOMATICALLY FROM WELL.
2. TANKS SHALL BE INTERCONNECTED BY A COMMON MANIFOLD USING A MINIMUM PIPE SIZE OF 4 INCHES. MANIFOLD PIPING AND VALVES SHALL BE OF A MATERIAL NOT DAMAGED BY UV EXPOSURE. EACH TANK SHALL HAVE AN APPROPRIATELY SIZED CONTROL VALVE.
3. WATER TANK SHALL BE FITTED WITH A FLOAT SWITCH WIRED TO THE DOMESTIC WATER SHUTTOFF SOLENOID.
4. A VENT 1.5 TIMES THE DIAMETER OF THE OUTLET IS REQUIRED. THE VENT SHALL HAVE A FINE MESH SCREEN.
5. ALL ABOVEGROUND FIRE SPRINKLER PIPING SHALL BE METALLIC.

VICINITY MAP
NOT TO SCALE





1 C1C1 WATER TANK
NOT TO SCALE



1 C1C1 HEADWALL
1"=3'

SECTION AND DETAIL CONVENTION

SECTION OR DETAIL IDENTIFICATION — 1 C1C1 — REFERENCE SHEET No. ON WHICH SECTION OR DETAIL IS SHOWN

REFERENCE SHEET No. FROM WHICH SECTION OR DETAIL IS TAKEN

REGISTERED PROFESSIONAL ENGINEER
CHARLES M. KISSICK
No. 62264
9-30-21 EXPIRES
CIVIL
STATE OF CALIFORNIA

Sigma Prime Geosciences, Inc.
SIGMA PRIME GEOSCIENCES, INC.
332 PRINCETON AVENUE
HALF MOON BAY, CA 94019
(650) 728-3590
FAX 728-3593

DATE: 3-31-20
DRAWN BY: CMK
CHECKED BY: AZG
REV. DATE:
REV. DATE:
REV. DATE:
REV. DATE:
REV. DATE:

CULVERT PLAN

FLOYD PROPERTY
LA HONDA ROAD
LA HONDA

SHEET
C-1

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C

wra
ENVIRONMENTAL CONSULTANTS

May 5, 2015

Charles Floyd
551 Alsace Lorraine Avenue
Half Moon Bay, CA 94019

RE: Updated Addendum to Biological Resources Assessment Report Dated 2008 for APN 082-130-070

Dear Mr. Floyd,

The purpose of this letter is to inform you of the results of the biological resource assessment update for an undeveloped parcel (Study Area; APN 082-130-070). The purpose of this assessment update was to determine whether existing onsite biological resources and potential special-status species have changed since the submittal of a biological resources assessment (WRA 2008) and riparian drip line mapping assessment (WRA 2011) for the Study Area and to provide any additional mitigation measures that may be needed as a result of changed conditions.

The previous biological resources assessment (WRA 2008) and proposed Project plans with the 2011 riparian drip line mapping assessment (WRA 2011) are provided in Attachment A. The list of observed species from the 2015 assessment is provided in Attachment B and photographs depicting the current Study Area conditions are provided in Attachment C.

Survey Methods

A site visit to the Study Area was made on April 6, 2015. Prior to the site visit, a review was conducted of background information including:

- San Mateo County Midcoast Local Coastal Program (LCP) biological resources policies
- San Mateo County Heritage Tree Ordinance
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; CDFW 2015)
- California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants (CNPS 2015)
- U.S. Fish and Wildlife Service (USFWS) 7.5' Quadrangle Species Lists for the La Honda quadrangle (USFWS 2015)
- A biological resources assessment (WRA 2008) and riparian canopy assessment (WRA 2011) of the Study Area (Attachment A).

During the site visit, the Study Area was examined for: (a) sensitive natural communities as defined by the CNDDB and LCP and, (b) for the presence, and potential to support, special status plant and wildlife species.

2169-G East Francisco Blvd., San Rafael, CA 94901 (415) 454-8868 tel (415) 454-0129 fax info@wra-ca.com www.wra-ca.com

Survey Results

The 1.5-acre property (APN 082-130-070) is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County, and is within the midcoast local coastal plan area. The parcel is roughly bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north. The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, septic system, and two water lines from the house to San Gregorio Creek. The Study Area is dominated by two common vegetation communities: non-native annual grassland and coast live oak woodland; riparian woodland is also present.

Vegetation Communities

As described in the 2008 Biological Resources Assessment (BRA), one vegetation community will be affected by the proposed Project and two additional vegetation communities are present adjacent to the Project footprint. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Coast live oak woodland and riparian woodlands are present adjacent to the proposed Project and may be impacted if trees are trimmed or removed.

Non-sensitive vegetation communities

Holland (1986) describes non-native grassland as a dense to sparse cover of non-native annual grasses with flowering culms 0.2-1 meter high and often associated with numerous species of showy-flowered annual forbs. This community often occurs on fine-textured, usually clay soils, that are moist, or saturated during the winter rainy season and very dry during the summer and fall. Within the Study Area, this community dominates the Study Area in open areas and under the oak woodland canopy.

Sensitive vegetation communities

Two sensitive vegetation communities were observed onsite in the 2008, 2011, and 2015 assessments: coast live oak woodland and riparian woodland. Although most coast live oak woodland vegetation associations are not considered sensitive natural communities by the LCP or the CDFW Natural Communities List (CDFW 2010), including the mixed coast live oak woodland alliance found within the Study Area, oak woodlands are given special consideration under the California Oak Woodland Conservation Act (State of California Resources Agency 2004).

The coast live oak woodland community is dominated by coast live oak (*Quercus agrifolia*), with California buckeye (*Aesculus californica*) and California bay laurel (*Umbellularia californica*) and madrone (*Arbutus menzesii*) in the canopy. The understory was composed of dogtail grass (*Cynosurus echinatus*), poison oak (*Toxicodendron diversilobum*), woodland strawberry (*Fragaria vesca*), California blackberry (*Rubus ursinus*), and non-native herbs and forbs including cutleaf geranium (*Geranium dissectum*), forget-me-not (*Myosotis latifolia*) and ripgut brome (*Bromus diandrus*).

The LCP Land Use Plan (LUP) defines riparian canopy as vegetation along a perennial or intermittent stream, composed of a minimum of 50 percent of the following species: red alder, jaumea, pickleweed, big leaf maple, narrow-leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and boxelder. On June 24 and 29, 2011, WRA

collected data to map the riparian drip line along San Gregorio Creek in the Study Area. The location of the riparian drip line was measured at 30 locations from the top of bank of San Gregorio Creek. In addition, the tree species was documented at each point. Each point was then plotted on the Hartsell map (see Attachment A, 2011 riparian assessment). The mean distance from the top of bank and drip line was 49 feet; the distance ranged from 10 to 85 feet. The dominant tree cover along the drip line was alder (*Alnus* sp.) (40 percent) and boxelder (*Acer negundo*) (30 percent). The remaining 30 percent consisted of willow (*Salix* sp.), California bay (*Umbellularia californica*), and dogwood (*Cornus* sp.). The understory was dominated by non-natives, including poison hemlock (*Conium maculatum*), thistles (*Cirsium* sp.), and stinging nettle (*Urtica* sp.)

The 2015 assessment concurred with the previous riparian drip line assessment, and no encroachment of the riparian drip line was observed. Along the south and east property boundaries, dense riparian canopy dominated by alder, boxelder, and arroyo willow was observed. The understory was dominated by California blackberry, poison oak, poison hemlock, common rush (*Juncus patens*), sticky willy (*Galium aparine*), and stinging nettle (*Urtica dioica*) with scattered elderberry (*Sambucus nigra*). Although poison hemlock, California blackberry and common rush are facultative wetland indicators, this area was located in area which slopes gently toward the riparian corridor on the southern property line and was intermixed with upland species not commonly found in wetlands, with no other hydrologic sources observed. These species are disturbance-adapted and tend to occur on berms, roadsides, and other disturbed upland locations with moist soils (Baldwin et al 2012; Calflora 2015; personal observation). These species frequently occur in the coastal zone and coast range due to fog drip and reduced evaporation during the dry season from coastal cloud cover. Accordingly, this vegetation is more adequately protected by the riparian canopy definition and required buffer.

Wetland and Waters features

One ditch was observed during the 2008 and 2015 biological resource assessments, contiguous with the northern property line. At the time of the 2015 site assessment, this feature contained standing water. The ditch feature ranges from two to four feet wide and incised to approximately three feet deep, contains large amounts of fallen trees and branches, and is largely unvegetated in the bottom and sides. The ditch is surrounded by poison oak, coast live oak, and a single isolated arroyo willow. The access bridge and driveway improvements are the only proposed work in and near the ditch. The ditch is man-made in upland habitat and therefore, not considered a sensitive community. No wetlands were observed onsite.

Special-Status Species

Special-Status Plants

Based upon a review of the resources and databases discussed previously, all special-status plant species documented in the vicinity of the Study Area were assessed. No special-status plant species were observed in the Study Area. Many species requiring certain habitat types not present in the Study Area, such as serpentine endemics and plants requiring coastal, scrub, or coniferous habitats, were determined to have no potential to occur. In addition to the 13 species evaluated in the 2008 BRA, eight special-status plant species which have since become special-status were also evaluated. Of the 21 special-status plant species evaluated, all were determined to have no potential to occur based on the high disturbance levels in and around the Study Area and/or a lack of suitable habitat components in the Study Area. While the site visit

did not constitute a protocol-level rare plant survey, the 2015 site visit coincided with the blooming period for three species identified within the Study Area including San Francisco collinsia (*Collinsia mutlicolor*), woodland woolythreads (*Monolopia gracilens*), and San Francisco popcornflower (*Plagiobothrys diffuses*); none were observed.

San Mateo County Heritage Tree Ordinance

Pursuant to the County of San Mateo Heritage Tree Ordinance (Ordinance No. 427), madrone, coast live oak, and California bay laurel trees may be subject to regulation under the tree ordinance pursuant to the ordinance. Permits may be required by the County for the trimming or removal of trees which qualify for heritage status under the Ordinance. This update did not include an evaluation or update of an existing tree survey.

Special-Status Wildlife Species

Four wildlife species were identified in the 2008 BRA as either present or having a moderate potential to occur: San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), Cooper's hawk (*Accipiter cooperi*), olive-sided flycatcher (*Contopus cooperi*), and yellow warbler (*Setophaga [Dendroica] petechia*). Although no additional wildlife species have been added to the list of special-status species potentially in the Study Area and vicinity, three wildlife species identified in the previous report have changed in status levels. Townsend's big-eared bat (*Corynorhinus townsendii*) is now a State candidate species for listing as threatened (CDFW 2014), Cooper's hawk is no longer considered special-status by CDFW, and critical habitat for California red-legged frog (CRLF; *Rana [aurora] draytonii*) has been designated and now incorporates the Study Area (USFWS 2010).

San Francisco dusky-footed woodrat, Townsend's big-eared bat, and California red-legged frog are discussed further below. As determined in the 2008 BRA, olive-sided flycatcher and yellow warbler are unlikely to nest within or in close proximity to the Study Area, and are not anticipated to be impacted by the proposed Project. Per the 2008 BRA, a pre-construction nesting bird survey is still recommended if Project activities are initiated during the breeding season (February 15 – August 31) to avoid impacts to special-status birds and bird species protected under the Migratory Bird Treaty Act including Cooper's hawk.

San Francisco dusky-footed woodrat was observed within the Study Area outside of the Project footprint in the 2008 BRA. No woodrat houses were observed within the Study Area during the site visit on April 6, 2015. Although no San Francisco dusky-footed woodrats are currently present within the Study Area, there is a high potential for this species to re-establish within the Study Area. Therefore, the pre-grading survey within the Study Area and ditch crossing is still relevant and recommended to avoid impacts to San Francisco dusky-footed woodrat.

The status of Townsend's big eared bat has been upgraded within California and is currently a State candidate for listing as threatened under the California Endangered Species Act. The Study Area conditions remain similar to those described in the 2008 BRA, and Townsend's big-eared bat is unlikely to be present within the Study Area and is not present within the Project footprint based on tree conditions at the time of the April 6, 2015 site visit. No impacts are anticipated from the proposed Project; therefore, no additional measures are recommended for this species.

Since the 2008 BRA report, critical habitat has been designated for California red-legged frog and the Study Area is within critical habitat unit SNM-2 (USFWS 2010). Primary Constituent

Elements for CRLF are aquatic breeding, aquatic non-breeding, upland and dispersal habitats. As described in the 2008 BRA, the Project footprint and a majority of the Study Area do not contain surface water. Water and flow within the roadside ditch is largely determined strictly from surface run-off and it does not maintain water for a suitable length of time or contain suitable breeding characteristics to be considered breeding habitat. In addition, it is not contiguous with any known breeding habitats; therefore, it does not constitute a dispersal corridor or aquatic non-breeding habitat because it lacks water for much of the year. San Gregorio Creek is present adjacent to the Study Area; however, it does not contain breeding habitat and only provides a dispersal and movement corridor for this species. Upland habitat is typically within 300 feet of breeding habitat and provides refuge for CRLF during the dry season; the Study Area is not considered upland habitat based on distance from breeding habitat (greater than 700 feet) and lack of refugia. The Study Area is also not considered dispersal habitat based upon the open and dry habitat within the Project footprint. The proposed Project does not contain habitat for CRLF, CRLF are unlikely to be present, and will avoid impacts to riparian habitat; therefore, no further measures are recommended.

Summary

Based upon a review of previous biological reports for the proposed Project and a site visit conducted on April 6, 2015, no additional measures are recommended at this time. Conditions remain similar to those described in the 2008 BRA and although the status of some plant and wildlife species has changed, no additional special-status species have the potential to be present within the Study Area. In addition, the riparian drip line has not changed and the proposed Project footprint remains outside of setbacks outlined in the LCP. No wetlands or waters are present within the Study Area. The pre-construction surveys for San Francisco dusky-footed woodrat and nesting birds recommended in the 2008 BRA remain relevant and implementation of these measures will avoid impacts to sensitive resources and species. No additional measures are recommended.

Please feel free to contact me with any questions you may have.

Sincerely,

Patricia Valcarcel
Biologist

Enclosures: Attachment A- Previous Reports: WRA 2008 and WRA 2011
Attachment B- Species Observed During the 2015 Site Assessment
Attachment C- Representative Photographs

References

California Department of Fish and Wildlife (CDFW). 2010. List of Vegetation Alliances and Associations. Vegetation Classification and Mapping Program, California Department of Fish and Game. Sacramento, CA. September.

California Department of Fish and Wildlife (CDFW). 2015. Natural Diversity Database, Wildlife and Habitat Data Analysis Branch. Sacramento.

Holland, RF. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Prepared for the California Department of Fish and Game, Sacramento, CA.

State of California Resources Agency. 2004. Oak Woodlands Conservation Act. Online at: http://www.leginfo.ca.gov/pub/03-04/bill/sen/sb_1301 1350/sb_1334_bill_20040924_chaptered.html

United States Fish and Wildlife Service (USFWS). 2010. Endangered and Threatened Wildlife and Plants: Revised Designation of Critical Habitat for California Red-legged Frog; Final Rule. Federal Register, Vol. 75, No. 51. 12815-12959.

United States Fish and Wildlife Service (USFWS). 2015. La Honda Quadrangle Species List, Sacramento Fish and Wildlife Service.

WRA, Inc. 2008. Biological Impact Form for Compliance with Local Coastal Program Policy 7.5. Prepared for Charles Floyd.

WRA, Inc. 2011. Riparian Drip Line Mapping. June 30, 2011.

Attachment A

Biological Impact Form (WRA 2008)
and
Riparian Drip Line Mapping with Hartsell Project Plan Map (WRA 2011)

This Page Left Intentionally Blank

Biological Impact Form
(for compliance with Local Coastal Program Policy 7.5)

1. Project Location

The 1.5-acre property (APN 082-130-070) is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County. The parcel is roughly bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north.

2. Assessors Parcel Number: APN 082-130-070

3. Owner/Applicant

Charles Floyd
551 Alsace Lorraine Ave.
Half Moon Bay, California 94019

4. Principal Investigator

Jeff Dreier
Senior Wildlife Ecologist
WRA, Inc.
2169-G East Francisco Blvd.
San Rafael, California 94901
415-454-8868, ext 151
415-454-0129 fax
415-519-4570 cell

5. Report Summary

In accordance with San Mateo County guidelines, WRA has completed a biological resource assessment of the San Gregorio Property located in western San Mateo County. This Biological Impact Report provides a discussion of existing biological conditions on the site, and includes an analysis of potential project-related impacts and measures to mitigate potential significant impacts.

The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, septic system, and two water lines from the house to San Gregorio Creek. The Project Area is dominated by two common plant communities: non-native annual grassland and coast live oak woodland. Riparian and wetland communities will not be impacted by the proposed project.

WRA conducted site visits to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special status plant or wildlife species, and (3) if sensitive habitats are present. Based upon a literature review, thirteen special status plant species have been documented or may occur in the vicinity of the Project Area. However, the Project Area has the potential to support none of these species due to generally unsuitable or atypical habitat conditions. Twenty-eight special status species of wildlife have been recorded or

may occur in the vicinity of the Project Area. Two special status wildlife species were observed in or adjacent to the Project Area during the site assessment: San Francisco dusky-footed woodrat (California Department of Fish and Game Species of Special Concern) and olive-sided flycatcher (U.S. Fish and Wildlife Service Bird Species of Conservation Concern). Two other California Department of Fish and Game Species of Special Concern, the Cooper's hawk and yellow warbler, have a moderate to high potential to occur in the Project Area. Federally listed species that are documented to occur, or may occur within the vicinity of the Project Area, but are unlikely to occur within the Project Area include California red-legged frog and San Francisco garter snake.

Two non-sensitive plant communities will be affected by the proposed project. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Because non-native annual grassland is an abundant habitat type in the region, and the small area within the Project Area (0.21 acre) has been regularly maintained, the impact to non-native annual grassland is considered less than significant.

A portion of the footprint of the residence may be located within the dripline of the canopy, and the removal of one or two oak trees may be necessary. However, because the residence is expected to be small (0.13 acre), and significant areas within the dripline will remain undisturbed, building within the dripline is considered a less than significant impact. Removal of one or two oak trees is not considered a significant impact.

Based on this assessment, only two wildlife species may be impacted by the proposed project: San Francisco dusky-footed woodrat and Cooper's hawk. Pre-construction surveys will determine the status of these species in the Project Area. If a woodrat nest is present and cannot be avoided, a qualified biologist will dismantle the nest by hand and relocate the nest materials to an avoided area along the ditch. If an active Cooper's hawk nest is present, an exclusion zone of a distance to be determined by the biologist will be established around the nest. No grading or construction work can be conducted within the exclusion zone until all young have become independent of the nest (generally mid-June).

6. Project and Property Description

The 1.5-acre property (APN 082-130-070) is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County. The parcel is roughly bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north.

The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, septic system, and two water lines from the house to San Gregorio Creek. The approximate 0.23-acre site (Project Area) is set back 100 feet from the top of bank of San Gregorio Creek, and 50 feet from the property line. The proposed project is further set back 20 feet from the western property line.

Routine maintenance of the property has resulted in a park-like setting with little or no understory and a small, open, isolated field. The apparently man-made ditch

along the north boundary appears to be ephemeral and does not support riparian vegetation.

7. Methodology

In September 2000, May 2002 and February 2008, the Project Area and nearby areas were traversed on foot to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special status plant or wildlife species, and (3) if sensitive habitats are present. All plant and wildlife species encountered were recorded, and are summarized in Appendix A.

7.1 Biological Communities

Prior to the site visit, aerial photographs, topographic maps, and previous reports prepared by WRA were examined to determine if any unique soil types that could support sensitive plant communities and/or aquatic features were present in the Project Area. Biological communities present in the Project Area were classified based on existing plant community descriptions described in the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986). However, in some cases it is necessary to identify variants of community types or to describe non-vegetated areas that are not described in the literature. Biological communities were classified as sensitive or non-sensitive as defined by CEQA and other applicable laws and regulations.

7.1.1 Non-sensitive Biological Communities

Non-sensitive biological communities are those communities that are not afforded special protection under CEQA, and other state, federal, and local laws, regulations and ordinances. These communities may, however, provide suitable habitat for some special status plant or wildlife species and are identified or described in Section 8.2 below.

7.1.2 Sensitive Biological Communities

Sensitive biological communities are defined as those communities that are given special protection under CEQA and other applicable federal, state, and local laws, regulations and ordinances. Sensitive biological communities include wetlands, waters, and riparian habitats.

7.2 Special Status Species

7.2.1 Literature Review

Potential occurrence of special status species in the Project Area was evaluated by first determining which special status species occur in the vicinity of the Project Area through a literature and database search. Database searches for known occurrences of special status species focused on area within five miles of the Project Area. The following sources were reviewed to determine which special status plant and wildlife species have been documented to occur in the vicinity of the Project Area:

- California Natural Diversity Database records (CNDDB) (CDFG 2008)
- CDFG publication "California's Wildlife, Volumes I-III" (Zeiner et al. 1990)
- CDFG publication "Amphibians and Reptile Species of Special Concern in California" (Jennings 1994)
- A Field Guide to Western Reptiles and Amphibians (Stebbins, R.C. 2003)
- University of California at Davis Information Center for the Environment Distribution Maps for Fishes in California (2008)
- Biological Impact Report, San Gregorio Creek Site APN 082-130-070, San Mateo County (WRA 2002)
- Biological Impact Report, Optimist Camp Bridge Abutment Erosion Control Measures, San Gregorio Creek, San Mateo County (WRA 2000)

7.2.2 Site Assessment

A site visit was made to the Project Area to search for suitable habitats for species identified in the literature review as occurring in the vicinity. The potential for each special status species to occur in the Project Area was then evaluated according to the following criteria:

1) No Potential. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).

2) Unlikely. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.

3) Moderate Potential. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.

4) High Potential. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.

5) Present. Species is observed on the site or has been recorded (i.e. CNDDB, other reports) on the site recently.

The site assessment is intended to identify the presence or absence of suitable habitat for each special status species known to occur in the vicinity in order to determine its potential to occur in the Project Area. The site visit does not constitute a protocol-level survey and is not intended to determine the actual presence or absence of a species; however, if a special status species is observed during the site visit, its presence will be recorded and discussed. Appendix B presents the evaluation of potential for occurrence of each special status plant and wildlife species known to occur in the vicinity of the Project Area with their habitat requirements, potential for occurrence, and rationale for the classification based on criteria listed above. Recommendations for further surveys, if

necessary, are made in Section 11 below for species with a moderate or high potential to occur in the Project Area.

8. Results

8.1 Botanical Resources

8.1.1 Plant Communities

The Project Area is dominated by two common plant communities: non-native annual grassland and coast live oak woodland.

Non-native annual grassland typically occurs in open areas of valleys and foothills throughout California, usually on fine textured clay or loam soils that are somewhat poorly drained (Holland 1986). Non-native grassland is typically dominated by non-native annual grasses and forbs, along with scattered native wildflowers. This is the predominant plant community within the Project Area, but frequent maintenance of the property results in a mixture of ruderal plant species instead of the typical grasses. This area is dominated by poison hemlock (*Conium maculatum*), mustard (*Brassica* sp.), blackberry (*Rubus* sp.), and thistle (*Cirsium* sp.). Most of the typical grassland wildlife species, particularly birds, would not be found on the site due to the small area of grassland and the surrounding woodland habitats. Typical wildlife species found in very disturbed non-native grassland such as that found in the Project Area include Botta's pocket gopher (*Thomomys bottae*) and California vole (*Microtis californicus*). Other large wildlife species are likely to simply use the opening to facilitate movement along nearby San Gregorio Creek.

Coast live oak woodland is dominated by coast live oak (Quercus agrifolia) (Holland 1986). Other trees, such as California bay (*Umbellularia californica*) and California buckeye (*Aesculus californica*) may also occur in this community. The shrub layer is typically poorly developed, but may include elderberry (*Sambucus* sp.) and currants (*Ribes* sp.). Within the Project Area, this community has little or no understory as a result of regular property maintenance. Few wildlife species are expected to occur in the open understory; however, the woodland canopy provides suitable habitat for a variety of birds.

8.1.2 Special Status Plants

Based upon a review of the resources and databases given in Section 7.2.1, thirteen special status plant species have been documented or may occur in the vicinity of the Project Area. However, the Project Area has the potential to support none of these species due to generally unsuitable or atypical habitat conditions. Appendix B summarizes the potential for occurrence for each special status plant species occurring in the vicinity of the Project Area.

8.2 Zoological Resources

Twenty-eight special status species of wildlife have been recorded or may occur in the vicinity of the Project Area. Appendix B summarizes the potential for each of these species to occur in the Project Area. Two special status wildlife species were observed in the Project Area during the site assessment. Two other special status wildlife species

have a moderate to high potential to occur in the Project Area. Special status wildlife species that were observed, or have a moderate or high potential to occur in the Project Area are discussed below.

San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), CDFG Species of Special Concern. The San Francisco dusky-footed woodrat inhabits coastal sage-scrub, pinyon-juniper, dense chaparral, oak and riparian woodlands, and mixed conifer forests where a well-developed understory is present. The dusky-footed woodrat feeds on woody plants, especially live oak, maple and alder, but will also consume fungi, grasses, flowers and acorns. Foraging occurs on the ground and in bushes and trees. This species constructs characteristic stick nests in areas with moderate cover and a well-developed understory containing woody debris. Breeding takes place from December to September, with litter size averaging 2-3 young. Individuals are mostly nocturnal, and are active year round (CDFG 2005).

The San Francisco dusky-footed woodrat is a common species in western San Mateo County. It is likely to be abundant along San Gregorio Creek and its tributaries. In 2002, a stick nest was observed along the ditch located at the north boundary of the property. With the exception of the access road crossing, the proposed project avoids this ditch. No stick nests were observed in the proposed crossing area. The remainder of the Project Area does not have a well-developed understory.

Cooper's Hawk (*Accipiter cooperi*), CDFG Species of Special Concern. Cooper's hawks are well distributed and occur in varied habitats including; deciduous, mixed, and evergreen forests and riparian woodlands. This species is tolerant of human disturbance and habitat fragmentation and has been found to increasingly breed in suburban and urban areas (Curtis et al. 2006). This species nests in extensive forests, woodlots of 4–8 ha, and occasionally in isolated trees in more open areas. Nests are typically in more mature trees which have relatively more canopy cover than what is locally available (Curtis et al. 2006).

The coast live oak and California bay trees within and adjacent to the Project Area provide suitable nesting habitat for this hawk.

Olive-sided flycatcher (*Contopus cooperi*), USFWS Bird of Conservation Concern. Olive-sided flycatchers typically occur within the coniferous forest biome, where it is most often associated with forest openings, forest edges near natural openings (e.g., meadows, canyons, rivers) or human-made openings (e.g., harvest units), or open to semi-open forest stands (Altman, 2000).

An olive-sided flycatcher was detected downstream from the site during a September 2000 assessment of a nearby parcel, suggesting that this species may nest in the vicinity of the project site; however typical tall coniferous trees often used for nesting are not located in the Project Area.

Yellow Warbler (*Dendroica petechia*), CDFG Species of Special Concern. Yellow warblers prefer dense riparian vegetation for breeding. Yellow warbler populations have declined due to brood parasitism by brown-headed cowbirds (*Molothrus ater*) and habitat destruction. Their diet is primarily insects supplemented with berries.

Willow thickets located along San Gregorio Creek provide suitable nesting habitat for yellow warblers. Because these willows are located at least 50 feet from the proposed project, it is unlikely that this species will be affected by the project.

8.2.1 Listed Species of Regional Concern

Federally listed species that are documented to occur, or may occur within the vicinity of the Project Area, but are unlikely to occur within the Project Area include California red-legged frog and San Francisco garter snake These species are discussed below.

California Red-legged Frog (*Rana aurora draytonii*), Federal Threatened, CDFG Species of Special Concern. California red-legged frog (CRLF) habitat is characterized by dense, shrubby riparian vegetation associated with deep, still or slow moving water (Jennings and Hayes, 1994). Estivation and dispersal habitat may consist of riparian vegetation, presence of small mammal burrows particularly squirrel burrows, and continuous connective stretches of grassland, wetland or oak woodland habitat. CRLF may move through upland areas between breeding and non-breeding aquatic habitats. Most of these movements are along drainage corridors; however, they may make straight line movements between more isolated aquatic features (Fellers and Kleeman 2007).

Although CRLF have been documented to occur in San Gregorio Creek both upstream and downstream of the project parcel (CDFG 2008), it is not likely to occur within the Project Area. The Project Area does not contain surface water, which is required by CRLF for either breeding or dry season survival. Also, the absence of a well-developed understory suggests that CRLF would be unlikely to use the Project Area for refuge during high flow events in the nearby stream. Finally, the Project Area does not represent a movement corridor between breeding and non-breeding aquatic habitats. Based on these considerations, CRLF are not likely to be affected by the proposed project.

San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*), Federal Threatened, State Threatened. Historically, San Francisco garter snakes occurred in scattered wetland areas on the San Francisco Peninsula from approximately the San Francisco County line south along the eastern and western bases of the Santa Cruz Mountains, at least to the Upper Crystal Springs Reservoir, and along the coast south to Año Nuevo Point, San Mateo County, and Waddell Creek, Santa Cruz County (Barry 1994). The preferred habitat of the San Francisco garter snake is a densely vegetated pond near an open hillside where they can sun themselves, feed, and find cover in rodent burrows; however, considerably less ideal habitats can be successfully occupied. Temporary ponds and other seasonal freshwater bodies are also used. Emergent and bankside vegetation such as cattails (*Typha* spp.), bulrushes (*Scirpus* spp.) and spike rushes (*Juncus* spp.and *Eleocharis* spp.) apparently are preferred and used for cover. The area between stream and pond habitats and grasslands or bank sides is used for basking, while nearby dense vegetation or water often provide escape cover. Snakes also use floating algal or rush mats, if available.

In the San Gregorio Creek watershed, the San Francisco garter snake is generally associated with pond habitat; however, individuals could use San Gregorio Creek as a movement corridor and occupy backwater pools. This snake is unlikely to occur in the

Project Area because typical aquatic habitat is absent, and property maintenance has reduced upland cover.

9. Direct and Indirect Impacts to Biological Habitats

Two non-sensitive plant communities will be affected by the proposed project. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Because non-native annual grassland is an abundant habitat type in the region, and the small area within the Project Area (0.21 acre) has been regularly maintained, the impact to non-native annual grassland is considered less than significant.

A portion of the footprint of the residence may be located within the dripline of the canopy. However, because the residence is expected to be small (0.13 acre), and significant areas within the dripline will remain undisturbed, building within the dripline is considered a less than significant impact.

One or two oak trees in the house footprint may require removal. The removal of a small number of oaks is considered a less than significant impact.

The 20-foot-wide culvert crossing of the drainage ditch and associated driveway (totaling approximately 0.02 acre) will result in the conversion of existing grassland and maintained understory to a less permeable surface. Because of the ongoing maintenance and small area of conversion, construction of the culvert/driveway is considered a less than significant impact.

The two water lines (approximately 160 and 100 feet long) will be installed between the proposed house and San Gregorio Creek. These lines will be buried in a narrow trench, and will not impact riparian vegetation along San Gregorio Creek.

It should be noted that the riparian vegetation associated with San Gregorio Creek is not located within the Project Area's building or grading footprint, and will be avoided.

10. Impacts to Special Status Species

Based on this assessment, only two wildlife species may be impacted by the proposed project: San Francisco dusky-footed woodrat and Cooper's hawk.

10.1 Impact to San Francisco Dusky-footed Woodrat

The stick nest of the San Francisco dusky-footed woodrat has been observed along the drainage ditch along the northern boundary of the property. Construction of a crossing may destroy the nests of this species. This would be considered a significant impact.

10.2 Impact to Nesting Cooper's Hawk

The coast live oak woodland provides suitable nesting habitat for the Cooper's hawk. Proposed construction could disturb nesting hawks, causing them to abandon an active nest, eggs, and young. This would be considered a significant impact.

11. Mitigation Measures

11.1 San Francisco Dusky-footed Woodrat

A qualified biologist will conduct a pre-grading survey of the proposed crossing area to determine if a woodrat nest has been constructed since the last site visit. If no woodrat nests are observed in the proposed crossing location, no further action is necessary. If a woodrat nest is present and cannot be avoided by the proposed crossing, the biologist will dismantle the nest by hand and relocate the nest materials to an avoided area along the ditch. Implementation of this mitigation measure will reduce impacts to the San Francisco dusky-footed woodrat to a less than significant level.

11.2 Cooper's Hawk

A qualified biologist will conduct a pre-construction breeding bird survey to determine if the Cooper's hawk is nesting in trees adjacent to the proposed project site. If no active nests are observed, no further action is necessary. If an active Cooper's hawk nest is present, an exclusion zone of a distance to be determined by the biologist will be established around the nest. No grading or construction work can be conducted within the exclusion zone until all young have become independent of the nest (generally mid-June). Implementation of this mitigation measure will reduce potential impacts to nesting Cooper's hawks to a less than significant level.

11. **CERTIFICATION**: I hereby certify that the statements furnished above and in attached exhibits present the data and information required for this biological evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

DATE: March 25, 2008 **SIGNED:**_____
Jeff Dreier, WRA

12. References

Altman, B., and R. Sallabanks. 2000. Olive-sided Flycatcher (Contopus cooperi). In The Birds of North America, No. 502 (A. Poole and F. Gill, eds.). The Birds of North America, Inc., Philadelphia, PA.

Barry, S.J. 1994. The distribution, habitat, and evolution of the San Francisco garter snake, *Thamnophis sirtalis tetrataenia*. Unpublished M.A. Thesis, University of California, Davis. 140 pp.

California Department of Fish and Game. 2008. Natural Diversity Data Base.

Curtis, O. E., R. N. Rosenfield and J. Bielefeldt (2006). Cooper's Hawk. (Accipiter cooperii). The Birds of North America Online (A. Poole, Ed.). Cornell Laboratory of Ornithology; Ithaca, New York. Available online at http://bna.birds.cornell.edu.

Fellers, G.M. and P.M. Kleeman. 2007. California red-legged frog (Rana draytonii) movement and habitat use: implications for conservation. Journal of Herpetology, Vol. 41, No. 2. 276-286.

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Nongame-Heritage Program. Sacramento, California

Jennings, M.R., and M.P. Hayes. 1994. Amphibian and Reptile Species of Special Concern in California. Final report submitted to the California Department of Fish and Game, Inland Fisheries Division. Rancho Cordova, Calif. Under Contract No. 8023.

Wetlands Research Associates. September 2000. Biological Impact Report, Optimist Camp Bridge Abutment Erosion Control Measures, San Gregorio Creek, San Mateo County. Prepared for Gilpin Geosciences, Inc.

WRA. 2002. Biological Impact Report, San Gregorio Creek Site APN 082-130-070, San Mateo County.

Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White. 1990. California's Wildlife, Volumes I-III. California Statewide Wildlife Habitat Relationships System, California Department of Fish and Game, Sacramento.

APPENDIX A. Wildlife species observed on or immediately adjacent to the project site during the biological assessment conducted in May 2002 and February 2008, and during an assessment of adjacent property in September 2000.

Common Name	**Species**	**Seasonal Status**	**Comments**
MAMMALS			
dusky-footed woodrat	*Neotoma fuscipes*	resident	Stick nests present along north boundary tributary
BIRDS			
red-shouldered hawk	*Buteo lineatus*	resident	Adult calling frequently in area of bridge; suitable nest trees present
Allen's hummingbird	*Selasphorus sasin*	summer	Common in region
northern flicker	*Colaptes auratus*	resident	Calls heard from riparian woodland
olive-sided flycatcher	*Contopus cooperi*	summer	Calls heard downstream from bridge
western wood pewee	*Contopus sordidulus*	summer	Calls heard upstream from site
Pacific-slope flycatcher	*Empidonax difficilis*	summer	Calls heard in riparian habitat
Hutton's vireo	*Vireo huttoni*	resident	Calls heard in oaks near site
Steller's jay	*Cyanocitta stelleri*	resident	Several individuals in vicinity
tree swallow	*Tachycineta bicolor*	summer	Several observed soaring over area
violet-green swallow	*Tachycineta thalassina*	summer	Several observed flying above canopy
chestnut-backed chickadee	*Poecile rufescens*	resident	Observed in riparian vegetation
bushtit	*Psaltriparus minimus*	resident	Pair observed along north side of property
Wilson's warbler	*Wilsonia pusilla*	summer	Male observed in riparian woodland
California towhee	*Pipilo crissalis*	resident	Common in region; observed along access road
song sparrow	*Melospiza melodia*	resident	Associated with dense riparian vegetation
dark-eyed junco	*Junco hyemalis*	resident	Observed foraging along north edge of study area
black-headed grosbeak	*Pheucticus melanocephalus*	summer	Territorial male singing in riparian woodland

Common Name	**Species**	**Seasonal Status**	**Comments**
purple finch	*Carpodacus purpureus*	resident	Several territorial males in the vicinity
lesser goldfinch	*Carduelis psaltria*	resident	Small flock foraging in weedy grassland
REPTILES			
western fence lizard	*Sceloporus occidentalis*	resident	Common among woody debris on site

APPENDIX B. Special status species that are known to occur or may occur in San Mateo County in habitats similar to those observed within the Project Area. List compiled from a review of the CDFG Natural Diversity Data Base (2008) and other CDFG lists and publications (Jennings and Hayes 1994; Zeiner et al. 1990).

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
PLANTS				
Agrostis blasdalei, Blasdale's bent grass	1B	Coastal dunes, coastal bluff scrub, coastal prairie. Found on sandy or gravelly soil close to rocks; often in nutrient-poor soil with sparse vegetation at elevations of 5-150m.	**Unlikely.** This species' typical habitats do not occur in Project Area. Sandy and gravelly soils are not present.	No further actions necessary
Arctostaphylos montaraensis, Montara manzanita	1B	Chaparral, coastal scrub. Found on slopes and ridges at elevations of 150-500m. Endemic to San Mateo County.	**Not Present.** This species' typical habitats do not occur in Project Area. No manzanita shrubs observed in Project Area.	No further actions necessary
Arctostaphylos andersonii, Santa Cruz manzanita	1B	Broadleaved upland forest, chaparral, North Coast coniferous forest. Found on open sites and redwood forest at elevations of 180-800m. Known only from Santa Cruz Mountains.	**Not Present.** This species' typical habitats do not occur in Project Area. No manzanita shrubs observed in Project Area.	No further actions necessary
Chorizanthe cuspidata var. *cuspidata*, San Francisco Bay spineflower	1B	Coastal Bluff scrub, coastal dunes, coastal prairie, coastal scrub. Found on terraces and slopes in sandy soil at elevations of 5-550m.	**Unlikely.** This species' typical habitats, including coastal sandy substrates, do not occur in Project Area.	No further actions necessary

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Dirca occidentalis, western leatherwood	1B	Broadleafed upland forest, chaparral, closed-cone coniferous forest, cismontane woodland, North Coast coniferous forest, riparian forest, riparian woodland. Found on brushy slopes, mesic sites mostly in mixed evergreen and foothill woodland communities at elevations of 30-550m.	**Not Present.** Project Area is not dominated by plant communities typical of this plant. No leatherwood shrubs observed in Project Area.	No further actions necessary
Eriophyllum latilbum, San Mateo woolly sunflower	FE, SE, 1B	Cismontane woodland. Found on and off of serpentine, often on roadcuts at elevations of 45-150m. Endemic to San Mateo County. Elevation;	**Unlikely**. This species' typical serpentine soil habitats do not occur in Project Area.	No further actions necessary
Erysimum ammophilum, coast wallflower	1B	Maritime chaparral, coastal dunes, coastal scrub Found in sandy openings at elevations of 0-130m.	**Unlikely**. Sandy openings in coastal habitats are not present in the Project Area.	No further actions necessary
Grindelia hirsutula var. *maritima*, San Francisco gumplant	1B	Coastal scrub, coastal bluff scrub, valley and foothill grassland. Found on sandy or serpentine slopes and sea bluffs at elevations of 15-400m.	**Unlikely**. This species' typical sandy or serpentine habitats do not occur in Project Area.	No further actions necessary
Horkelia cuneata ssp. *sericea*, Kellogg's horkelia	1B	Closed-cone, coniferous forest, coastal scrub, chaparral. Found in openings on old dunes, coastal sand hills at elevations of 10-200m.	**Unlikely**. This species' typical habitats, including old dunes and sand hills do not occur in Project Area.	No further actions necessary
Limnanthes douglasii ssp. *sulphurea*, Point Reyes meadowfoam	1B	Freshwater marsh, vernal pools, coastal prairie and meadows, typically in dark clay soil at elevations of 10-120m.	**Unlikely**. This species' typical seasonal wetland habitats do not occur in Project Area.	No further actions necessary

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Potentilla hickmanii, Hickman's cinquefoil	FE, SE, 1B	Coastal bluff scrub, closed-cone coniferous forest, meadows and seeps, marshes and swamps. Found in freshwater marshes, seeps, and small streams in forested areas along the coast at elevations of 5-125m.	**Unlikely.** This species' typical wetland habitats do not occur in Project Area.	No further actions necessary
Silene verecunda ssp. *verecunda*, San Francisco campion	1B	Coastal scrub, valley and foothill grassland, coastal bluff scrub, chaparral, coastal prairie. Found on open slopes and exposed outcrops of mudstone or shale; one site on serpentine at elevations of 30-645m.	**Unlikely.** Rock outcrops do not occur in Project Area.	No further actions necessary
Stebbinsoseris decipiens, Santa Cruz microseris	1B	Broadleafed upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub. Found on coastal bluffs and slopes in open areas in loose or disturbed soil with low growing vegetation at elevations of 10-500m.	**Unlikely.** This species' typical forest and scrub habitats do not occur in Project Area.	No further actions necessary
MAMMALS				
Pallid bat *Antrozous pallidus*	CSC	Day roosts in outcrops, mines, caves, hollow trees, buildings, and bridges; night roosts under bridges, in caves, and mines.	**Unlikely.** Trees within the Project Area have not developed suitable hollows for roosting.	No further actions necessary.
Townsend's big-eared bat *Corynorhinus townsendii*	CSC	Caverns are preferred for day roosts, but night roosts can include bridges and other open settings.	**Unlikely.** Cavern-like roost habitat is not present in the Project Area.	No further actions necessary.
Fringed myotis *Myotis thysanodes*	WBW G-H	Day roosts in caverns, trees, and buildings. Majority of roosts documented in California have been in buildings or mines.	**Unlikely.** Trees within the Project Area have not developed suitable hollows for roosting.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Long-legged myotis *Myotis volans*	WBW G-H	Hollow trees, crevices, caverns, and buildings provide day roost habitat; night roosts are usually caverns.	**Unlikely**. Trees within the Project Area have not developed suitable hollows for roosting.	No further actions necessary.
Western mastiff bat *Eumops perotis*	CSC	Usually roosts in cliffs, cracks, and buildings.	**Unlikely.** Cliff faces and building roost sites are not found within the Project Area.	No further actions necessary.
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	CSC	Frequents deciduous, coniferous, and riparian woodlands and adjacent scrub habitats.	**Present**. Stick nests were observed along the north boundary tributary.	Conduct survey in area of access crossing of drainage ditch. If present, qualified biologist will dismantle nest and relocate materials to undisturbed site.
BIRDS				
Cooper's hawk *Accipiter cooperi*	CSC	Uses many habitats in winter and during migration; nests in deciduous and coniferous woodlands. Usually not found without dense tree stands, or patchy woodland habitat.	**Moderate Potential.** Trees on and near site provide suitable breeding habitat.	Pre-ground disturbance nesting surveys during the breeding season (March through July).
Sharp-shinned hawk *Accipiter striatus*	CSC	Uses many habitats in winter and during migration; breeds in oak, conifer, and riparian forests.	**Unlikely**. Woodland habitats near site provide suitable wintering habitat; however, this species tends to nest in more forested habitats.	No further actions necessary.
Golden eagle *Aquila chrysaetos*	CSC, CFP	Uses many habitats for foraging; breeds in cliffs or in remote large trees and structures.	**Unlikely.** Human activity in the vicinity of the Project Area likely precludes nesting attempts.	No further actions necessary.
Northern harrier *Circus cyaneus*	CSC	Found in open grasslands, prairies, and marshes. Tend to nest near water.	**Unlikely**. Typical open habitats not present in the Project Area.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
White-tailed kite *Elanus leucurus*	CFP	Year-long resident of coastal and valley lowlands; rarely found away from agricultural areas. Preys on small diurnal mammals and occasional birds, insects, reptiles, and amphibians.	**Unlikely.** Edge habitats for nesting and open areas for foraging are not present in the Project Area.	No further actions necessary.
Prairie falcon *Falco mexicanus*	CSC	Found in arid and semi-arid plains, this is a falcon of open country which nests on rock cliffs in river gorges and occasionally in timbered mountains. Nests are often scraped on ledges although old stick nests of ravens or others raptors will be used.	**Not Present.** Typically occurs in more open, tree-less habitats.	No further actions necessary.
Peregrine falcon *Falco peregrinus*	SE	Winters throughout lower elevations in California. Requires protected cliffs and ledges for cover. Feeds on a variety of birds, and some mammals, insects, and fish.	**Not Present.** Typically occurs in more open, tree-less habitats.	No further actions necessary.
Long-eared owl *Asio otus*	CSC	Prefer riparian groves, planted woodlots, and belts of live oaks paralleling stream courses.	**Unlikely.** Regular human disturbance associated with nearby residences likely preclude nesting attempts.	No further actions necessary.
Vaux's swift *Chaetura vauxi*	CSC	Forages over most terrains and habitats, often high in the air. Most important habitat requirement appears to be large hollow trees for nest sites.	**Unlikely.** May forage over site, but large nest trees are not present.	No further actions necessary.
Rufous hummingbird *Selasphorus rufus*	BCC	Uses riparian areas, open woodlands, chaparral, mountain meadows, and other habitats rich in nectar-producing flowers.	**Unlikely.** Does not breed in San Mateo County; would only occur during northward migration in spring.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Olive-sided flycatcher *Contopus cooperi*	BCC	Mixed conifer, montane hardwood-conifer, Douglas-fir, redwood, red fir and lodgepole pine. Requires large, tall trees, usually conifers for nesting and roosting.	**Present.** Calls heard downstream from site indicate that this species may breed near the Project Area.	No further actions necessary. The Project Area does not contain typical breeding habitat (large tall conifers). Although breeding may occur nearby, the proposed project will not impact the species.
Purple martin *Progne subis*	CSC	Frequents old-growth, multi-layered, open forest and woodland with snags in the breeding season.	**Unlikely.** Large snags for nest sites are not present on the site; may forage in the vicinity of the bridge.	No further actions necessary.
California yellow warbler *Dendroica petechia brewsteri*	CSC	Breeds in riparian woodlands, particularly those dominated by willows and cottonwoods.	**Moderate Potential.** Suitable breeding habitat occurs in willow scrub near Project Area.	No further actions necessary. The Project Area does not contain typical breeding habitat (willow thickets). Although breeding may occur nearby, the proposed project will not impact the species.
Yellow-breasted chat *Icteria virens*	CSC	Frequents dense, brushy thickets and tangles near water, and thick understory in riparian woodland.	**Unlikely.** Denser thickets of riparian vegetation near the Project Area may provide habitat during migration, but suitable habitat within the proposed Project Area is not present..	No further actions necessary.
AMPHIBIANS AND REPTILES				

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
California red-legged frog *Rana aurora draytonii*	FT, CSC	Ponds, pools, or in slow-moving perennial to ephemeral streams, where water remains long enough for breeding and development of young. Emergent or shoreline riparian vegetation closely associated with deep, still, or slow-moving water is the preferred but not essential habitat.	**Unlikely**. The Project Area does not contain breeding and/or non-breeding aquatic habitat.	No further actions necessary.
Foothill yellow-legged frog *Rana boylii*	CSC	Generally associated with rocky streams with open riparian canopies.	**Not Present**. Open gravel bars and a substrate of gravel and cobbles are not present in the Project Area.	No further actions necessary.
Western pond turtle *Clemmys marmorata*	CSC	Preferred habitat is low-flow regions of rivers, channels, and backwater areas, and ponds. Deep, still water with abundant emergent woody debris, overhanging vegetation and rocky outcrops is optimal for basking and thermoregulation.	**Unlikely**. Aquatic habitat is not found within the Project Area.	No further actions necessary.
San Francisco garter snake *Thamnophis sirtalis tetrataenia*	FE, SE	Ponds, lakes, reservoirs, streams, and drainage ditches, that are bordered at least partially by dense emergent or riparian vegetation, and nearby grasslands and brush.	**Unlikely**. Project Area does not contain suitable aquatic and margin foraging habitat.	No further actions necessary.
FISH				

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Coho salmon-Central California ESU *Oncorhynchus kisutch*	FT, SE	Adults enter coastal streams to spawn in clean gravels. Juvenile rearing habitat is typically cool, clear streams with abundant woody debris or overhanging vegetation.	**Not Present.** Aquatic habitat is not present in the Project Area. Adults may migrate in San Gregorio Creek upstream past the site in winter/early spring. Smolts would move downstream during the same time.	No further actions necessary.
Steelhead-Central California Coast ESU *Oncorhynchus mykiss*	FT	Adults spawn in cool streams with a substrate of clean gravel and cobbles. Juveniles remain in the stream for one or more years before migrating to the sea.	**Not Present.** Aquatic habitat is not present in the Project Area. Adults migrate upstream past the site in winter/early spring. Smolts would move downstream during the same time.	No further actions necessary.
INVERTEBRATES				
Myrtle's silverspot *Speyeria zerene myrtleae*	FE	Habitats include conifer woodland, sagebrush, meadows, and coastal dunes. Host plants are several species of *Viola*.	**Unlikely.** Reported to be extinct in San Mateo County (Scott 1986).	No further actions necessary.
Smith's blue *Euphilotes enoptes smithi*	FE	Typical habitat is coastal scrub; host plants are *Eriogonum latifolium* and *E. parvifolium*.	**Unlikely.** Suitable scrub habitat and associated host plant not present on site.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action

Key to Status:

FE	Federal Endangered
FT	Federal Threatened
SE	State Endangered
ST	State Threatened
CSC	CDFG Species of Special Concern
CFP	CSDF Fully Protected Species
BCC	USFWS Birds of Conservation Concern
WBWG-H	Western bat Working Group High Priority Species
1B	CNPS List of rare or endangered plants in California and elsewhere

Appendix C. The project footprint is limited to maintained open ground dominated by non-native weedy vegetation. Only one or two oaks may need to be removed in the footprint of the residence.

wra
ENVIRONMENTAL CONSULTANTS

wra
ENVIRONMENTAL CONSULTANTS

June 30, 2011

Charles Floyd
551 Alsace Lorraine Ave.
Half Moon Bay, California 94019

RE: Riparian Drip Line Mapping

Dear Mr. Floyd,

On June 24 and 29, 2011, WRA collected data to map the riparian drip line along San Gregorio Creek on the Floyd Residence Property (APN 082-130-060/070). The location of the riparian drip line was measured at 30 locations from the top of bank of San Gregorio Creek. In addition, the tree species was documented at each point. Each point was then plotted on the Hartsell map (attached). Due to the locally dense cover of oaks on and adjacent to the site, the drip line could not be identified on aerial photographs.

The mean distance from the top of bank and drip line was 49 feet; the distance ranged from 10 to 85 feet. The dominant tree cover along the drip line was alder (*Alnus* sp.) (40 percent) and boxelder (*Acer negundo*) (30 percent). The remaining 30 percent consisted of willow (*Salix* sp.), California bay (*Umbellularia californica*), and dogwood (*Cornus* sp.). The understory was dominated by non-natives, including poison hemlock (*Conium maculatum*), thistles (*Cirsium* sp.), and stinging nettle (*Urtica* sp.)

Based on the mapping, the distance between the drip line and closest point of the proposed residence exceeds 50 feet. The nearest proposed well site is approximately 30 feet from the drip line. These distances are in compliance with San Mateo County Local Coastal Program riparian corridor policies.

Please let me know if you have any questions.

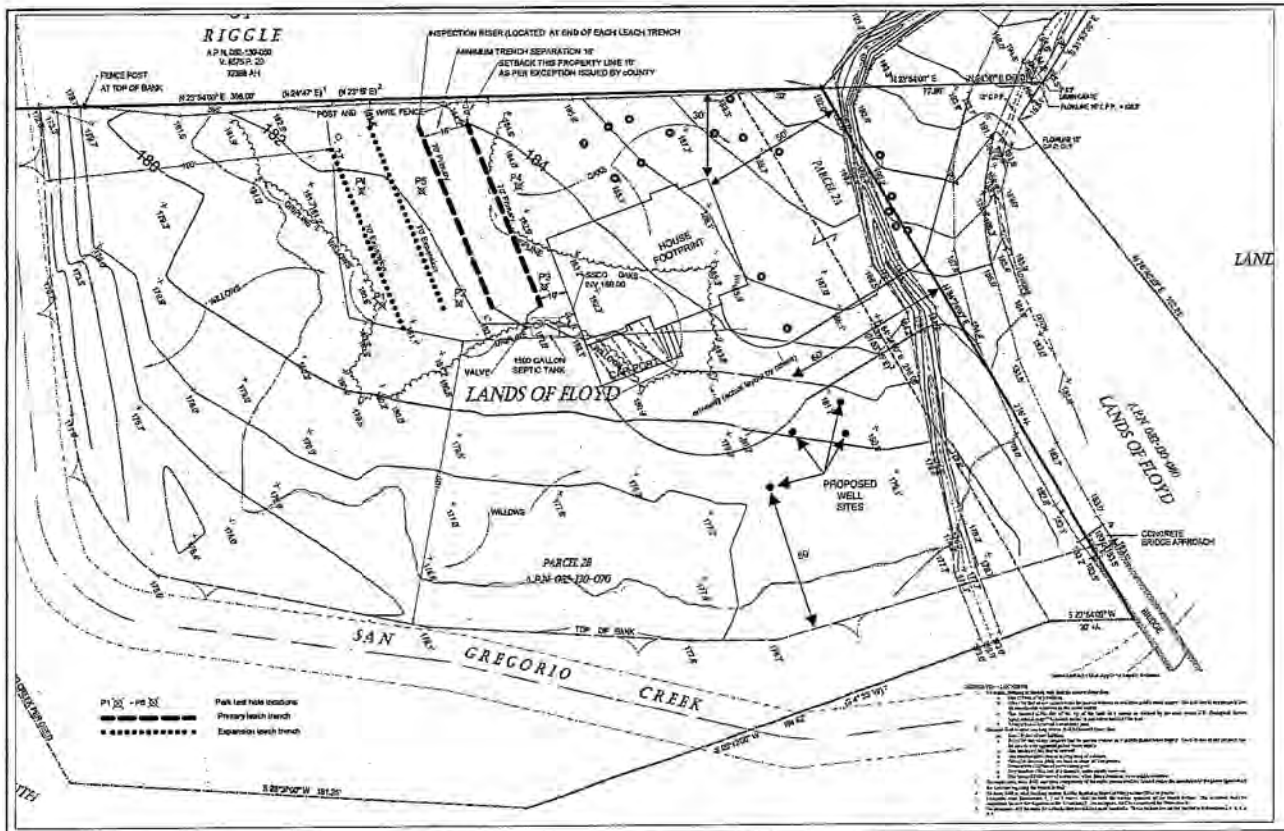
Sincerely,

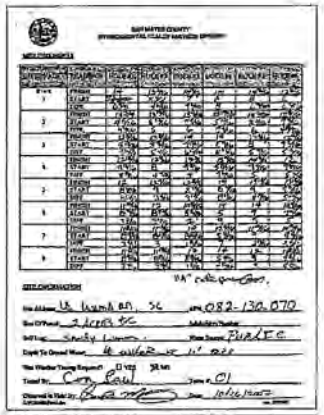
Jeff Dreier

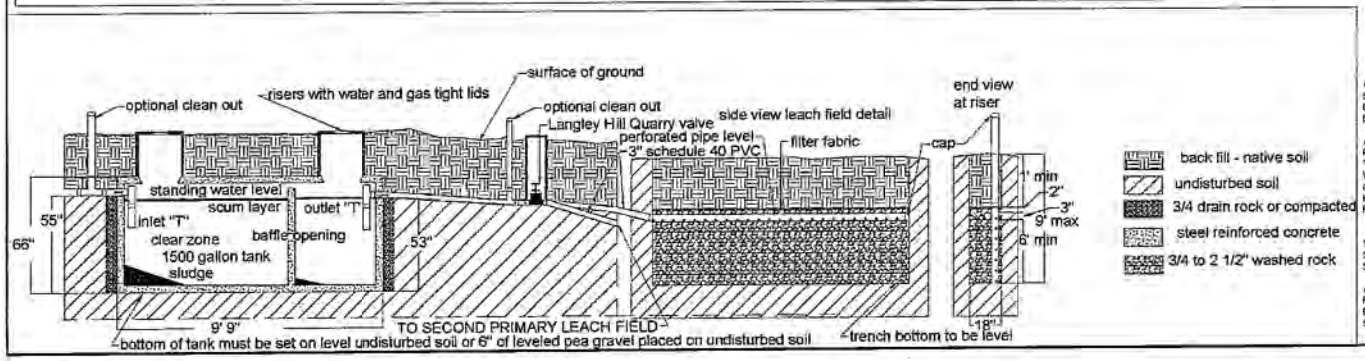
Jeff Dreier
Associate Principal Wildlife Ecologist

2169-G East Francisco Blvd., San Rafael, CA 94901 (415) 454-8868 tel (415) 454-0129 fax info@wra-ca.com www.wra-ca.com

This Page Left Intentionally Blank







PROJECT DISCUSSION AND SCOPE OF WORK:

A NEW SINGLE FAMILY RESIDENCE IS PROPOSED FOR CONSTRUCTION ON THIS SITE. THIS PLAN SHOWS HOW AND WHERE THE SEPTIC SYSTEM WILL BE CONSTRUCTED THAT WILL SERVE AS THE METHOD OF SEWER TREATMENT AND DISPOSAL.

A PERCOLATION TEST WAS PERFORMED ON THIS SITE THAT PRODUCED AN "A" PERK RATE. AT THIS RATE FOUR 70' LONG LEACH TRENCHES ARE REQUIRED FOR THE LEACH FIELD TO SERVE THE PROPOSED THREE BEDROOM HOME - TWO OF WHICH MUST BE INSTALLED AND ARE KNOWN AS PRIMARY LEACH TRENCHES. THE OTHER TWO TRENCHES WILL BE INSTALLED IF EVER NEEDED. THE SEPTIC TANK HAS A CAPACITY OF 1500 GALLONS AND IS LARGE ENOUGH TO SERVE UP TO A FOUR BEDROOM HOME.

A BRIEF SUMMARY OF THE SCOPE OF WORK FOLLOWS:
1. INSTALL SEPTIC TANK AND VALVE AS SHOWN.
2. INSTALL TIGHT LINE PIPE AS SHOWN.
3. INSTALL PRIMARY LEAH FIELD TRENCHES AS SHOWN.

ALL WORK AND MATERIALS MUST MEET OR EXCEED COUNTY OF SAN MATEO REGULATIONS AND POLICIES, AND MUST BE PERFORMED UNDER PERMITS ISSUED BY THE COUNTY. ALL WORK MUST BE INSPECTED AND APPROVED BY COUNTY STAFF BEFORE IT IS COVERED.

S.R. Hartsell, REHS
P.O. Box 342
Pacifica, CA 94044
srhartsell@hotmail.com (650) 355-2419

Septic System Plan

Floyd Residence
APN 082-130-060/070

February 25, 2011
scale as noted
by srh

page
septic
1 of 1

Attachment B

List of Observed Species

This Page Left Intentionally Blank

Attachment B. Plant and wildlife species observed in the Study Area during the April 6, 2015 site visit.

Scientific Name	Common Name
Plants	
Acer negundo	Ash-Leaf Maple
Aesculus californica	California buckeye
Alnus sp.	alder
Arbutus menziesii	Pacific madrone
Artemesia californica	mugwort
Baccharis pilularis	coyote brush
Bromus diandrus	ripgut brome
Bromus hordeaceus	Soft Brome
Carex barbarae	Santa Barbara Sedge
Conium maculatum	Poison-Hemlock
Delairea odorata	cape ivy
Festuca arundinacea	tall fescue
Fragaria vesca	Woodland Strawberry
Fumaria sp.	fumitory
Galium aparine	Sticky-Willy
Geranium dissectum	cut-leaf geranium
Iris douglasiana	Douglas iris
Juncus patens	Spreading Rush
Lonicera japonica	Japanese Honeysuckle
Myosotis latifolia CULTIVAR/WAIF (JM2)	Woodland Forget-Me-Not
Phalaris aquatica	Harding Grass
Quercus agrifolia	coast live oak
Ribes sp.	Gooseberry
Rubus ursinus	Pacific Dewberry
Salix lasiolepis	Arroyo Willow
Sanicula crassicaulis	Pacific sanicle
Scrophularia sp.	bee plant
Silybum marianum	milkthistle
Symphoricarpos albus	common snowberry
Toxicodendron diversilobum	poison oak
Umbellularia californica	California-Laurel
Woodwardia fimbriata	Giant Chain Fern

Scientific Name	Common Name
Birds	
Baeolophus inornatus	oak titmouse
Sayornis nigricans	black phoebe
Poecile rufescens	chestnut-backed chickadee
Aphelocoma californica	western scrub jay
Corvus brachyrhynchos	American crow
Callipepla californica	California quail
Psaltriparus minimus	bushtit
Chamaea fasciata	wrentit (heard off-property)
Oreothlypis celata	orange-crowned warbler (heard off-property)
Melospiza melodia	song sparrow
Sitta carolinensis	white-breasted nuthatch
Calypte anna	Anna's hummingbird
Picoides villosus	hairy woodpecker
Contopus cooperi	olive-sided flycatcher (heard off-property)
Mammals	
Thomomys bottae	Botta's pocket gopher
Odocoileus hemionus	mule deer
Sciurus griseus	Western gray squirrel

Attachment C

Representative Photographs

This Page Left Intentionally Blank

Above: Study Area view from north property line, facing south.

Below: Ditch running along north property line in Study Area, facing east.

Photographs taken April 6, 2015.

wra
ENVIRONMENTAL CONSULTANTS

Above: Non-native grassland within Study Area where Project footprint is proposed.

Below: Riparian canopy along eastern property line.

Photographs taken April 6, 2015.

wra
ENVIRONMENTAL CONSULTANTS

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D

August 7, 2020

Charles Floyd
551 Alsace Lorraine Avenue
Half Moon Bay, CA 94019

RE: Updated Addendum to Biological Resources Assessment Report Dated 2008 and 2015 Update for APN 082-130-250

Dear Mr. Floyd,

The purpose of this letter is to inform you of the results of the biological resource assessment update for an undeveloped parcel (Study Area; APN 082-130-250). The subject APN has been expanded since the previous assessments, and the assessor parcel number (APN) updated to reflect the change (previous reports address APN 082-130-070). Although the APN has changed, the survey area remains unchanged. The purpose of this assessment update was to determine whether existing onsite biological resources have changed since the submittal of the biological resources assessment and update (WRA 2008, WRA 2015) with a focus on changes to the most recent riparian drip line mapping (WRA 2015). This update includes any additional mitigation measures that may be needed as a result of changed conditions.

The previous biological resources assessment (WRA 2008, WRA 2015) and proposed Project plans with the 2011 riparian drip line mapping assessment (WRA 2011) are provided in Attachment A. The riparian dripline mapped during the 2020 site visit is provided as Attachment B.

Survey Methods

A site visit to the Study Area was made on July 27, 2020. Prior to the site visit, a review was conducted of background information including:

- San Mateo County Midcoast Local Coastal Program (LCP) biological resources policies
- San Mateo County Heritage Tree Ordinance
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; CDFW 2020)
- California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants (CNPS 2020)
- U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation Report (IPaC; USFWS 2020)
- A biological resources assessment (WRA 2008), 2015 update (WRA 2015) and, riparian canopy assessment (WRA 2011) of the Study Area (Attachment A).

During the site visit, the Study Area was examined for: (a) sensitive natural communities as defined by the CNDDB and LCP and, (b) for the presence, and potential to support, special status plant and wildlife species. Vegetation within the Study Area south of the road was also evaluated for riparian habitat criteria as defined by the LCP. If present, the dripline or boundary of the riparian vegetation was mapped. The Study Area north of the road was not evaluated for riparian vegetation.

Survey Results

The approximately 2.7-acre Study Area is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County, and is within the Midcoast LCP area. The Study Area includes and is bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north. The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, and septic system. The water source for the residence would be a domestic well. The Study Area is dominated by two common vegetation communities: non-native annual grassland and coast live oak woodland; riparian woodland is also present.

Vegetation Communities

As described in the 2008 Biological Resources Assessment (BRA), one vegetation community will be affected by the proposed Project and two additional vegetation communities are present adjacent to the Project footprint. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Coast live oak woodland and riparian woodland are present adjacent to the proposed Project and may be impacted if trees are trimmed or removed. The revised parcel boundary contains San Gregorio Creek, a USGS "blue line" perennial stream (USGS 2018), and its associated riparian woodland. San Gregorio Creek and riparian woodland are outside of the proposed project footprint.

Non-sensitive vegetation communities

Holland (1986) describes non-native grassland as a dense to sparse cover of non-native annual grasses with flowering culms 0.2-1 meter high and often associated with numerous species of showy-flowered annual forbs. This community often occurs on fine-textured, usually clay soils, that are moist, or saturated during the winter rainy season and very dry during the summer and fall. Within the Study Area, this community dominates the Study Area in open areas and under the oak woodland canopy.

Sensitive vegetation communities

Two sensitive vegetation communities were observed onsite in the 2008, 2011, 2015, and 2020 assessments: coast live oak woodland and riparian woodland. Although most coast live oak woodland vegetation associations are not considered sensitive natural communities by the LCP or the CDFW Natural Communities List (CDFW 2019), including the mixed coast live oak woodland alliance found within the Study Area, oak woodlands are given special consideration under the California Oak Woodland Conservation Act (State of California Resources Agency 2004).

The coast live oak woodland community is dominated by coast live oak (*Quercus agrifolia*), with California buckeye (*Aesculus californica*) and California bay laurel (*Umbellularia californica*) and

madrone (*Arbutus menzesii*) in the canopy. The understory was composed of dogtail grass (*Cynosurus echinatus*), poison oak (*Toxicodendron diversilobum*), woodland strawberry (*Fragaria vesca*), California blackberry (*Rubus ursinus*), and non-native herbs and forbs including cutleaf geranium (*Geranium dissectum*), forget-me-not (*Myosotis latifolia*) and ripgut brome (*Bromus diandrus*).

The LCP Land Use Plan (LUP) defines riparian canopy as vegetation along a perennial or intermittent stream, composed of a minimum of 50 percent of the following species: red alder, jaumea, pickleweed, big leaf maple, narrow-leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and boxelder. On June 24 and 29, 2011, WRA collected data to map the riparian drip line along San Gregorio Creek in the Study Area. The location of the riparian drip line was measured at 30 locations from the top of bank of San Gregorio Creek. In addition, the tree species was documented at each point. Each point was then plotted on the Hartsell map (see Attachment A, 2011 riparian assessment). The mean distance from the top of bank and drip line was 49 feet; the distance ranged from 10 to 85 feet. The dominant tree cover along the drip line was alder (*Alnus* sp.) (40 percent) and boxelder (*Acer negundo*) (30 percent). The remaining 30 percent consisted of willow (*Salix* sp.), California bay (*Umbellularia californica*), and dogwood (*Cornus* sp.). The understory was dominated by non-natives, including poison hemlock (*Conium maculatum*), thistles (*Carduus* sp.), and stinging nettle (*Urtica* sp.)

The 2020 assessment utilized similar mapping methods and concurred with the previous riparian drip line assessment. No encroachment of the riparian drip line was observed. Along the south and east Study Area boundaries, dense riparian canopy dominated by alder, boxelder, and arroyo willow was observed. The understory was dominated by California blackberry, poison oak, poison hemlock, Cape ivy (*Delairea odorata*), sticky willy (*Galium aparine*), and stinging nettle (*Urtica dioica*) with scattered elderberry (*Sambucus nigra*). Although poison hemlock, California blackberry and Cape ivy are facultative wetland indicators, this area was located in an area which slopes gently toward the riparian corridor on the southern property line and was intermixed with upland species not commonly found in wetlands, with no other hydrologic sources observed. These species are disturbance-adapted and tend to occur on berms, roadsides, and other disturbed upland locations. Accordingly, this vegetation is more adequately protected by the riparian vegetation definition and is included in this vegetation community.

Wetland and Waters features

San Gregorio Creek is a perennial stream within the Study Area. The creek was not part of the previous assessments but is now part of the expanded parcel. The creek ranges from eight to 15-feet wide and is within a well-defined channel. A floodplain on the creek ranges from 30 to 150 feet-wide. Within the Study Area, San Gregorio Creek flows north to south. During the time of the July 2020 site visit, water was observed flowing in the creek. The LCP has established a 50-foot buffer zone for perennial creek systems. Per Section 7.11a of the LCP for perennial streams, if riparian vegetation is present, a buffer extends 50 feet from the limit or dripline of the riparian vegetation. The dripline of riparian vegetation was mapped during the July 2020 site visit and is shown on Attachment B along with the approximate 50-foot setback. San Gregorio Creek is considered sensitive by the LCP and CDFW.

One ditch was observed during the 2008, 2015, and 2020 biological resource assessments, contiguous with the northern property line. At the time of the 2020 site assessment, this feature contained standing water. The ditch feature ranges from two to four feet wide and incised to approximately three feet deep, contains large amounts of fallen trees and branches, and is largely unvegetated in the bottom and sides. The ditch is surrounded by poison oak, coast live oak, and

a sparse arroyo willow. The access bridge and driveway improvements are the only proposed work in and near the ditch. The ditch is man-made in upland habitat and therefore, not considered a sensitive community. No wetlands were observed on-site.

Special-Status Species

Special-Status Plants

Based upon a review of the resources and databases discussed previously, all special-status plant species documented in the vicinity of the Study Area were assessed. Although the site visit did not constitute a protocol-level rare plant survey, the July 2020 site visit coincided with the blooming period for five special-status species identified in the Study Area region including Blasdale's bent grass (*Agrostis blasdalei*), Francisco Bay spineflower (*Chorizanthe cuspidata* var. *cuspidata*), San Francisco gumplant (*Grindelia hirsuta* var. *maritima*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), and Hickman's cinquefoil (*Potentilla hickmanii*). No special-status plant species were observed in the Study Area.

San Mateo County Heritage Tree Ordinance

Pursuant to the County of San Mateo Heritage Tree Ordinance (Ordinance No. 427), madrone, coast live oak, and California bay laurel trees may be subject to regulation under the tree ordinance pursuant to the ordinance. Permits may be required by the County for the trimming or removal of trees which qualify for heritage status under the Ordinance. This update did not include an evaluation or update of an existing tree survey.

Special-Status Wildlife Species

Four wildlife species were identified in the 2008 BRA as either present or having a moderate potential to occur: San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), Cooper's hawk (*Accipiter cooperi*), olive-sided flycatcher (*Contopus cooperi*), and yellow warbler (*Setophaga [Dendroica] petechia*). The 2015 BRA provided an update to status for Cooper's hawk, Townsend's big-eared bat (*Corynorhinus townsendii*), and California red-legged frog (*Rana draytonii*; Federal threatened, CDFW Species of Special Concern) designation of critical habitat (USFWS 2010). Since 2015, additional changes to status have occurred: Townsend's big-eared bat is no longer a candidate species for listing under the California Endangered Species Act (CESA), although it remains a special-status species. Foothill yellow-legged frog (*Rana boylii*; State endangered) in the central coast are now listed as endangered under CESA, and mountain lion (*Puma concolor*; State candidate) in the central coast are a candidate for listing under CESA.

The expansion of the Study Area to include San Gregorio Creek does add stream-associated species as potential to occur within the Study Area. These species are foothill yellow-legged frog, steelhead (*Oncorhynchus mykiss irideus*; Federal threatened), and steelhead designated critical habitat. Both species and steelhead critical habitat only have potential to be present within San Gregorio Creek and do not have potential to be present in upland habitats within the proposed Project footprint. These species are discussed further below. This assessment concurs with previous determinations for San Francisco dusky-footed woodrat, California red-legged frog, and special-status bird species. No revisions to previous measures or determinations for those species are recommended.

Mountain lion is a rarely seen and uncommon cat, yet it is the most widely distributed cat in the Western Hemisphere, ranging from Chile to British Columbia, and adapting to virtually any habitat

that contains its primary prey sources of deer and other large mammals. It can be active night or day, but typically is nocturnal near human development. Dens are well-hidden and usually concealed by thick vegetation. Adults are solitary and territorial (Reid 2006). Mountain lion are known to occur in the region of the Study Area; however, the Study Area does not contain typical characteristics of den sites or other primary habitat characteristics to reside or regularly occur within the Study Area. This species is not likely to occur within the Study Area, and no additional measures are recommended.

Foothill yellow-legged frog historically occurred in coastal and mountain streams from southern Oregon to Los Angeles County, but has declined in many parts of this range. This species is strongly associated with rivers and creeks, and prefers shallow, flowing water with a rocky substrate. Individuals do not typically move overland and are rarely observed far from a source of permanent water. In northern California, it was observed adults were on average within ten feet and rarely over 40 feet from the stream (Bourque 2008), and the data suggest that movements away from water are related to flood events (Kupferberg 1996, Bourque 2008, Thomson et al. 2016). Aquatic breeding sites are often near stream confluences, with egg masses typically deposited behind or sometimes under rocks in low-flow areas with cobble and/or gravel (Thomson et al. 2016). This species is historically known within San Gregorio Creek (CDFW 2020), and is presumed present as the creek still maintains perennial flows. Although foothill yellow-legged frog is presumed present in San Gregorio Creek, it is not likely to be present in upland habitats such as those within the proposed Project footprint. Measures to protect the riparian habitat, including LCP riparian setbacks are considered sufficient to protect foothill yellow-legged frog. No additional measures are recommended.

The Central California Coast Distinct Population Segment (DPS) of steelhead includes all naturally spawned populations of steelhead (and their progeny) in California streams from the Russian River to Aptos Creek, and the drainages of San Francisco and San Pablo Bays eastward to the Napa River (inclusive), excluding the Sacramento-San Joaquin River Basin. Steelhead typically migrate to marine waters after spending two years in freshwater, though they may stay up to seven. They then reside in marine waters for 2 or 3 years prior to returning to their natal stream to spawn as 4-or 5-year-olds. Steelhead adults typically spawn between December and June. In California, females typically spawn two times before they die. Preferred spawning habitat for steelhead is in perennial streams with cool to cold water temperatures, high dissolved oxygen levels and fast flowing water. Abundant riffle areas (shallow areas with gravel or cobble substrate) for spawning and deeper pools with sufficient riparian cover for rearing are necessary for successful breeding. Steelhead are known to occur in San Gregorio Creek and this creek is designated critical habitat (NMFS 2005). This species is presumed present within San Gregorio Creek in the Study Area, but is not present within the proposed Project footprint. Measures to protect the riparian habitat, including LCP riparian setbacks are considered sufficient to protect steelhead and its critical habitat. No further measures are recommended.

Summary

Based upon a review of previous biological reports for the proposed Project and a site visit conducted on July 27, 2020, no additional measures are recommended at this time. Conditions remain similar to those described in the 2008 BRA and 2015 BRA, and although the status of some plant and wildlife species has changed, no additional special-status species have the potential to be present within the proposed Project footprint. In addition, the riparian drip line has not changed and the proposed Project footprint remains outside of setbacks outlined in the LCP. San Gregorio Creek is located within the Study Area; however, the creek and associated riparian vegetation are outside the limits of the proposed Project. Per the LCP, a 50-setback from the limit

of riparian vegetation is recommended (Attachment B). No wetlands are present within the Study Area. The pre-construction surveys for San Francisco dusky-footed woodrat and nesting birds recommended in the 2008 BRA remain relevant and implementation of these measures will avoid impacts to sensitive resources and species. No additional measures are recommended.

Please feel free to contact me with any questions you may have.

Sincerely,

Patricia Valcarcel, CWB
Senior Biologist

Enclosures: Attachment A - Previous Reports: WRA 2015, WRA 2008, WRA 2011
Attachment B - Map of Riparian Vegetation Limits in the Study Area

References

Bourque, R.M. 2008. Spatial ecology of an inland population of the foothill yellow-legged frog (*Rana boylii*) in Tehama County, California. Master's thesis, Humboldt State University, Arcata, CA.

California Department of Fish and Wildlife (CDFW). 2019. California Natural Community List. Biogeographic Data Branch. Vegetation Classification and Mapping Program, Sacramento, CA. November 8

California Department of Fish and Wildlife (CDFW). 2020. California Natural Diversity Database. Wildlife and Habitat Data Analysis Branch, Sacramento. Most recently accessed July 2020.

California Native Plant Society (CNPS). 2020. Inventory of Rare and Endangered Plants (online edition, v8-02). Sacramento, California. Online at: http://vegetation.cnps.org/; Most recently accessed: July 2020.

Holland, RF. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Prepared for the California Department of Fish and Game, Sacramento, CA.

Kupferberg, S.J. 1996. Hydrologic and geomorphic factors affecting conservation of a river-breeding frog (*Rana boylii*). Ecological Applications 6:1332-1344.

National Marine Fisheries Service (NMFS). 2005. Endangered and Threatened Species; Designation of Critical Habitat for Seven Evolutionarily Significant Units of Pacific Salmon and Steelhead in California. National Oceanic and Atmospheric Administration. Federal Register 70:52488-52586.

Reid, FA. 2006. Mammals of North America. New York: Houghton Mifflin Company.

State of California Resources Agency. 2004. Oak Woodlands Conservation Act. Online at: http://www.leginfo.ca.gov/pub/03-04/bill/sen/sb_1301 1350/sb_1334_bill_20040924_chaptered.html

Thomson, R.C., Wright, A.N., Shaffer, H.B. 2016. California Amphibian and Reptile Species of Special Concern. University of California Press and California Department of Fish and Wildlife. California.

United States Fish and Wildlife Service (USFWS). 2010. Endangered and Threatened Wildlife and Plants: Revised Designation of Critical Habitat for California Red-legged Frog; Final Rule. Federal Register, Vol. 75, No. 51. 12815-12959.

United States Fish and Wildlife Service (USFWS). 2020. Information for Planning and Conservation Report (IPaC). Sacramento Fish and Wildlife Office. Online at: http://www.fws.gov/sacramento. Most recently accessed: August 2020.

United States Geological Survey (USGS). 2018. La Honda Quandrangle, California, San Mateo County, 7.5-minute Series.

WRA, Inc. 2008. Biological Impact Form for Compliance with Local Coastal Program Policy 7.5. Prepared for Charles Floyd.

WRA, Inc. 2011. Riparian Drip Line Mapping. June 30, 2011.

WRA, Inc. 2015. Updated Addendum to Biological Resources Assessment Report Dated 2008 for APN 058-130-070.

Attachment A

Addendum to Biological Resources Assessment Report (WRA 2015),
Biological Impact Form (WRA 2008), and
Riparian Drip Line Mapping with Hartsell Project Plan Map (WRA 2011),

May 5, 2015

Charles Floyd
551 Alsace Lorraine Avenue
Half Moon Bay, CA 94019

RE: Updated Addendum to Biological Resources Assessment Report Dated 2008 for APN 082-130-070

Dear Mr. Floyd,

The purpose of this letter is to inform you of the results of the biological resource assessment update for an undeveloped parcel (Study Area; APN 082-130-070). The purpose of this assessment update was to determine whether existing onsite biological resources and potential special-status species have changed since the submittal of a biological resources assessment (WRA 2008) and riparian drip line mapping assessment (WRA 2011) for the Study Area and to provide any additional mitigation measures that may be needed as a result of changed conditions.

The previous biological resources assessment (WRA 2008) and proposed Project plans with the 2011 riparian drip line mapping assessment (WRA 2011) are provided in Attachment A. The list of observed species from the 2015 assessment is provided in Attachment B and photographs depicting the current Study Area conditions are provided in Attachment C.

Survey Methods

A site visit to the Study Area was made on April 6, 2015. Prior to the site visit, a review was conducted of background information including:

- San Mateo County Midcoast Local Coastal Program (LCP) biological resources policies
- San Mateo County Heritage Tree Ordinance
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; CDFW 2015)
- California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants (CNPS 2015)
- U.S. Fish and Wildlife Service (USFWS) 7.5' Quadrangle Species Lists for the La Honda quadrangle (USFWS 2015)
- A biological resources assessment (WRA 2008) and riparian canopy assessment (WRA 2011) of the Study Area (Attachment A).

During the site visit, the Study Area was examined for: (a) sensitive natural communities as defined by the CNDDB and LCP and, (b) for the presence, and potential to support, special status plant and wildlife species.

Survey Results

The 1.5-acre property (APN 082-130-070) is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County, and is within the midcoast local coastal plan area. The parcel is roughly bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north. The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, septic system, and two water lines from the house to San Gregorio Creek. The Study Area is dominated by two common vegetation communities: non-native annual grassland and coast live oak woodland; riparian woodland is also present.

Vegetation Communities

As described in the 2008 Biological Resources Assessment (BRA), one vegetation community will be affected by the proposed Project and two additional vegetation communities are present adjacent to the Project footprint. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Coast live oak woodland and riparian woodlands are present adjacent to the proposed Project and may be impacted if trees are trimmed or removed.

Non-sensitive vegetation communities

Holland (1986) describes non-native grassland as a dense to sparse cover of non-native annual grasses with flowering culms 0.2-1 meter high and often associated with numerous species of showy-flowered annual forbs. This community often occurs on fine-textured, usually clay soils, that are moist, or saturated during the winter rainy season and very dry during the summer and fall. Within the Study Area, this community dominates the Study Area in open areas and under the oak woodland canopy.

Sensitive vegetation communities

Two sensitive vegetation communities were observed onsite in the 2008, 2011, and 2015 assessments: coast live oak woodland and riparian woodland. Although most coast live oak woodland vegetation associations are not considered sensitive natural communities by the LCP or the CDFW Natural Communities List (CDFW 2010), including the mixed coast live oak woodland alliance found within the Study Area, oak woodlands are given special consideration under the California Oak Woodland Conservation Act (State of California Resources Agency 2004).

The coast live oak woodland community is dominated by coast live oak (*Quercus agrifolia*), with California buckeye (*Aesculus californica*) and California bay laurel (*Umbellularia californica*) and madrone (*Arbutus menzesii*) in the canopy. The understory was composed of dogtail grass (*Cynosurus echinatus*), poison oak (*Toxicodendron diversilobum*), woodland strawberry (*Fragaria vesca*), California blackberry (*Rubus ursinus*), and non-native herbs and forbs including cutleaf geranium (*Geranium dissectum*), forget-me-not (*Myosotis latifolia*) and ripgut brome (*Bromus diandrus*).

The LCP Land Use Plan (LUP) defines riparian canopy as vegetation along a perennial or intermittent stream, composed of a minimum of 50 percent of the following species: red alder, jaumea, pickleweed, big leaf maple, narrow-leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and boxelder. On June 24 and 29, 2011, WRA

collected data to map the riparian drip line along San Gregorio Creek in the Study Area. The location of the riparian drip line was measured at 30 locations from the top of bank of San Gregorio Creek. In addition, the tree species was documented at each point. Each point was then plotted on the Hartsell map (see Attachment A, 2011 riparian assessment). The mean distance from the top of bank and drip line was 49 feet; the distance ranged from 10 to 85 feet. The dominant tree cover along the drip line was alder (*Alnus* sp.) (40 percent) and boxelder (*Acer negundo*) (30 percent). The remaining 30 percent consisted of willow (*Salix* sp.), California bay (*Umbellularia californica*), and dogwood (*Cornus* sp.). The understory was dominated by non-natives, including poison hemlock (*Conium maculatum*), thistles (*Cirsium* sp.), and stinging nettle (*Urtica* sp.)

The 2015 assessment concurred with the previous riparian drip line assessment, and no encroachment of the riparian drip line was observed. Along the south and east property boundaries, dense riparian canopy dominated by alder, boxelder, and arroyo willow was observed. The understory was dominated by California blackberry, poison oak, poison hemlock, common rush (*Juncus patens*), sticky willy (*Galium aparine*), and stinging nettle (*Urtica dioica*) with scattered elderberry (*Sambucus nigra*). Although poison hemlock, California blackberry and common rush are facultative wetland indicators, this area was located in area which slopes gently toward the riparian corridor on the southern property line and was intermixed with upland species not commonly found in wetlands, with no other hydrologic sources observed. These species are disturbance-adapted and tend to occur on berms, roadsides, and other disturbed upland locations with moist soils (Baldwin et al 2012; Calflora 2015; personal observation). These species frequently occur in the coastal zone and coast range due to fog drip and reduced evaporation during the dry season from coastal cloud cover. Accordingly, this vegetation is more adequately protected by the riparian canopy definition and required buffer.

Wetland and Waters features

One ditch was observed during the 2008 and 2015 biological resource assessments, contiguous with the northern property line. At the time of the 2015 site assessment, this feature contained standing water. The ditch feature ranges from two to four feet wide and incised to approximately three feet deep, contains large amounts of fallen trees and branches, and is largely unvegetated in the bottom and sides. The ditch is surrounded by poison oak, coast live oak, and a single isolated arroyo willow. The access bridge and driveway improvements are the only proposed work in and near the ditch. The ditch is man-made in upland habitat and therefore, not considered a sensitive community. No wetlands were observed onsite.

Special-Status Species

Special-Status Plants

Based upon a review of the resources and databases discussed previously, all special-status plant species documented in the vicinity of the Study Area were assessed. No special-status plant species were observed in the Study Area. Many species requiring certain habitat types not present in the Study Area, such as serpentine endemics and plants requiring coastal, scrub, or coniferous habitats, were determined to have no potential to occur. In addition to the 13 species evaluated in the 2008 BRA, eight special-status plant species which have since become special-status were also evaluated. Of the 21 special-status plant species evaluated, all were determined to have no potential to occur based on the high disturbance levels in and around the Study Area and/or a lack of suitable habitat components in the Study Area. While the site visit

did not constitute a protocol-level rare plant survey, the 2015 site visit coincided with the blooming period for three species identified within the Study Area including San Francisco collinsia (*Collinsia mutlicolor*), woodland woolythreads (*Monolopia gracilens*), and San Francisco popcornflower (*Plagiobothrys diffuses*); none were observed.

San Mateo County Heritage Tree Ordinance

Pursuant to the County of San Mateo Heritage Tree Ordinance (Ordinance No. 427), madrone, coast live oak, and California bay laurel trees may be subject to regulation under the tree ordinance pursuant to the ordinance. Permits may be required by the County for the trimming or removal of trees which qualify for heritage status under the Ordinance. This update did not include an evaluation or update of an existing tree survey.

Special-Status Wildlife Species

Four wildlife species were identified in the 2008 BRA as either present or having a moderate potential to occur: San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), Cooper's hawk (*Accipiter cooperi*), olive-sided flycatcher (*Contopus cooperi*), and yellow warbler (*Setophaga [Dendroica] petechia*). Although no additional wildlife species have been added to the list of special-status species potentially in the Study Area and vicinity, three wildlife species identified in the previous report have changed in status levels. Townsend's big-eared bat (*Corynorhinus townsendii*) is now a State candidate species for listing as threatened (CDFW 2014), Cooper's hawk is no longer considered special-status by CDFW, and critical habitat for California red-legged frog (CRLF; *Rana [aurora] draytonii*) has been designated and now incorporates the Study Area (USFWS 2010).

San Francisco dusky-footed woodrat, Townsend's big-eared bat, and California red-legged frog are discussed further below. As determined in the 2008 BRA, olive-sided flycatcher and yellow warbler are unlikely to nest within or in close proximity to the Study Area, and are not anticipated to be impacted by the proposed Project. Per the 2008 BRA, a pre-construction nesting bird survey is still recommended if Project activities are initiated during the breeding season (February 15 – August 31) to avoid impacts to special-status birds and bird species protected under the Migratory Bird Treaty Act including Cooper's hawk.

San Francisco dusky-footed woodrat was observed within the Study Area outside of the Project footprint in the 2008 BRA. No woodrat houses were observed within the Study Area during the site visit on April 6, 2015. Although no San Francisco dusky-footed woodrats are currently present within the Study Area, there is a high potential for this species to re-establish within the Study Area. Therefore, the pre-grading survey within the Study Area and ditch crossing is still relevant and recommended to avoid impacts to San Francisco dusky-footed woodrat.

The status of Townsend's big eared bat has been upgraded within California and is currently a State candidate for listing as threatened under the California Endangered Species Act. The Study Area conditions remain similar to those described in the 2008 BRA, and Townsend's big-eared bat is unlikely to be present within the Study Area and is not present within the Project footprint based on tree conditions at the time of the April 6, 2015 site visit. No impacts are anticipated from the proposed Project; therefore, no additional measures are recommended for this species.

Since the 2008 BRA report, critical habitat has been designated for California red-legged frog and the Study Area is within critical habitat unit SNM-2 (USFWS 2010). Primary Constituent

Elements for CRLF are aquatic breeding, aquatic non-breeding, upland and dispersal habitats. As described in the 2008 BRA, the Project footprint and a majority of the Study Area do not contain surface water. Water and flow within the roadside ditch is largely determined strictly from surface run-off and it does not maintain water for a suitable length of time or contain suitable breeding characteristics to be considered breeding habitat. In addition, it is not contiguous with any known breeding habitats; therefore, it does not constitute a dispersal corridor or aquatic non-breeding habitat because it lacks water for much of the year. San Gregorio Creek is present adjacent to the Study Area; however, it does not contain breeding habitat and only provides a dispersal and movement corridor for this species. Upland habitat is typically within 300 feet of breeding habitat and provides refuge for CRLF during the dry season; the Study Area is not considered upland habitat based on distance from breeding habitat (greater than 700 feet) and lack of refugia. The Study Area is also not considered dispersal habitat based upon the open and dry habitat within the Project footprint. The proposed Project does not contain habitat for CRLF, CRLF are unlikely to be present, and will avoid impacts to riparian habitat; therefore, no further measures are recommended.

Summary

Based upon a review of previous biological reports for the proposed Project and a site visit conducted on April 6, 2015, no additional measures are recommended at this time. Conditions remain similar to those described in the 2008 BRA and although the status of some plant and wildlife species has changed, no additional special-status species have the potential to be present within the Study Area. In addition, the riparian drip line has not changed and the proposed Project footprint remains outside of setbacks outlined in the LCP. No wetlands or waters are present within the Study Area. The pre-construction surveys for San Francisco dusky-footed woodrat and nesting birds recommended in the 2008 BRA remain relevant and implementation of these measures will avoid impacts to sensitive resources and species. No additional measures are recommended.

Please feel free to contact me with any questions you may have.

Sincerely,

Patricia Valcarcel
Biologist

Enclosures: Attachment A- Previous Reports: WRA 2008 and WRA 2011
Attachment B- Species Observed During the 2015 Site Assessment
Attachment C- Representative Photographs

References

California Department of Fish and Wildlife (CDFW). 2010. List of Vegetation Alliances and Associations. Vegetation Classification and Mapping Program, California Department of Fish and Game. Sacramento, CA. September.

California Department of Fish and Wildlife (CDFW). 2015. Natural Diversity Database, Wildlife and Habitat Data Analysis Branch. Sacramento.

Holland, RF. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Prepared for the California Department of Fish and Game, Sacramento, CA.

State of California Resources Agency. 2004. Oak Woodlands Conservation Act. Online at: http://www.leginfo.ca.gov/pub/03-04/bill/sen/sb_1301 1350/sb_1334_bill_20040924_chaptered.html

United States Fish and Wildlife Service (USFWS). 2010. Endangered and Threatened Wildlife and Plants: Revised Designation of Critical Habitat for California Red-legged Frog; Final Rule. Federal Register, Vol. 75, No. 51. 12815-12959.

United States Fish and Wildlife Service (USFWS). 2015. La Honda Quadrangle Species List, Sacramento Fish and Wildlife Service.

WRA, Inc. 2008. Biological Impact Form for Compliance with Local Coastal Program Policy 7.5. Prepared for Charles Floyd.

WRA, Inc. 2011. Riparian Drip Line Mapping. June 30, 2011.

Attachment A

Biological Impact Form (WRA 2008)
and
Riparian Drip Line Mapping with Hartsell Project Plan Map (WRA 2011)

This Page Left Intentionally Blank

Biological Impact Form
(for compliance with Local Coastal Program Policy 7.5)

1. Project Location

The 1.5-acre property (APN 082-130-070) is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County. The parcel is roughly bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north.

2. Assessors Parcel Number: APN 082-130-070

3. Owner/Applicant

Charles Floyd
551 Alsace Lorraine Ave.
Half Moon Bay, California 94019

4. Principal Investigator

Jeff Dreier
Senior Wildlife Ecologist
WRA, Inc.
2169-G East Francisco Blvd.
San Rafael, California 94901
415-454-8868, ext 151
415-454-0129 fax
415-519-4570 cell

5. Report Summary

In accordance with San Mateo County guidelines, WRA has completed a biological resource assessment of the San Gregorio Property located in western San Mateo County. This Biological Impact Report provides a discussion of existing biological conditions on the site, and includes an analysis of potential project-related impacts and measures to mitigate potential significant impacts.

The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, septic system, and two water lines from the house to San Gregorio Creek. The Project Area is dominated by two common plant communities: non-native annual grassland and coast live oak woodland. Riparian and wetland communities will not be impacted by the proposed project.

WRA conducted site visits to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special status plant or wildlife species, and (3) if sensitive habitats are present. Based upon a literature review, thirteen special status plant species have been documented or may occur in the vicinity of the Project Area. However, the Project Area has the potential to support none of these species due to generally unsuitable or atypical habitat conditions. Twenty-eight special status species of wildlife have been recorded or

may occur in the vicinity of the Project Area. Two special status wildlife species were observed in or adjacent to the Project Area during the site assessment: San Francisco dusky-footed woodrat (California Department of Fish and Game Species of Special Concern) and olive-sided flycatcher (U.S. Fish and Wildlife Service Bird Species of Conservation Concern). Two other California Department of Fish and Game Species of Special Concern, the Cooper's hawk and yellow warbler, have a moderate to high potential to occur in the Project Area. Federally listed species that are documented to occur, or may occur within the vicinity of the Project Area, but are unlikely to occur within the Project Area include California red-legged frog and San Francisco garter snake.

Two non-sensitive plant communities will be affected by the proposed project. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Because non-native annual grassland is an abundant habitat type in the region, and the small area within the Project Area (0.21 acre) has been regularly maintained, the impact to non-native annual grassland is considered less than significant.

A portion of the footprint of the residence may be located within the dripline of the canopy, and the removal of one or two oak trees may be necessary. However, because the residence is expected to be small (0.13 acre), and significant areas within the dripline will remain undisturbed, building within the dripline is considered a less than significant impact. Removal of one or two oak trees is not considered a significant impact.

Based on this assessment, only two wildlife species may be impacted by the proposed project: San Francisco dusky-footed woodrat and Cooper's hawk. Pre-construction surveys will determine the status of these species in the Project Area. If a woodrat nest is present and cannot be avoided, a qualified biologist will dismantle the nest by hand and relocate the nest materials to an avoided area along the ditch. If an active Cooper's hawk nest is present, an exclusion zone of a distance to be determined by the biologist will be established around the nest. No grading or construction work can be conducted within the exclusion zone until all young have become independent of the nest (generally mid-June).

6. Project and Property Description

The 1.5-acre property (APN 082-130-070) is located on State Route 84 approximately five miles east of State Route 1 in western San Mateo County. The parcel is roughly bounded by San Gregorio Creek to the south and east, and existing residential properties to the west and north.

The proposed project includes the construction of a house, and associated access road/ditch crossing, fire department turnaround area, septic system, and two water lines from the house to San Gregorio Creek. The approximate 0.23-acre site (Project Area) is set back 100 feet from the top of bank of San Gregorio Creek, and 50 feet from the property line. The proposed project is further set back 20 feet from the western property line.

Routine maintenance of the property has resulted in a park-like setting with little or no understory and a small, open, isolated field. The apparently man-made ditch

along the north boundary appears to be ephemeral and does not support riparian vegetation.

7. Methodology

In September 2000, May 2002 and February 2008, the Project Area and nearby areas were traversed on foot to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special status plant or wildlife species, and (3) if sensitive habitats are present. All plant and wildlife species encountered were recorded, and are summarized in Appendix A.

7.1 Biological Communities

Prior to the site visit, aerial photographs, topographic maps, and previous reports prepared by WRA were examined to determine if any unique soil types that could support sensitive plant communities and/or aquatic features were present in the Project Area. Biological communities present in the Project Area were classified based on existing plant community descriptions described in the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986). However, in some cases it is necessary to identify variants of community types or to describe non-vegetated areas that are not described in the literature. Biological communities were classified as sensitive or non-sensitive as defined by CEQA and other applicable laws and regulations.

7.1.1 Non-sensitive Biological Communities

Non-sensitive biological communities are those communities that are not afforded special protection under CEQA, and other state, federal, and local laws, regulations and ordinances. These communities may, however, provide suitable habitat for some special status plant or wildlife species and are identified or described in Section 8.2 below.

7.1.2 Sensitive Biological Communities

Sensitive biological communities are defined as those communities that are given special protection under CEQA and other applicable federal, state, and local laws, regulations and ordinances. Sensitive biological communities include wetlands, waters, and riparian habitats.

7.2 Special Status Species

7.2.1 Literature Review

Potential occurrence of special status species in the Project Area was evaluated by first determining which special status species occur in the vicinity of the Project Area through a literature and database search. Database searches for known occurrences of special status species focused on area within five miles of the Project Area. The following sources were reviewed to determine which special status plant and wildlife species have been documented to occur in the vicinity of the Project Area:

- California Natural Diversity Database records (CNDDB) (CDFG 2008)
- CDFG publication "California's Wildlife, Volumes I-III" (Zeiner et al. 1990)
- CDFG publication "Amphibians and Reptile Species of Special Concern in California" (Jennings 1994)
- A Field Guide to Western Reptiles and Amphibians (Stebbins, R.C. 2003)
- University of California at Davis Information Center for the Environment Distribution Maps for Fishes in California (2008)
- Biological Impact Report, San Gregorio Creek Site APN 082-130-070, San Mateo County (WRA 2002)
- Biological Impact Report, Optimist Camp Bridge Abutment Erosion Control Measures, San Gregorio Creek, San Mateo County (WRA 2000)

7.2.2 Site Assessment

A site visit was made to the Project Area to search for suitable habitats for species identified in the literature review as occurring in the vicinity. The potential for each special status species to occur in the Project Area was then evaluated according to the following criteria:

1) No Potential. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).

2) Unlikely. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.

3) Moderate Potential. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.

4) High Potential. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.

5) Present. Species is observed on the site or has been recorded (i.e. CNDDB, other reports) on the site recently.

The site assessment is intended to identify the presence or absence of suitable habitat for each special status species known to occur in the vicinity in order to determine its potential to occur in the Project Area. The site visit does not constitute a protocol-level survey and is not intended to determine the actual presence or absence of a species; however, if a special status species is observed during the site visit, its presence will be recorded and discussed. Appendix B presents the evaluation of potential for occurrence of each special status plant and wildlife species known to occur in the vicinity of the Project Area with their habitat requirements, potential for occurrence, and rationale for the classification based on criteria listed above. Recommendations for further surveys, if

necessary, are made in Section 11 below for species with a moderate or high potential to occur in the Project Area.

8. Results

8.1 Botanical Resources

8.1.1 Plant Communities

The Project Area is dominated by two common plant communities: non-native annual grassland and coast live oak woodland.

Non-native annual grassland typically occurs in open areas of valleys and foothills throughout California, usually on fine textured clay or loam soils that are somewhat poorly drained (Holland 1986). Non-native grassland is typically dominated by non-native annual grasses and forbs, along with scattered native wildflowers. This is the predominant plant community within the Project Area, but frequent maintenance of the property results in a mixture of ruderal plant species instead of the typical grasses. This area is dominated by poison hemlock (*Conium maculatum*), mustard (*Brassica* sp.), blackberry (*Rubus* sp.), and thistle (*Cirsium* sp.). Most of the typical grassland wildlife species, particularly birds, would not be found on the site due to the small area of grassland and the surrounding woodland habitats. Typical wildlife species found in very disturbed non-native grassland such as that found in the Project Area include Botta's pocket gopher (*Thomomys bottae*) and California vole (*Microtis californicus*). Other large wildlife species are likely to simply use the opening to facilitate movement along nearby San Gregorio Creek.

Coast live oak woodland is dominated by coast live oak (Quercus agrifolia) (Holland 1986). Other trees, such as California bay (*Umbellularia californica*) and California buckeye (*Aesculus californica*) may also occur in this community. The shrub layer is typically poorly developed, but may include elderberry (*Sambucus* sp.) and currants (*Ribes* sp.). Within the Project Area, this community has little or no understory as a result of regular property maintenance. Few wildlife species are expected to occur in the open understory; however, the woodland canopy provides suitable habitat for a variety of birds.

8.1.2 Special Status Plants

Based upon a review of the resources and databases given in Section 7.2.1, thirteen special status plant species have been documented or may occur in the vicinity of the Project Area. However, the Project Area has the potential to support none of these species due to generally unsuitable or atypical habitat conditions. Appendix B summarizes the potential for occurrence for each special status plant species occurring in the vicinity of the Project Area.

8.2 Zoological Resources

Twenty-eight special status species of wildlife have been recorded or may occur in the vicinity of the Project Area. Appendix B summarizes the potential for each of these species to occur in the Project Area. Two special status wildlife species were observed in the Project Area during the site assessment. Two other special status wildlife species

have a moderate to high potential to occur in the Project Area. Special status wildlife species that were observed, or have a moderate or high potential to occur in the Project Area are discussed below.

San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), CDFG Species of Special Concern. The San Francisco dusky-footed woodrat inhabits coastal sage-scrub, pinyon-juniper, dense chaparral, oak and riparian woodlands, and mixed conifer forests where a well-developed understory is present. The dusky-footed woodrat feeds on woody plants, especially live oak, maple and alder, but will also consume fungi, grasses, flowers and acorns. Foraging occurs on the ground and in bushes and trees. This species constructs characteristic stick nests in areas with moderate cover and a well-developed understory containing woody debris. Breeding takes place from December to September, with litter size averaging 2-3 young. Individuals are mostly nocturnal, and are active year round (CDFG 2005).

The San Francisco dusky-footed woodrat is a common species in western San Mateo County. It is likely to be abundant along San Gregorio Creek and its tributaries. In 2002, a stick nest was observed along the ditch located at the north boundary of the property. With the exception of the access road crossing, the proposed project avoids this ditch. No stick nests were observed in the proposed crossing area. The remainder of the Project Area does not have a well-developed understory.

Cooper's Hawk (*Accipiter cooperi*), CDFG Species of Special Concern. Cooper's hawks are well distributed and occur in varied habitats including; deciduous, mixed, and evergreen forests and riparian woodlands. This species is tolerant of human disturbance and habitat fragmentation and has been found to increasingly breed in suburban and urban areas (Curtis et al. 2006). This species nests in extensive forests, woodlots of 4–8 ha, and occasionally in isolated trees in more open areas. Nests are typically in more mature trees which have relatively more canopy cover than what is locally available (Curtis et al. 2006).

The coast live oak and California bay trees within and adjacent to the Project Area provide suitable nesting habitat for this hawk.

Olive-sided flycatcher (*Contopus cooperi)*, USFWS Bird of Conservation Concern. Olive-sided flycatchers typically occur within the coniferous forest biome, where it is most often associated with forest openings, forest edges near natural openings (e.g., meadows, canyons, rivers) or human-made openings (e.g., harvest units), or open to semi-open forest stands (Altman, 2000).

An olive-sided flycatcher was detected downstream from the site during a September 2000 assessment of a nearby parcel, suggesting that this species may nest in the vicinity of the project site; however typical tall coniferous trees often used for nesting are not located in the Project Area.

Yellow Warbler (*Dendroica petechia*), CDFG Species of Special Concern. Yellow warblers prefer dense riparian vegetation for breeding. Yellow warbler populations have declined due to brood parasitism by brown-headed cowbirds (*Molothrus ater*) and habitat destruction. Their diet is primarily insects supplemented with berries.

Willow thickets located along San Gregorio Creek provide suitable nesting habitat for yellow warblers. Because these willows are located at least 50 feet from the proposed project, it is unlikely that this species will be affected by the project.

8.2.1 Listed Species of Regional Concern

Federally listed species that are documented to occur, or may occur within the vicinity of the Project Area, but are unlikely to occur within the Project Area include California red-legged frog and San Francisco garter snake These species are discussed below.

California Red-legged Frog (*Rana aurora draytonii*), Federal Threatened, CDFG Species of Special Concern. California red-legged frog (CRLF) habitat is characterized by dense, shrubby riparian vegetation associated with deep, still or slow moving water (Jennings and Hayes, 1994). Estivation and dispersal habitat may consist of riparian vegetation, presence of small mammal burrows particularly squirrel burrows, and continuous connective stretches of grassland, wetland or oak woodland habitat. CRLF may move through upland areas between breeding and non-breeding aquatic habitats. Most of these movements are along drainage corridors; however, they may make straight line movements between more isolated aquatic features (Fellers and Kleeman 2007).

Although CRLF have been documented to occur in San Gregorio Creek both upstream and downstream of the project parcel (CDFG 2008), it is not likely to occur within the Project Area. The Project Area does not contain surface water, which is required by CRLF for either breeding or dry season survival. Also, the absence of a well-developed understory suggests that CRLF would be unlikely to use the Project Area for refuge during high flow events in the nearby stream. Finally, the Project Area does not represent a movement corridor between breeding and non-breeding aquatic habitats. Based on these considerations, CRLF are not likely to be affected by the proposed project.

San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*), Federal Threatened, State Threatened. Historically, San Francisco garter snakes occurred in scattered wetland areas on the San Francisco Peninsula from approximately the San Francisco County line south along the eastern and western bases of the Santa Cruz Mountains, at least to the Upper Crystal Springs Reservoir, and along the coast south to Año Nuevo Point, San Mateo County, and Waddell Creek, Santa Cruz County (Barry 1994). The preferred habitat of the San Francisco garter snake is a densely vegetated pond near an open hillside where they can sun themselves, feed, and find cover in rodent burrows; however, considerably less ideal habitats can be successfully occupied. Temporary ponds and other seasonal freshwater bodies are also used. Emergent and bankside vegetation such as cattails (*Typha* spp.), bulrushes (*Scirpus* spp.) and spike rushes (*Juncus* spp.and *Eleocharis* spp.) apparently are preferred and used for cover. The area between stream and pond habitats and grasslands or bank sides is used for basking, while nearby dense vegetation or water often provide escape cover. Snakes also use floating algal or rush mats, if available.

In the San Gregorio Creek watershed, the San Francisco garter snake is generally associated with pond habitat; however, individuals could use San Gregorio Creek as a movement corridor and occupy backwater pools. This snake is unlikely to occur in the

Project Area because typical aquatic habitat is absent, and property maintenance has reduced upland cover.

9. Direct and Indirect Impacts to Biological Habitats

Two non-sensitive plant communities will be affected by the proposed project. Disturbed non-native annual grassland will be permanently and temporarily disturbed by the construction of a residence and the installation of a septic system. Because non-native annual grassland is an abundant habitat type in the region, and the small area within the Project Area (0.21 acre) has been regularly maintained, the impact to non-native annual grassland is considered less than significant.

A portion of the footprint of the residence may be located within the dripline of the canopy. However, because the residence is expected to be small (0.13 acre), and significant areas within the dripline will remain undisturbed, building within the dripline is considered a less than significant impact.

One or two oak trees in the house footprint may require removal. The removal of a small number of oaks is considered a less than significant impact.

The 20-foot-wide culvert crossing of the drainage ditch and associated driveway (totaling approximately 0.02 acre) will result in the conversion of existing grassland and maintained understory to a less permeable surface. Because of the ongoing maintenance and small area of conversion, construction of the culvert/driveway is considered a less than significant impact.

The two water lines (approximately 160 and 100 feet long) will be installed between the proposed house and San Gregorio Creek. These lines will be buried in a narrow trench, and will not impact riparian vegetation along San Gregorio Creek.

It should be noted that the riparian vegetation associated with San Gregorio Creek is not located within the Project Area's building or grading footprint, and will be avoided.

10. Impacts to Special Status Species

Based on this assessment, only two wildlife species may be impacted by the proposed project: San Francisco dusky-footed woodrat and Cooper's hawk.

10.1 Impact to San Francisco Dusky-footed Woodrat

The stick nest of the San Francisco dusky-footed woodrat has been observed along the drainage ditch along the northern boundary of the property. Construction of a crossing may destroy the nests of this species. This would be considered a significant impact.

10.2 Impact to Nesting Cooper's Hawk

The coast live oak woodland provides suitable nesting habitat for the Cooper's hawk. Proposed construction could disturb nesting hawks, causing them to abandon an active nest, eggs, and young. This would be considered a significant impact.

11. Mitigation Measures

11.1 San Francisco Dusky-footed Woodrat

A qualified biologist will conduct a pre-grading survey of the proposed crossing area to determine if a woodrat nest has been constructed since the last site visit. If no woodrat nests are observed in the proposed crossing location, no further action is necessary. If a woodrat nest is present and cannot be avoided by the proposed crossing, the biologist will dismantle the nest by hand and relocate the nest materials to an avoided area along the ditch. Implementation of this mitigation measure will reduce impacts to the San Francisco dusky-footed woodrat to a less than significant level.

11.2 Cooper's Hawk

A qualified biologist will conduct a pre-construction breeding bird survey to determine if the Cooper's hawk is nesting in trees adjacent to the proposed project site. If no active nests are observed, no further action is necessary. If an active Cooper's hawk nest is present, an exclusion zone of a distance to be determined by the biologist will be established around the nest. No grading or construction work can be conducted within the exclusion zone until all young have become independent of the nest (generally mid-June). Implementation of this mitigation measure will reduce potential impacts to nesting Cooper's hawks to a less than significant level.

11. **CERTIFICATION**: I hereby certify that the statements furnished above and in attached exhibits present the data and information required for this biological evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

DATE: March 25, 2008 **SIGNED**:_____
Jeff Dreier, WRA

12. References

Altman, B., and R. Sallabanks. 2000. Olive-sided Flycatcher (Contopus cooperi). In The Birds of North America, No. 502 (A. Poole and F. Gill, eds.). The Birds of North America, Inc., Philadelphia, PA.

Barry, S.J. 1994. The distribution, habitat, and evolution of the San Francisco garter snake, *Thamnophis sirtalis tetrataenia*. Unpublished M.A. Thesis, University of California, Davis. 140 pp.

California Department of Fish and Game. 2008. Natural Diversity Data Base.

Curtis, O. E., R. N. Rosenfield and J. Bielefeldt (2006). Cooper's Hawk. (Accipiter cooperii). The Birds of North America Online (A. Poole, Ed.). Cornell Laboratory of Ornithology; Ithaca, New York. Available online at http://bna.birds.cornell.edu.

Fellers, G.M. and P.M. Kleeman. 2007. California red-legged frog (Rana draytonii) movement and habitat use: implications for conservation. Journal of Herpetology, Vol. 41, No. 2. 276-286.

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Nongame-Heritage Program. Sacramento, California

Jennings, M.R., and M.P. Hayes. 1994. Amphibian and Reptile Species of Special Concern in California. Final report submitted to the California Department of Fish and Game, Inland Fisheries Division. Rancho Cordova, Calif. Under Contract No. 8023.

Wetlands Research Associates. September 2000. Biological Impact Report, Optimist Camp Bridge Abutment Erosion Control Measures, San Gregorio Creek, San Mateo County. Prepared for Gilpin Geosciences, Inc.

WRA. 2002. Biological Impact Report, San Gregorio Creek Site APN 082-130-070, San Mateo County.

Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White. 1990. California's Wildlife, Volumes I-III. California Statewide Wildlife Habitat Relationships System, California Department of Fish and Game, Sacramento.

APPENDIX A. Wildlife species observed on or immediately adjacent to the project site during the biological assessment conducted in May 2002 and February 2008, and during an assessment of adjacent property in September 2000.

Common Name	**Species**	**Seasonal Status**	**Comments**
MAMMALS			
dusky-footed woodrat	*Neotoma fuscipes*	resident	Stick nests present along north boundary tributary
BIRDS			
red-shouldered hawk	*Buteo lineatus*	resident	Adult calling frequently in area of bridge; suitable nest trees present
Allen's hummingbird	*Selasphorus sasin*	summer	Common in region
northern flicker	*Colaptes auratus*	resident	Calls heard from riparian woodland
olive-sided flycatcher	*Contopus cooperi*	summer	Calls heard downstream from bridge
western wood pewee	*Contopus sordidulus*	summer	Calls heard upstream from site
Pacific-slope flycatcher	*Empidonax difficilis*	summer	Calls heard in riparian habitat
Hutton's vireo	*Vireo huttoni*	resident	Calls heard in oaks near site
Steller's jay	*Cyanocitta stelleri*	resident	Several individuals in vicinity
tree swallow	*Tachycineta bicolor*	summer	Several observed soaring over area
violet-green swallow	*Tachycineta thalassina*	summer	Several observed flying above canopy
chestnut-backed chickadee	*Poecile rufescens*	resident	Observed in riparian vegetation
bushtit	*Psaltriparus minimus*	resident	Pair observed along north side of property
Wilson's warbler	*Wilsonia pusilla*	summer	Male observed in riparian woodland
California towhee	*Pipilo crissalis*	resident	Common in region; observed along access road
song sparrow	*Melospiza melodia*	resident	Associated with dense riparian vegetation
dark-eyed junco	*Junco hyemalis*	resident	Observed foraging along north edge of study area
black-headed grosbeak	*Pheucticus melanocephalus*	summer	Territorial male singing in riparian woodland

Common Name	**Species**	**Seasonal Status**	**Comments**
purple finch	*Carpodacus purpureus*	resident	Several territorial males in the vicinity
lesser goldfinch	*Carduelis psaltria*	resident	Small flock foraging in weedy grassland
REPTILES			
western fence lizard	*Sceloporus occidentalis*	resident	Common among woody debris on site

APPENDIX B. Special status species that are known to occur or may occur in San Mateo County in habitats similar to those observed within the Project Area. List compiled from a review of the CDFG Natural Diversity Data Base (2008) and other CDFG lists and publications (Jennings and Hayes 1994; Zeiner et al. 1990).

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
PLANTS				
Agrostis blasdalei, Blasdale's bent grass	1B	Coastal dunes, coastal bluff scrub, coastal prairie. Found on sandy or gravelly soil close to rocks; often in nutrient-poor soil with sparse vegetation at elevations of 5-150m.	**Unlikely**. This species' typical habitats do not occur in Project Area. Sandy and gravelly soils are not present.	No further actions necessary
Arctostaphylos montaraensis, Montara manzanita	1B	Chaparral, coastal scrub. Found on slopes and ridges at elevations of 150-500m. Endemic to San Mateo County.	**Not Present**. This species' typical habitats do not occur in Project Area. No manzanita shrubs observed in Project Area.	No further actions necessary
Arctostaphylos andersonii, Santa Cruz manzanita	1B	Broadleaved upland forest, chaparral, North Coast coniferous forest. Found on open sites and redwood forest at elevations of 180-800m. Known only from Santa Cruz Mountains.	**Not Present**. This species' typical habitats do not occur in Project Area. No manzanita shrubs observed in Project Area.	No further actions necessary
Chorizanthe cuspidata var. *cuspidata*, San Francisco Bay spineflower	1B	Coastal Bluff scrub, coastal dunes, coastal prairie, coastal scrub. Found on terraces and slopes in sandy soil at elevations of 5-550m.	**Unlikely**. This species' typical habitats, including coastal sandy substrates, do not occur in Project Area.	No further actions necessary

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Dirca occidentalis, western leatherwood	1B	Broadleafed upland forest, chaparral, closed-cone coniferous forest, cismontane woodland, North Coast coniferous forest, riparian forest, riparian woodland. Found on brushy slopes, mesic sites mostly in mixed evergreen and foothill woodland communities at elevations of 30-550m.	**Not Present**. Project Area is not dominated by plant communities typical of this plant. No leatherwood shrubs observed in Project Area.	No further actions necessary
Eriophyllum latilbum, San Mateo woolly sunflower	FE, SE, 1B	Cismontane woodland. Found on and off of serpentine, often on roadcuts at elevations of 45-150m. Endemic to San Mateo County. Elevation;	**Unlikely**. This species' typical serpentine soil habitats do not occur in Project Area.	No further actions necessary
Erysimum ammophilum, coast wallflower	1B	Maritime chaparral, coastal dunes, coastal scrub Found in sandy openings at elevations of 0-130m.	**Unlikely**. Sandy openings in coastal habitats are not present in the Project Area.	No further actions necessary
Grindelia hirsutula var. *maritima*, San Francisco gumplant	1B	Coastal scrub, coastal bluff scrub, valley and foothill grassland. Found on sandy or serpentine slopes and sea bluffs at elevations of 15-400m.	**Unlikely**. This species' typical sandy or serpentine habitats do not occur in Project Area.	No further actions necessary
Horkelia cuneata ssp. *sericea*, Kellogg's horkelia	1B	Closed-cone, coniferous forest, coastal scrub, chaparral. Found in openings on old dunes, coastal sand hills at elevations of 10-200m.	**Unlikely**. This species' typical habitats, including old dunes and sand hills do not occur in Project Area.	No further actions necessary
Limnanthes douglasii ssp. *sulphurea*, Point Reyes meadowfoam	1B	Freshwater marsh, vernal pools, coastal prairie and meadows, typically in dark clay soil at elevations of 10-120m.	**Unlikely**. This species' typical seasonal wetland habitats do not occur in Project Area.	No further actions necessary

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Potentilla hickmanii, Hickman's cinquefoil	FE, SE, 1B	Coastal bluff scrub, closed-cone coniferous forest, meadows and seeps, marshes and swamps. Found in freshwater marshes, seeps, and small streams in forested areas along the coast at elevations of 5-125m.	**Unlikely**. This species' typical wetland habitats do not occur in Project Area.	No further actions necessary
Silene verecunda ssp. *verecunda*, San Francisco campion	1B	Coastal scrub, valley and foothill grassland, coastal bluff scrub, chaparral, coastal prairie. Found on open slopes and exposed outcrops of mudstone or shale; one site on serpentine at elevations of 30-645m.	**Unlikely**. Rock outcrops do not occur in Project Area.	No further actions necessary
Stebbinsoseris decipiens, Santa Cruz microseris	1B	Broadleafed upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub. Found on coastal bluffs and slopes in open areas in loose or disturbed soil with low growing vegetation at elevations of 10-500m.	**Unlikely**. This species' typical forest and scrub habitats do not occur in Project Area.	No further actions necessary
MAMMALS				
Pallid bat *Antrozous pallidus*	CSC	Day roosts in outcrops, mines, caves, hollow trees, buildings, and bridges; night roosts under bridges, in caves, and mines.	**Unlikely**. Trees within the Project Area have not developed suitable hollows for roosting.	No further actions necessary.
Townsend's big-eared bat *Corynorhinus townsendii*	CSC	Caverns are preferred for day roosts, but night roosts can include bridges and other open settings.	**Unlikely**. Cavern-like roost habitat is not present in the Project Area.	No further actions necessary.
Fringed myotis *Myotis thysanodes*	WBW G-H	Day roosts in caverns, trees, and buildings. Majority of roosts documented in California have been in buildings or mines.	**Unlikely**. Trees within the Project Area have not developed suitable hollows for roosting.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Long-legged myotis *Myotis volans*	WBW G-H	Hollow trees, crevices, caverns, and buildings provide day roost habitat; night roosts are usually caverns.	**Unlikely**. Trees within the Project Area have not developed suitable hollows for roosting.	No further actions necessary.
Western mastiff bat *Eumops perotis*	CSC	Usually roosts in cliffs, cracks, and buildings.	**Unlikely.** Cliff faces and building roost sites are not found within the Project Area.	No further actions necessary.
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	CSC	Frequents deciduous, coniferous, and riparian woodlands and adjacent scrub habitats.	**Present**. Stick nests were observed along the north boundary tributary.	Conduct survey in area of access crossing of drainage ditch. If present, qualified biologist will dismantle nest and relocate materials to undisturbed site.
BIRDS				
Cooper's hawk *Accipiter cooperi*	CSC	Uses many habitats in winter and during migration; nests in deciduous and coniferous woodlands. Usually not found without dense tree stands, or patchy woodland habitat.	**Moderate Potential**. Trees on and near site provide suitable breeding habitat.	Pre-ground disturbance nesting surveys during the breeding season (March through July).
Sharp-shinned hawk *Accipiter striatus*	CSC	Uses many habitats in winter and during migration; breeds in oak, conifer, and riparian forests.	**Unlikely**. Woodland habitats near site provide suitable wintering habitat; however, this species tends to nest in more forested habitats.	No further actions necessary.
Golden eagle *Aquila chrysaetos*	CSC, CFP	Uses many habitats for foraging; breeds in cliffs or in remote large trees and structures.	**Unlikely**. Human activity in the vicinity of the Project Area likely precludes nesting attempts.	No further actions necessary.
Northern harrier *Circus cyaneus*	CSC	Found in open grasslands, prairies, and marshes. Tend to nest near water.	**Unlikely**. Typical open habitats not present in the Project Area.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
White-tailed kite *Elanus leucurus*	CFP	Year-long resident of coastal and valley lowlands; rarely found away from agricultural areas. Preys on small diurnal mammals and occasional birds, insects, reptiles, and amphibians.	**Unlikely**. Edge habitats for nesting and open areas for foraging are not present in the Project Area.	No further actions necessary.
Prairie falcon *Falco mexicanus*	CSC	Found in arid and semi-arid plains, this is a falcon of open country which nests on rock cliffs in river gorges and occasionally in timbered mountains. Nests are often scraped on ledges although old stick nests of ravens or others raptors will be used.	**Not Present**. Typically occurs in more open, tree-less habitats.	No further actions necessary.
Peregrine falcon *Falco peregrinus*	SE	Winters throughout lower elevations in California. Requires protected cliffs and ledges for cover. Feeds on a variety of birds, and some mammals, insects, and fish.	**Not Present**. Typically occurs in more open, tree-less habitats.	No further actions necessary.
Long-eared owl *Asio otus*	CSC	Prefer riparian groves, planted woodlots, and belts of live oaks paralleling stream courses.	**Unlikely**. Regular human disturbance associated with nearby residences likely preclude nesting attempts.	No further actions necessary.
Vaux's swift *Chaetura vauxi*	CSC	Forages over most terrains and habitats, often high in the air. Most important habitat requirement appears to be large hollow trees for nest sites.	**Unlikely**. May forage over site, but large nest trees are not present.	No further actions necessary.
Rufous hummingbird *Selasphorus rufus*	BCC	Uses riparian areas, open woodlands, chaparral, mountain meadows, and other habitats rich in nectar-producing flowers.	**Unlikely**. Does not breed in San Mateo County; would only occur during northward migration in spring.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Olive-sided flycatcher *Contopus cooperi*	BCC	Mixed conifer, montane hardwood-conifer, Douglas-fir, redwood, red fir and lodgepole pine. Requires large, tall trees, usually conifers for nesting and roosting.	**Present.** Calls heard downstream from site indicate that this species may breed near the Project Area.	No further actions necessary. The Project Area does not contain typical breeding habitat (large tall conifers). Although breeding may occur nearby, the proposed project will not impact the species.
Purple martin *Progne subis*	CSC	Frequents old-growth, multi-layered, open forest and woodland with snags in the breeding season.	**Unlikely**. Large snags for nest sites are not present on the site; may forage in the vicinity of the bridge.	No further actions necessary.
California yellow warbler *Dendroica petechia brewsteri*	CSC	Breeds in riparian woodlands, particularly those dominated by willows and cottonwoods.	**Moderate Potential**. Suitable breeding habitat occurs in willow scrub near Project Area.	No further actions necessary. The Project Area does not contain typical breeding habitat (willow thickets). Although breeding may occur nearby, the proposed project will not impact the species.
Yellow-breasted chat *Icteria virens*	CSC	Frequents dense, brushy thickets and tangles near water, and thick understory in riparian woodland.	**Unlikely**. Denser thickets of riparian vegetation near the Project Area may provide habitat during migration, but suitable habitat within the proposed Project Area is not present..	No further actions necessary.
AMPHIBIANS AND REPTILES				

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
California red-legged frog *Rana aurora draytonii*	FT, CSC	Ponds, pools, or in slow-moving perennial to ephemeral streams, where water remains long enough for breeding and development of young. Emergent or shoreline riparian vegetation closely associated with deep, still, or slow-moving water is the preferred but not essential habitat.	**Unlikely**. The Project Area does not contain breeding and/or non-breeding aquatic habitat.	No further actions necessary.
Foothill yellow-legged frog *Rana boylii*	CSC	Generally associated with rocky streams with open riparian canopies.	**Not Present**. Open gravel bars and a substrate of gravel and cobbles are not present in the Project Area.	No further actions necessary.
Western pond turtle *Clemmys marmorata*	CSC	Preferred habitat is low-flow regions of rivers, channels, and backwater areas, and ponds. Deep, still water with abundant emergent woody debris, overhanging vegetation and rocky outcrops is optimal for basking and thermoregulation.	**Unlikely**. Aquatic habitat is not found within the Project Area.	No further actions necessary.
San Francisco garter snake *Thamnophis sirtalis tetrataenia*	FE, SE	Ponds, lakes, reservoirs, streams, and drainage ditches, that are bordered at least partially by dense emergent or riparian vegetation, and nearby grasslands and brush.	**Unlikely**. Project Area does not contain suitable aquatic and margin foraging habitat.	No further actions necessary.
FISH				

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Coho salmon-Central California ESU *Oncorhynchus kisutch*	FT, SE	Adults enter coastal streams to spawn in clean gravels. Juvenile rearing habitat is typically cool, clear streams with abundant woody debris or overhanging vegetation.	**Not Present**. Aquatic habitat is not present in the Project Area. Adults may migrate in San Gregorio Creek upstream past the site in winter/early spring. Smolts would move downstream during the same time.	No further actions necessary.
Steelhead-Central California Coast ESU *Oncorhynchus mykiss*	FT	Adults spawn in cool streams with a substrate of clean gravel and cobbles. Juveniles remain in the stream for one or more years before migrating to the sea.	**Not Present.** Aquatic habitat is not present in the Project Area. Adults migrate upstream past the site in winter/early spring. Smolts would move downstream during the same time.	No further actions necessary.
INVERTEBRATES				
Myrtle's silverspot *Speyeria zerene myrtleae*	FE	Habitats include conifer woodland, sagebrush, meadows, and coastal dunes. Host plants are several species of *Viola*.	**Unlikely**. Reported to be extinct in San Mateo County (Scott 1986).	No further actions necessary.
Smith's blue *Euphilotes enoptes smithi*	FE	Typical habitat is coastal scrub; host plants are *Eriogonum latifolium* and *E. parvifolium*.	**Unlikely.** Suitable scrub habitat and associated host plant not present on site.	No further actions necessary.

Species	Status	Typical Habitat	Potential for Occurrence in the Project Area	Recommendations for Further Action
Key to Status:				
FE	Federal Endangered			
FT	Federal Threatened			
SE	State Endangered			
ST	State Threatened			
CSC	CDFG Species of Special Concern			
CFP	CSDF Fully Protected Species			
BCC	USFWS Birds of Conservation Concern			
WBWG-H	Western bat Working Group High Priority Species			
1B	CNPS List of rare or endangered plants in California and elsewhere			

Appendix C. The project footprint is limited to maintained open ground dominated by non-native weedy vegetation. Only one or two oaks may need to be removed in the footprint of the residence.

wra
ENVIRONMENTAL CONSULTANTS

ENVIRONMENTAL CONSULTANTS

June 30, 2011

Charles Floyd
551 Alsace Lorraine Ave.
Half Moon Bay, California 94019

RE: Riparian Drip Line Mapping

Dear Mr. Floyd,

On June 24 and 29, 2011, WRA collected data to map the riparian drip line along San Gregorio Creek on the Floyd Residence Property (APN 082-130-060/070). The location of the riparian drip line was measured at 30 locations from the top of bank of San Gregorio Creek. In addition, the tree species was documented at each point. Each point was then plotted on the Hartsell map (attached). Due to the locally dense cover of oaks on and adjacent to the site, the drip line could not be identified on aerial photographs.

The mean distance from the top of bank and drip line was 49 feet; the distance ranged from 10 to 85 feet. The dominant tree cover along the drip line was alder (*Alnus* sp.) (40 percent) and boxelder (*Acer negundo*) (30 percent). The remaining 30 percent consisted of willow (*Salix* sp.), California bay (*Umbellularia californica*), and dogwood (*Cornus* sp.). The understory was dominated by non-natives, including poison hemlock (*Conium maculatum*), thistles (*Cirsium* sp.), and stinging nettle (*Urtica* sp.)

Based on the mapping, the distance between the drip line and closest point of the proposed residence exceeds 50 feet. The nearest proposed well site is approximately 30 feet from the drip line. These distances are in compliance with San Mateo County Local Coastal Program riparian corridor policies.

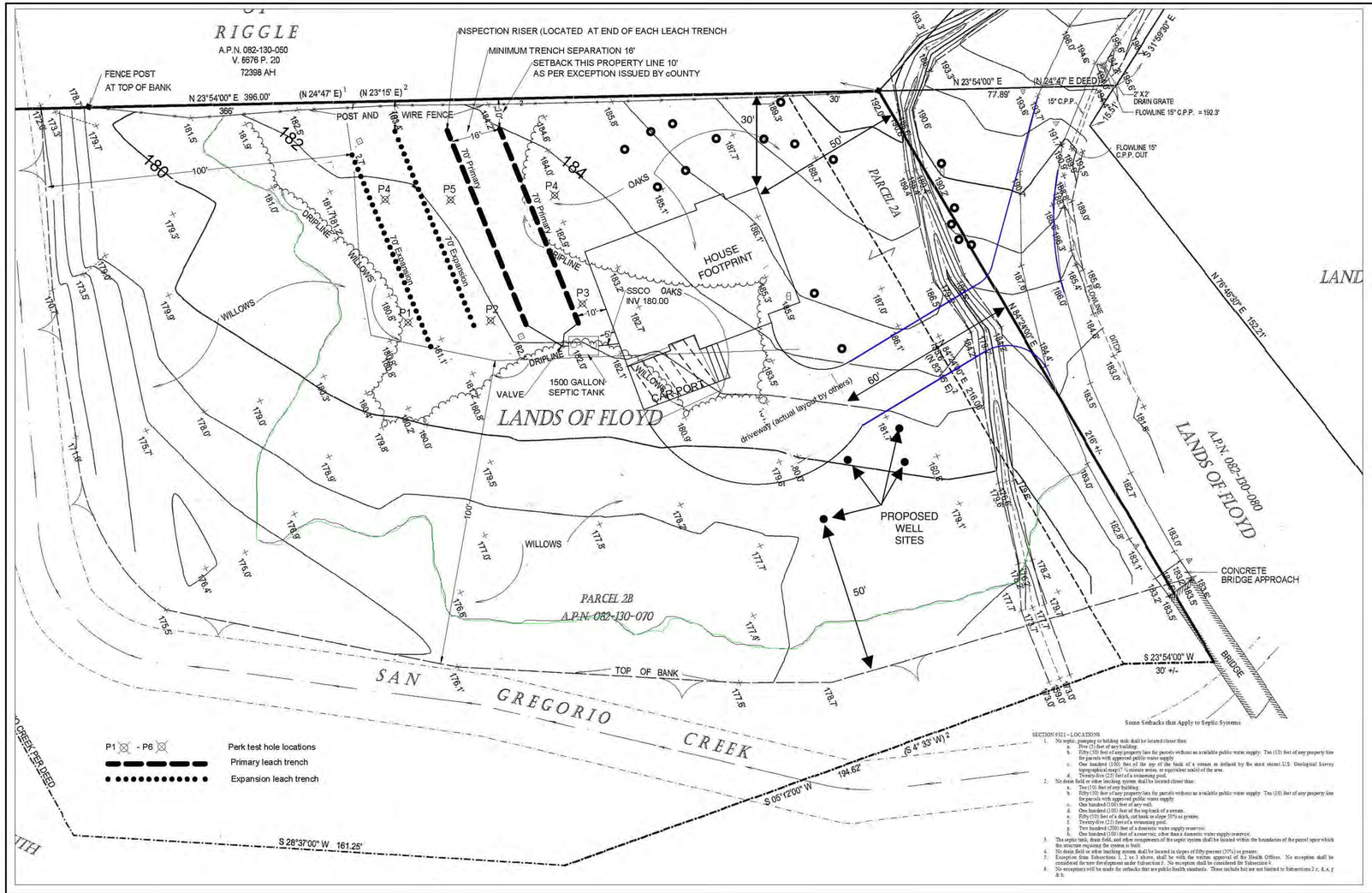
Please let me know if you have any questions.

Sincerely,

Jeff Dreier
Associate Principal Wildlife Ecologist

2169-G East Francisco Blvd., San Rafael, CA 94901 (415) 454-8868 tel (415) 454-0129 fax info@wra-ca.com www.wra-ca.com

This Page Left Intentionally Blank



Some Setbacks that Apply to Septic Systems

SECTION 9121 – LOCATIONS

1. No septic, pumping or holding tank shall be located closer than:
   a. Five (5) feet of any building.
   b. Fifty (50) feet of any property line for parcels without an available public water supply. Ten (10) feet of any property line for parcels with approved public water supply.
   c. One hundred (100) feet of the top of the bank of a stream as defined by the most recent U.S. Geological Survey topographical map (7 ½ minute series, or equivalent scale) of the area.
   d. Twenty-five (25) feet of a swimming pool.
2. No drain field or other leaching system shall be located closer than:
   a. Ten (10) feet of any building.
   b. Fifty (50) feet of any property line for parcels without an available public water supply. Ten (10) feet of any property line for parcels with approved public water supply.
   c. One hundred (100) feet of any well.
   d. One hundred (100) feet of the top bank of a stream.
   e. Fifty (50) feet of a ditch, cut bank or slope 50% or greater.
   f. Twenty-five (25) feet of a swimming pool.
   g. Two hundred (200) feet of a domestic water supply reservoir.
   h. One hundred (100) feet of a reservoir, other than a domestic water supply reservoir.
3. The septic tank, drain field, and other components of the septic system shall be located within the boundaries of the parcel upon which the structure requiring the system is built.
4. No drain field or other leaching system shall be located in slopes of fifty percent (50%) or greater.
5. Exception from Subsections 1, 2, or 3 above, shall be with the written approval of the Health Officer. No exception shall be considered for new development under Subsection 5. No exception shall be considered for Subsection 6.
6. No exceptions will be made for setbacks that are public health standards. Those include but are not limited to Subsections 2.c, d, e, f & h.

SAN MATEO COUNTY
ENVIRONMENTAL HEALTH SERVICES DIVISION

MEASUREMENTS

36 HOUR INTERVALS	READINGS	HOLE #1	HOLE #2	HOLE #3	HOLE #4	HOLE #5	HOLE #6
8:00	FINISH	1/4	15 3/16	14 3/16	1/4	14 7/16	13 3/16
1	START	7 13/16	8 3/16	7	6	8	6
	DIFF.	6 3/16	7	7 3/16	6	6 7/16	7 3/16
	FINISH	13 3/4	13 7/16	15 3/16	13 7/16	13 7/16	12 3/16
2	START	4 5/16	5 7/16	7 1/16	5 7/16	8 1/16	7 1/16
	DIFF.	9 7/16	8	8 1/16	8	5 3/8	5 3/16
	FINISH	12 5/16	13 3/16	14	14	13 3/16	12 3/16
3	START	4 7/16	5 3/16	6 7/16	5 3/16	7 3/16	5 7/16
	DIFF.	7 15/16	8	7 9/16	8 13/16	6	6 3/4
	FINISH	12 7/16	13 3/16	13 3/4	14 3/16	12 7/16	12
4	START	4 7/16	5	4 7/16	5 3/16	9 1/16	7 1/16
	DIFF.	8	8 3/16	9 5/16	9	3 3/8	4 15/16
	FINISH	12	13 3/16	13 3/4	14	12 3/16	12 1/16
5	START	3 7/16	4	4 1/16	4 7/16	9	7 1/16
	DIFF.	8 9/16	9 3/16	9 11/16	9 9/16	3 3/16	4 15/16
	FINISH	11 7/16	13 3/16	13 3/4	14	12 3/16	12 1/16
6	START	2 15/16	4	4 1/16	4 7/16	9	7 1/16
	DIFF.	8 1/2	9 3/16	9 11/16	9 9/16	3 3/16	4 15/16
	FINISH	11 7/16	13 3/16	13 3/4	14	12 3/16	12 1/16
7	START	2 15/16	4	4 1/16	4 7/16	9	7 1/16
	DIFF.	8 1/2	9 3/16	9 11/16	9 9/16	3 3/16	4 15/16
	FINISH	11 7/16	13 3/16	13 3/4	14	12 3/16	12 1/16
8	START	2 15/16	3 15/16	4 1/16	4 7/16	9	7 1/16
	DIFF.	8 1/2	9 3/16	9 11/16	9 9/16	3 3/16	4 15/16

11A" rate per Bill.

SITE INFORMATION

Site Address: LA HONDA RD, SC APN: 082-130-070
Size Of Parcel: 2 ACRES +/- Subdivision Number:
Soil Log: SANDY LOAM Water Source: PUBLIC
Depth To Ground Water: NO WATER AT 11' DRY
Wet Weather Testing Required? ☐ YES ☒ NO
Tested By: Con Law Tester #: 01
Observed in Field By: Date: 10/26/2007
G:\FORMS\Perc2.doc rev. 05/18/97

Mar 02 11 08:29a HELP U SELL FLOYD REALTY (650) 501-1021 p.1

SAN MATEO COUNTY
HEALTH SYSTEM

May 7, 2010 APN 082-130-070

Charles Floyd
551 Alsace Lorraine
Half Moon Bay, CA 94019

Dear Mr. Floyd:

SUBJECT: EXCEPTION TO SAN MATEO COUNTY ORDINANCE CODE, LA HONDA ROAD PARCEL 082-130-070, SAN GREGORIO, CALIFORNIA

Environmental Health has received your request for an exception to San Mateo County Ordinance Code. The requested exception would allow installation of septic drainfield leach trenches approximately 10 feet from the property line common to APN 082-130-050, rather than the 50 feet required in County Ordinance Code for septic systems. Under Section 9311 of the Septic Ordinance, an exception may be granted by Environmental Health under the following conditions:

- The exception will not harm the public health, safety and welfare of the people of San Mateo County;
- Due to special conditions or exceptional circumstances of the property, its location or surroundings, a literal enforcement of the Chapter would result in unnecessary hardship;
- The hardship was not caused with the intent to avoid the requirements of this Chapter.

The Environmental Health Land Use Committee met to evaluate your request. Based on the information provided, the committee recommends the issuance of the requested exception.

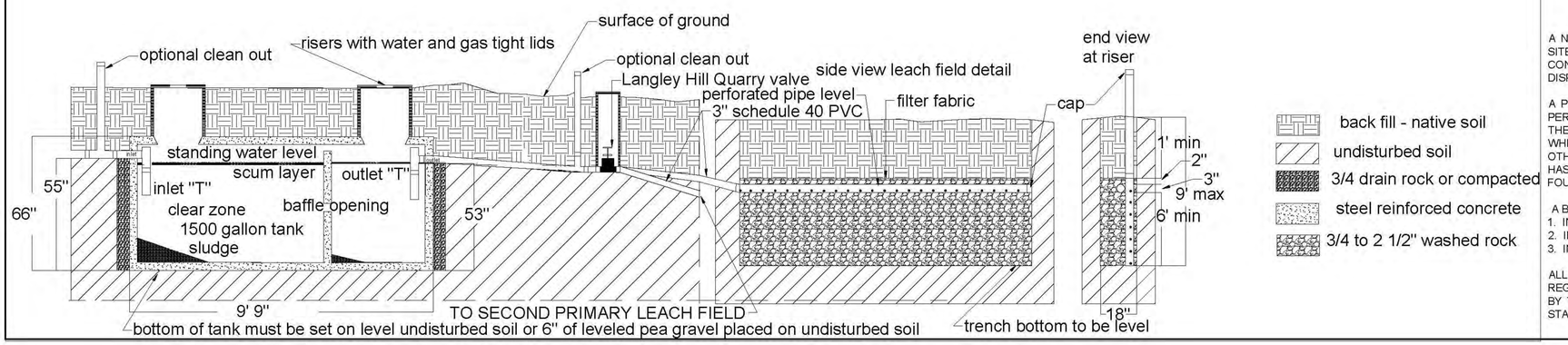
I am pleased to inform you that your **exception has been approved** given the following conditions.

- Granting this exception in no way is approval of the schematic location of the septic leach lines drawn on the figure received December 7, 2009 with the request for exception.
- A 100 foot setback from **top bank of creek** must be maintained. It appears the setback shown on the figure submitted with the request for exception is from edge of creek; not top bank of creek.

All other codes, regulations and policies are to remain in force. If you have any questions, please call Greg Smith at (650) 372-6279.

Sincerely,

Dean D. Peterson, PE, REHS
Director Environmental Health
COMMUNITY HEALTH • ENVIRONMENTAL HEALTH
Board of Supervisors: Mark Church • Rose Jacobs Gibson • Richard S. Gordon • Carole Groom • Adrienne Tissier
Health System Chief: Joe S. Naso
2000 Alameda de las Pulgas, Suite 100 • San Mateo, CA 94403 • PHONE 650.372.6200 • CA RELAY 711 • FAX 650.627.8244
www.smhealth.org



PROJECT DISCUSSION AND SCOPE OF WORK

A NEW SINGLE FAMILY RESIDENCE IS PROPOSED FOR CONSTRUCTION ON THIS SITE. THIS PLAN SHOWS HOW AND WHERE THE SEPTIC SYSTEM WILL BE CONSTRUCTED THAT WILL SERVE AS THE METHOD OF SEWER TREATMENT AND DISPOSAL.

A PERCOLATION TEST WAS PERFORMED ON THIS SITE THAT PRODUCED AN "A" PERK RATE. AT THIS RATE FOUR 70' LONG LEACH TRENCHES ARE REQUIRED FOR THE LEACH FIELD TO SERVE THE PROPOSED THREE BEDROOM HOME - TWO OF WHICH MUST BE INSTALLED AND ARE KNOWN AS PRIMARY LEACH TRENCHES. THE OTHER TWO TRENCHES WILL BE INSTALLED IF EVER NEEDED. THE SEPTIC TANK HAS A CAPACITY OF 1500 GALLONS AND IS LARGE ENOUGH TO SERVE UP TO A FOUR BEDROOM HOME.

A BRIEF SUMMARY OF THE SCOPE OF WORK FOLLOWS:
1. INSTALL SEPTIC TANK AND VALVE AS SHOWN.
2. INSTALL TIGHT LINE PIPE AS SHOWN.
3. INSTALL PRIMARY LEAH FIELD TRENCHES AS SHOWN.

ALL WORK AND MATERIALS MUST MEET OR EXCEED COUNTY OF SAN MATEO REGULATIONS AND POLICIES, AND MUST BE PERFORMED UNDER PERMITS ISSUED BY THE COUNTY. ALL WORK MUST BE INSPECTED AND APPROVED BY COUNTY STAFF BEFORE IT IS COVERED.

S.R. Hartsell, REHS
P.O. Box 342
Pacifica, CA 94044
srhartsell @hotmail.com (650) 888-2419

Septic System Plan

Floyd Residence
APN 082-130-060/070

February 25, 2011

scale as noted

by srh

page

septic

1 0f 1

Attachment B

List of Observed Species

This Page Left Intentionally Blank

Attachment B. Plant and wildlife species observed in the Study Area during the April 6, 2015 site visit.

Scientific Name	Common Name
Plants	
Acer negundo	Ash-Leaf Maple
Aesculus californica	California buckeye
Alnus sp.	alder
Arbutus menziesii	Pacific madrone
Artemesia californica	mugwort
Baccharis pilularis	coyote brush
Bromus diandrus	ripgut brome
Bromus hordeaceus	Soft Brome
Carex barbarae	Santa Barbara Sedge
Conium maculatum	Poison-Hemlock
Delairea odorata	cape ivy
Festuca arundinacea	tall fescue
Fragaria vesca	Woodland Strawberry
Fumaria sp.	fumitory
Galium aparine	Sticky-Willy
Geranium dissectum	cut-leaf geranium
Iris douglasiana	Douglas iris
Juncus patens	Spreading Rush
Lonicera japonica	Japanese Honeysuckle
Myosotis latifolia CULTIVAR/WAIF (JM2)	Woodland Forget-Me-Not
Phalaris aquatica	Harding Grass
Quercus agrifolia	coast live oak
Ribes sp.	Gooseberry
Rubus ursinus	Pacific Dewberry
Salix lasiolepis	Arroyo Willow
Sanicula crassicaulis	Pacific sanicle
Scrophularia sp.	bee plant
Silybum marianum	milkthistle
Symphoricarpos albus	common snowberry
Toxicodendron diversilobum	poison oak
Umbellularia californica	California-Laurel
Woodwardia fimbriata	Giant Chain Fern

Scientific Name	Common Name
Birds	
Baeolophus inornatus	oak titmouse
Sayornis nigricans	black phoebe
Poecile rufescens	chestnut-backed chickadee
Aphelocoma californica	western scrub jay
Corvus brachyrhynchos	American crow
Callipepla californica	California quail
Psaltriparus minimus	bushtit
Chamaea fasciata	wrentit (heard off-property)
Oreothlypis celata	orange-crowned warbler (heard off-property)
Melospiza melodia	song sparrow
Sitta carolinensis	white-breasted nuthatch
Calypte anna	Anna's hummingbird
Picoides villosus	hairy woodpecker
Contopus cooperi	olive-sided flycatcher (heard off-property)
Mammals	
Thomomys bottae	Botta's pocket gopher
Odocoileus hemionus	mule deer
Sciurus griseus	Western gray squirrel

Attachment C

Representative Photographs

This Page Left Intentionally Blank

Above: Study Area view from north property line, facing south.

Below: Ditch running along north property line in Study Area, facing east.

Photographs taken April 6, 2015.

wra
ENVIRONMENTAL CONSULTANTS

Above: Non-native grassland within Study Area where Project footprint is proposed.

Below: Riparian canopy along eastern property line.

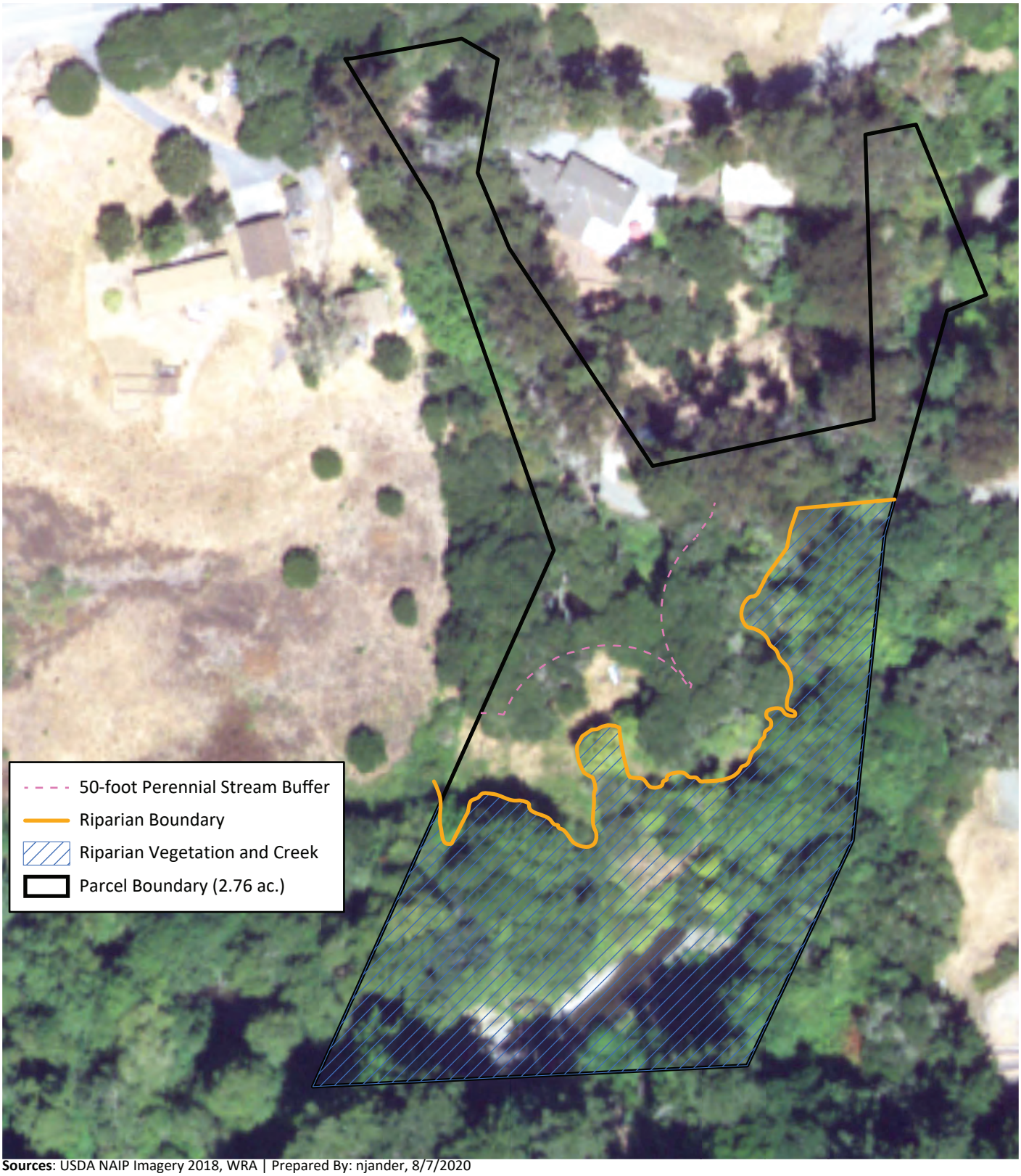
Photographs taken April 6, 2015.

wra
ENVIRONMENTAL CONSULTANTS

Attachment B

Limits of Riparian Vegetation in 2020 and Associated

Setback Map



Path: L:\Acad 2000 Files\12000\12060\GIS\ArcMap\12060_base_20200727\12060_base_20200727.aprx

Sources: USDA NAIP Imagery 2018, WRA | Prepared By: njander, 8/7/2020

Attachment B. Riparian Dripline and Associated Setback for APN 082-130-250

Floyd APN 082-130-250
San Gregorio, San Mateo County

0 50 100 Feet

N

wra
ENVIRONMENTAL CONSULTANTS

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM 8

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: March 8, 2021

TO: Agricultural Advisory Committee

FROM: Laura Richstone, Planning Staff, LRichstone@smcgov.org

SUBJECT: Consideration of an Agricultural Preserve and California Land Conservation (Williamson) Act Contract for a 426.6-acre parcel located just north of the San Mateo/Santa Cruz County lines at 640 Cabrillo Highway in the unincorporated Pescadero area of San Mateo County.

County File Number: PLN 2020-00166 (Hudson/Coastways Ranch)

PROPOSAL

The applicant, Charles Hudson, is requesting to establish an Agricultural Preserve and the execution of a California Land Conservation (Williamson) Act contract on a 426.6-acre parcel. The parcel extends across Cabrillo Highway and is bordered to the north by Año Nuevo Creek, the Pacific Ocean to the west and Santa Cruz County to the east.

The parcel contains 16.3-acres of prime agricultural lands, 410.3-acres of non-prime agricultural lands, and is developed with a main ranch house, five residential cabins, one shop, one barn, nine storage sheds, one washroom, and three water tanks. Currently 83-acres are leased to Swanton Berry Farms. Approximately 6-acres are planted with berries on trellises. The remainder of the farmed area is rotated between strawberries, vegetables, and cover crops and vary in location year to year. As of January 2020, approximately 32-acres were planted with berries, 20-acres with vegetables, and 31-acres to cover crops.

DECISION MAKER

Board of Supervisors

QUESTIONS FOR THE AGRICULURAL ADVISORY COMMITTEE

1. Does the Agricultural Advisory Committee recommend to the Planning Commission and Board of Supervisors that the establishment of the Agricultural Preserve is consistent with the General Plan, Planned Agricultural District/Coastal Development District, California Land Conservation Act, and San Mateo County Land Conservation Act Uniform Rules and Procedures?

2. Does the Agricultural Advisory Committee recommend to the Planning Commission and Board of Supervisors that the County enter into a California Land Conservation (Williamson Act) contract with the landowner?

BACKGROUND

Report Prepared By: Laura Richstone, Project Planner

Applicant: Charles Hudson

Owner: Coastways Ranch, Inc.

Location: 640 Cabrillo Highway, Pescadero

APN: 089-230-420

Parcel Size: 426.6-acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: Not contracted; Not within an Agricultural Preserve.

Existing Land Use: Berries, cover crops, vegetables, cow pasture, one main house, five cabins, and other ancillary agricultural buildings and structures.

Water Supply: Surface water from onsite creeks:

- Permit No. 7334, Lic. No. 4955; Dated January 21, 1958 allowing a diversion of 0.25 cubic feet/second from Elliott Creek
- Permit No. 1653, Lic. No. 6323; Dated June 5, 1961 allowing a diversion of 0.69 cubic feet/second and 76 acre-feet/year of diversion and storage from January 1 to May 31 of each year.
- Permit No. 17355, License no. 11542; Dated February 16, 1977 diversion of water from Finney Creek for stock and domestic use.

Sewage Disposal: Existing septic systems.

Flood Zone: Multiple. Zone X (area of minimal flooding) for the vast majority of the parcel, Zone A (floodplain; no base flood elevations established) along the western portions of Finney and Elliot Creeks and Año Nuevo Creek parallel to Highway 1; and Zone VE (1 percent change of annual flooding and associated wave hazards) along the coastal bluff portion of the parcel FEMA FIRM panel number 06081C0506F, effective

August 2, 2017 and FEMA FIRM panel number 06081C0470E, effective October 16, 2012.

Environmental Evaluation: Categorically exempt pursuant to California Environmental Quality Act Section 15317, Class 17 *Open Space Contracts or Easements* which exempts the establishment of agricultural preserves.

Setting: The parcel is 28 miles south of half Moon Bay at the southern tip of the County and is border by Santa Cruz County to the east, Año Nuevo Creek to the north, the Pacific Ocean to the west and is traversed by Cabrillo Highway. Adjacent lands to the south are undeveloped while lands to the north are used for agricultural production.

Chronology:

Date		Action
June 6, 2020	-	Application submitted
January 6, 2021	-	Application deemed complete
March 8, 2021	-	AAC public hearing
TBD	-	Planning Commission public hearing
TBD	-	Board of Supervisors public hearing

Will the project be visible from a public road?

No development is proposed with this application for a Williamson Act Contract. Many of the existing structures on site are legal non-conforming and built before the County issued building permit. The remaining structures such as the main farm house and garage were issued building permits. Some exiting structures are visible from Highway 1.

Will any habitat or vegetation need to be removed for the project?

No.

Is there prime soil on the project site?

Yes 16.3-acres.

DISCUSSION

A. KEY ISSUES

Planning staff has reviewed this proposal and has concluded the following:

1. Compliance with the General Plan

   The proposed agricultural preserve is consistent with the parcel's General Plan Land Use Designation of "Agriculture."

   Policy 9.28 (*Encourage Existing and Potential Agricultural Activities*) seeks to encourage the continuance of existing agricultural and agriculturally-related activities. Policy 9.31 (*Protection of Agricultural Lands*) seeks to apply methods which assist in the retention and expansion of lands within agricultural activities such as density bonuses and enforceable restrictions (e.g., easements, contracts, deed restrictions, or other appropriate methods).

   Designating the parcel as an Agricultural Preserve and executing a California Land Conservation contract in conformance with the California Land Conservation Act and San Mateo County Williamson Act Program for this property is consistent with these policies. The contract will enforceable restrict the use of the land to ongoing commercial agriculture, agriculturally related uses, and compatible uses in exchange for a property tax benefit that encourages retaining the property in agricultural production.

2. Compliance with Local Coastal Program (LCP) Policies:

   The establishment of Agricultural Preserves and execution of Land Conservation Act contracts is not defined as development in the County's Local Coastal Program. Thus, these actions are not subject to the issuance of a Coastal Development permit. Though no permit is needed, this request is consistent with Local Coastal Program agricultural policies.

3. Compliance with Planned Agricultural District (PAD) Regulations:

   The agricultural preserve and contract are consistent with the Planned Agricultural District and Coastal Development District regulations which seek to preserve and foster existing agricultural operations in order to keep the maximum amount of prime agricultural land and all other lands suitable for agriculture in agricultural production. As defined by the Zoning and Local Coastal Program Regulations, the property contains approximately 16.3-acres of prime agricultural land that will continue to be in agricultural operation for the foreseeable future.

4. Compliance with the Williamson Act:

   a. Agricultural Preserve Requirements

Landowners who desire to enter into Williamson Act contracts with the County must first have their parcels included in an Agricultural Preserve. Agricultural Preserves must be no less than 100 acres unless a smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that the smaller preserve is consistent with the General Plan (GOV § 51230).

Once included in the Agricultural Preserve, a landowner and the County may enter into a contract processed concurrently with the Agricultural Preserve application.

The applicant has requested the establishment of an Agricultural Preserve and contract. Adjacent lands within the existing Agricultural Preserves contain Class II and Class III prime soils and consist of row crops and grazing lands immediately north and northeast of the project parcel. Establishing an agricultural preserve on the subject parcel is consistent with the County's General Plan ("Agricultural" land use designation) since the parcel is larger than 100 acres and is capable of and currently used to produce agricultural products.

b. Contract Application and Minimum Eligibility Requirements

As required by Uniform Rule 3 *Application Procedure*, the applicant has submitted a legal parcel description; site plan identifying parcel boundaries, agricultural uses, location of uses and all existing buildings; existing utilities; water courses, and water impoundments. The parcel is legal with development occurring on the parcel in the early 1900's, prior to the County's authority over building permits, and in subsequent years with approved building permits issued by the County. Additionally, the Agricultural Preserve Application, including gross parcel acreage, acreage of agricultural production by operation, water sources and irrigation methods, compatible use calculations, and gross agricultural income (Schedule F) were submitted and verified by staff.

Staff has reviewed the applicable documents for minimum eligibility requirements (see below). The application is compliant with the requirements and qualifies under Crop Income as the agricultural use for the proposed contract.

	Williamson Act Program Requirements	Planning Review	Compliance
Important Farmland Series Map	Mapped: Prime, Statewide Importance, Unique or Local Importance	Prime Farmland and Grazing Lands	Yes
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning[1]	PAD, RM, or RM-CZ	PAD	Yes
Parcel Size[2]	40 acres	426.66 acres	Yes
Prime Soils[3]	--	16.3-Acres	--
Non-Prime Soils	--	410.3-Acres	--
Crop Income[4,5]	$19,461.25	Completed	Yes

1. *Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).*
2. *Parcel size taken from San Mateo County Assessor's Office records.*
3. *Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service Land Use Capability Classification), Class II lands capable or growing artichokes or Brussel sprouts, and lands qualifying for an 80-100 Storie Index Rating taken from the Planning and Building Department GIS data.*
4. *Required income calculated per Income Requirements for Crops (Uniform Rule 2.A.6)*
5. *Crop income data taken from Swanton Berry Farms using gross sales and farm stand sales for years 2017, 2018, and 2019 for purposes of this review*

The parcel is compliant with the minimum income for the commercial agricultural operations and meeting the mapping requirements to qualify for a Williamson Act contract.

Agricultural Uses

Existing commercial agricultural operations includes six fields on a total of 82.5-acres (Attachment B):

Field No.	Acres	Agricultural Commodity
Field 1	25.6	Berries, Kiwi
Field 2	30.7	Row Crops*
Field 3	20.9	Pasture
Field 4	18.2	Row Crops
Field 5	6.2	Row Crops
Field 6	1.8	Artichokes

**Past and existing row crops include strawberries, broccoli, cauliflower, peas, pumpkins, celery, Brussel sprouts, and artichokes.*

Compatible Uses

Existing development on the parcel consists of barns, cabins, garages, sheds, and shops etc. as identified in the table below. As required by Uniform Rule 2 *Eligibility Requirements for LCA Contracts* the maximum allowance of compatible uses on a parcel cannot exceed the percentage used for agricultural purposes and is not permitted to exceed 25 percent of the parcel size. Twenty-five percent of the 426.6-acre project parcel is approximately 106.6 acres. However, only 103.4-acres are currently under agricultural production. As such, the maximum allowance of compatible uses for this parcel cannot exceed 103.4-acres.

Existing Development	
Building	**Size**
Main Ranch House	3,652 sq. ft.
Garages (2)	1,502 sq. ft.
Storage Sheds (6)	2,346 sq. ft.
Cabins (6)	5,073 sq. ft.
Granary	1,080 sq. ft.
Barn	1,427 sq. ft.
Wash Room	108 sq. ft.
Shop	1,536 sq. ft.
TOTAL	**16,724**

For the purposes of calculating the maximum allowance of compatible uses permitted on a parcel unpaved road, farm labor housing, building/structures used to support the agricultural use (e.g. barns) and underground are excluded from this calculation. Per the table above, the main ranch house, garages, cabins, and wash room are counted towards this maximum allowance and equate to 10,335 sq. ft. of building area. This is well below their maximum limit of 103-acres.

All existing Compatible Uses are compliant with the Williamson Act Program.

B. STAFF EVALUATION

Based on the information submitted by the landowner, staff recommends the parcel be placed within an Agricultural Preserve and encumbered by a Williamson Act contract.

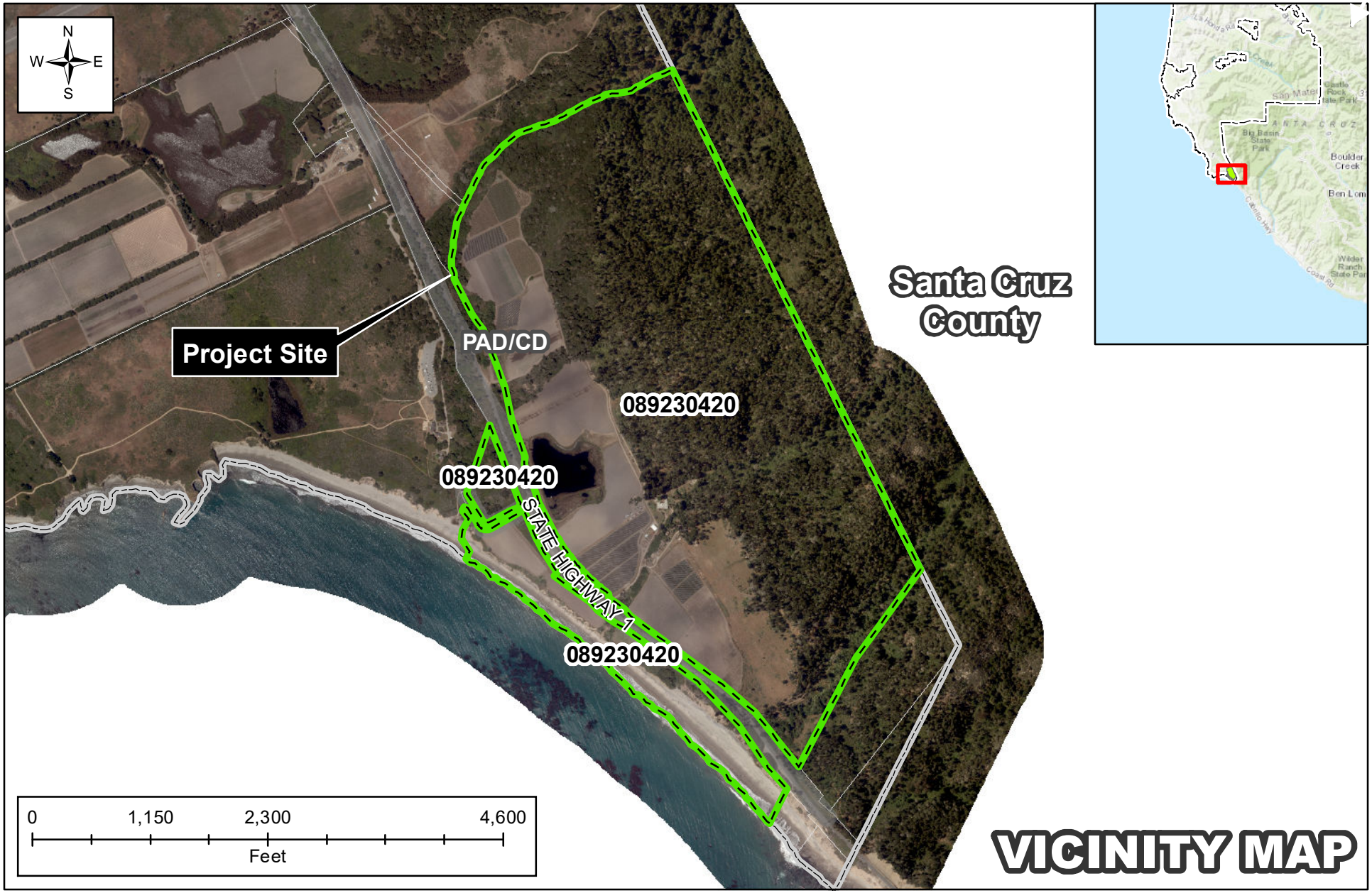
ATTACHMENTS

A. Vicinity Map
B. Site Plan
C. Prime Agricultural Soils Map
D. Statement of Agricultural Uses
E. Resolutions Establishing Agricultural Preserve and Execution of Contract
F. Legal Descriptions

LAR:cmc – LARFF0529_WCU.DOCX

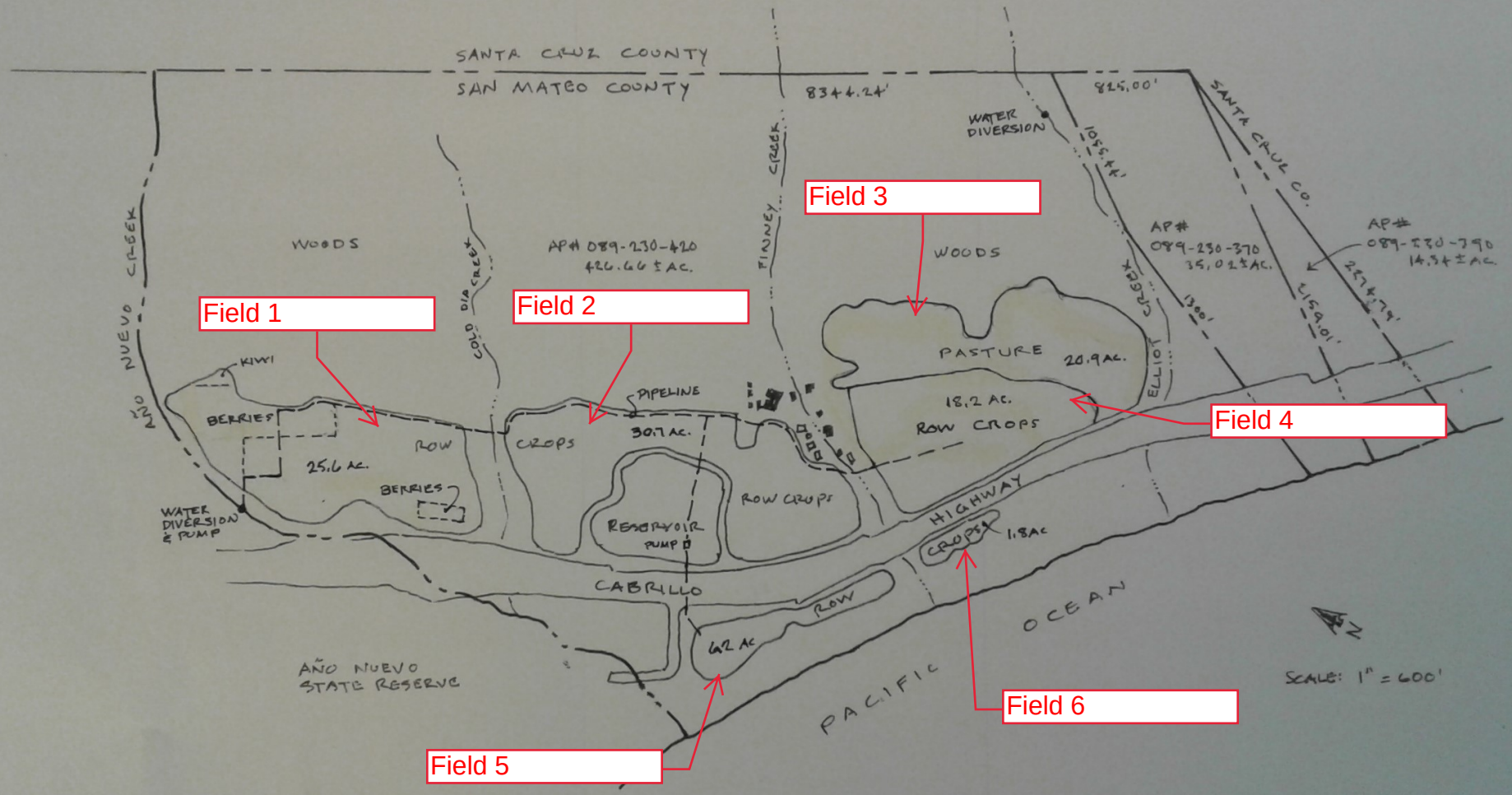
COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT A


N
W
E
S
Project Site
PAD/CD
089230420
089230420
STATE HIGHWAY 1
089230420
Santa Cruz County
0
1,150
2,300
4,600
Feet
VICINITY MAP

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

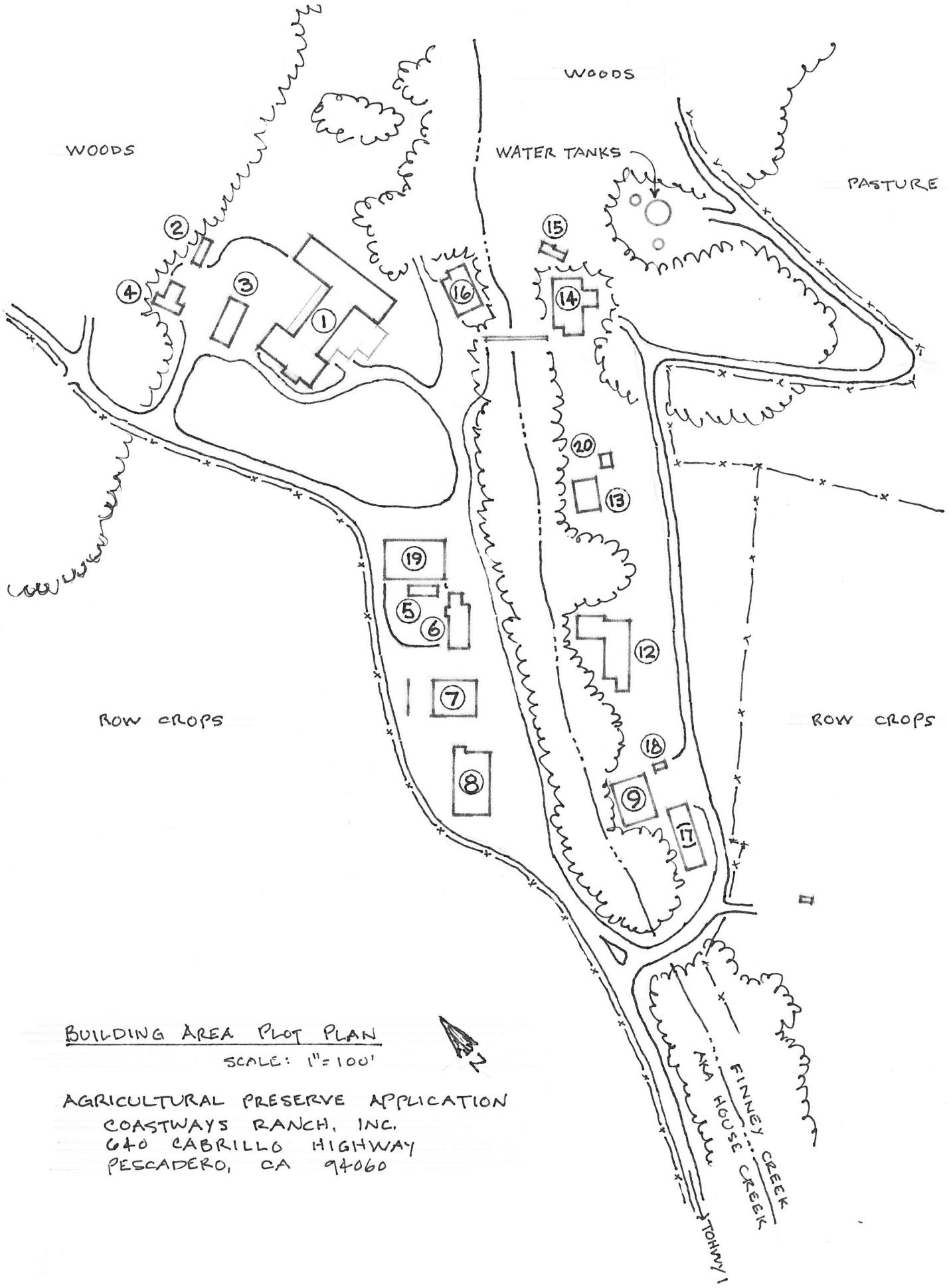
ATTACHMENT B



GENERAL PLAN: AG
ZONING: PAD/CD

AGRICULTURAL PRESERVE APPLICATION

OWNER: COASTWAYS RANCH, INC.
640 CABRILLO HIGHWAY
PESCADERO, CA 94060



BUILDING AREA PLOT PLAN

SCALE: 1" = 100'

AGRICULTURAL PRESERVE APPLICATION

COASTWAYS RANCH, INC.
640 CABRILLO HIGHWAY
PESCADERO, CA 94060

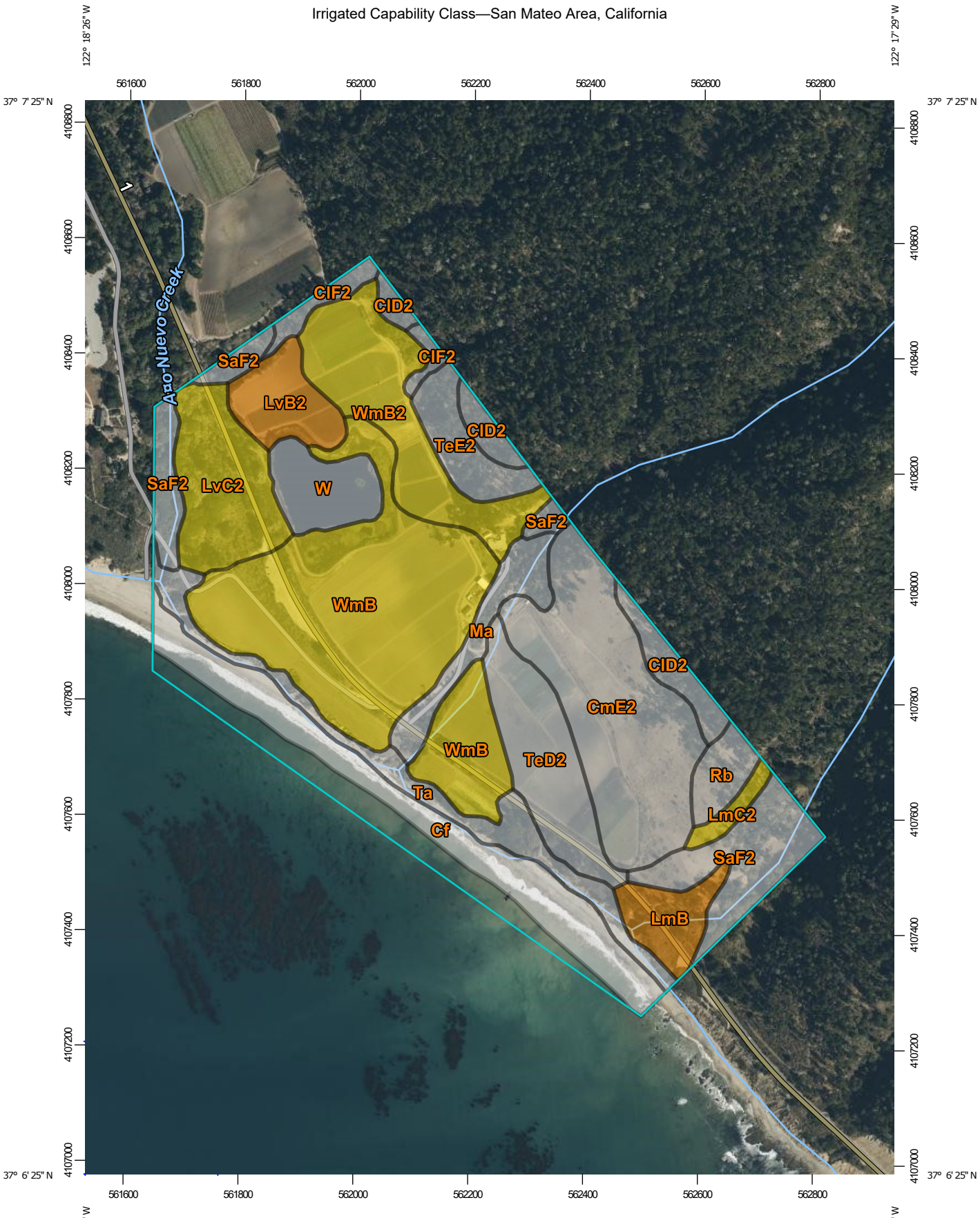
Building Area Plot Plan Legend

	Building	Size (sq. ft.)
1.	Main ranch house	House: 3652 Garages: 800
2.	Shed (storage)	240
3.	Garage (storage)	702
4.	Cabin (storage)	360
5.	Shed (storage)	220
6.	Shed (storage)	668
7.	Granary (storage)	1080
8.	Barn (equipment & storage)	1427
9.	Cabin	864
10 & 11 no longer exist.		
12.	Cabin	1333
13.	Cabin	520
14.	Cabin	1228
15.	Shed (storage)	198
16.	Cabin	768
17.	Shed (storage)	900
18.	Wash room	108
19.	Shop	1536
20.	Shed (storage)	120

Numbers 1-17 correspond to the building numbers used by the Assessor.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C


122° 18' 26" W
122° 17' 29" W
37° 7' 25" N
37° 6' 25" N
561600
561800
562000
562200
562400
562600
562800
4108800
4108600
4108400
4108200
4108000
4107800
4107600
4107400
4107200
4107000
Arroyo Nuevo Creek
CIF2
CID2
SaF2
CIF2
LvB2
WmB2
CID2
TeE2
SaF2
LvC2
W
SaF2
WmB
Ma
CID2
CmE2
WmB
TeD2
Rb
Ta
LmC2
Cf
SaF2
LmB
Map Scale: 1:9,080 if printed on A portrait (8.5" x 11") sheet.
N
Meters
0 100 200 400 600
Feet
0 400 800 1600 2400
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

Capability Class - I
Capability Class - II
Capability Class - III
Capability Class - IV
Capability Class - V
Capability Class - VI
Capability Class - VII
Capability Class - VIII
Not rated or not available

Soil Rating Lines

Capability Class - I
Capability Class - II
Capability Class - III
Capability Class - IV
Capability Class - V
Capability Class - VI
Capability Class - VII
Capability Class - VIII
Not rated or not available

Soil Rating Points

Capability Class - I
Capability Class - II
Capability Class - III
Capability Class - IV
Capability Class - V
Capability Class - VI
Capability Class - VII
Capability Class - VIII
Not rated or not available

Water Features

Streams and Canals

Transportation

Rails
Interstate Highways
US Routes
Major Roads
Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Mateo Area, California
Survey Area Data: Version 14, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 18, 2019—Oct 4, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Irrigated Capability Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Cf	Coastal beaches		16.3	8.4%
ClD2	Colma loam, moderately steep, eroded		5.8	3.0%
ClF2	Colma loam, very steep, eroded		2.6	1.3%
CmE2	Colma sandy loam, steep, eroded		25.1	12.9%
LmB	Lockwood loam, gently sloping	2	4.8	2.5%
LmC2	Lockwood loam, sloping, eroded	3	1.5	0.8%
LvB2	Lockwood loam, brown subsoil variant, gently sloping, e roded	2	6.0	3.1%
LvC2	Lockwood loam, brown subsoil variant, sloping, eroded	3	11.5	5.9%
Ma	Mixed alluvial land		5.5	2.8%
Rb	Rough broken land		3.1	1.6%
SaF2	Santa Lucia loam, very steep, eroded		14.2	7.3%
Ta	Terrace escarpments		9.5	4.9%
TeD2	Tierra loam, moderately steep, eroded		11.3	5.8%
TeE2	Tierra loam, steep, eroded		5.2	2.7%
W	Water		5.8	3.0%
WmB	Watsonville loam, gently sloping	3	42.0	21.6%
WmB2	Watsonville loam, gently sloping, eroded	3	15.3	7.9%
Totals for Area of Interest			**194.1**	**100.0%**

Description

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D

AGRICULTURAL PRESERVE APPLICATION

PLN 2020-00166

RECEIVED
June 5, 2020
San Mateo County
Planning Division

Owner:
Coastways Ranch, Inc.
Timothy H. Hudson, CEO
640 Cabrillo Highway
Pescadero, CA 94060
650-879-0414
thhudson@juno.com

Applicant:
Charles N. Hudson
7600 Uva Drive
Redwood Valley, CA 95470

707-485-8153 cell 707-391-3825
cnh@pacific.net

Project location: 640 Cabrillo Hwy, Pescadero, CA.
Coastways Ranch is on the San Mateo County coast, 28 miles south of Half Moon Bay, 10 miles north of Davenport, at the very southern tip of San Mateo County. The property is bounded on the north by Año Nuevo Creek, on the east and south by Santa Cruz County, on the west by the Pacific Ocean, and is traversed by Cabrillo Highway, and consists of three Assessor Parcel Numbers:

Removed from application

APN: 089-230-370	35.02 ac. +-	General Plan:	AG	Zoning:	PAD/CD
APN: 089-230-390	14.34 ac. +-	General Plan:	AG	Zoning:	PAD/CD
APN: 089-230-420	426.66 ac. +-	General Plan:	AG	Zoning:	PAD/CD
Total:	476.02 ac. +-				

The two smaller parcels were determined in 1976 by the San Mateo County Planning Department to be separate legal parcels, due to their having been conveyed in 1930 before the existence of the county's subdivision ordinance. APN 089-230-370 was subsequently enlarged through approval of a boundary line adjustment in 1980.

Project description:
Enroll three contiguous parcels with a total area of 476.02 acres into an Agricultural Preserve (AGP) and an Agricultural Land Conservation Act Contract (A/LCA) under the Williamson Act.

Existing Site Conditions:
Coastways Ranch is the southernmost portion of San Mateo County. The ranch is bounded on the north by Año Nuevo Creek, on the east and south by Santa Cruz County, and on the west by the Pacific Ocean. Adjacent to the beach there is an 80+- foot bluff, inland of which is a coastal terrace of farmland with level to moderate slopes, joined to the east by wooded land with moderate to steep slopes. The coastal terrace narrows as it extends southerly on APN 890-230-420, the main ranch parcel. There is no agricultural land on APNs 890-230-370 and 390, the two small parcels at the south end of the ranch.

In addition to Año Nuevo Creek on the north, the ranch is traversed by three smaller drainages: Cold Dip Creek, Finney Creek (aka House Creek), and Elliot Creek. Water

for agricultural use is stored in a California Jurisdictional Dam, No. 1600-0, created in 1951 by enlargement of an earlier dam, and which provides a 100 acre foot reservoir.

Coastways Ranch has three permits and licenses from the California State Water Rights Board for diversion and use of water on three streams:

Permit No. 7334, License No. 4955, dated January 21, 1958, allowing diversion and use of water from Elliot Creek for 0.25 cubic feet per second from April 1 to December 1 of each year; and 30 acre feet per year to be diverted to storage from April 1 to May 31 of each year.

Permit No. 1653, License No. 6323, dated June 5, 1961, allowing diversion and use of water from New Year's Creek for 0.69 cubic feet per second from January 1 to December 31 of each year, and 76 acre-feet per year to be diverted to storage from January 1 to May 31 of each year.

Permit No. 17355, License No. 11542, dated February 16, 1977, for diversion of water from Finney Creek, for stock and domestic use.

Water from New Years Creek (Año Nuevo Creek) is diverted from a small concrete dam and pumped into the reservoir or used directly for irrigation. Water from Elliot Creek flows by gravity through a pipeline to the reservoir. Water from Finney Creek flows by gravity to the water tanks.

Existing Structures:
Structures existing on Coastways Ranch are shown on the Building Area Plot Plan, and include the main ranch house, five residential cabins, one shop, one barn, nine storage sheds, one wash room, and three water tanks. Domestic water comes from a spring and is stored in the water tanks. Water for irrigation is provided from a pump house on a pier in the reservoir, and a second pump house at the water diversion on Año Nuevo Creek.

Agricultural Use (all on APN 089-230-420):
Coastways Ranch, Inc. currently leases 83 acres of farmland to Swanton Berry Farms, Inc. The lease has been in effect since November 1, 2003.

Approximately six acres of the farmed area are planted to berries on trellises. The remainder of the farmed area is rotated between strawberries, vegetables, and cover crops, the locations and areas of which vary during any given year, and from year to year. In January there were approximately 32 acres of berries, 20 acres of vegetables, and 31 acres of cover crop.

In the past, SBF has operated a you-pick sales operation on the ranch, however in 2020 due to covid-19 that is not happening.

In addition to the land leased to SBF, there are approximately 21 acres of pasture land on which a neighboring rancher keeps a few cows. The cows also have access to the wooded area adjacent to the pasture land.

Irrigation of berries and row crops is by means of drip lines and moveable sprinklers. There are buried water lines which can be supplied with water from either the pump in the reservoir or the one at Año Nuevo Creek. Moveable pipes with overhead sprinklers can be connected to the buried lines at numerous risers along the pipeline. Pasture land is not irrigated.

SBF has placed deer fencing around much of the farmed area, particularly between the leased land and the wooded lands to the east. In some areas fencing is unnecessary due to topography and/or thick growth of poison oak, brambles, and other brush making passage impossible.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT E

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF CALIFORNIA LAND CONSERVATION (WILLIAMSON ACT) CONTRACT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Coastways Ranch, Inc., is the owner of certain land in the County of San Mateo used for agricultural purposes within the concept of the California Land Conservation Act of 1965, and has requested to have said land designated as an Agricultural Preserve, and has submitted such requested with a properly executed contract form heretofore approved by this Board, for execution by the Board; and

WHEREAS, the County of San Mateo is authorized to establish Agricultural Preserves by the California land Conservation Act; and

WHEREAS, all procedural requirements of the Land Conservation Act and Board of Supervisors of San Mateo County Resolution No. 071565 have been followed; and

WHEREAS, this Board of Supervisors, having received and reviewed the report of the Planning Commission as to the request to establish that this Preserve is consistent with the General Plan of San Mateo County; and

WHEREAS, this Board deems it desirable to enter into land conservation contracts, under the provisions of the California Land conservation Act on 1965, with owners of land which is appropriately used for agriculture or other purposes authorized by said Act, or purposes left within the discretion of the Board of Supervisors under the terms of the Act; and

WHEREAS, the Board of Supervisors does hereby establish the policy and rules which will govern the administration of this Preserve, to wit:

1. Establishment, Disestablishment, Alterations. The procedures set forth in Resolution No. 071565 of the Board of Supervisors of San Mateo County shall govern the establishment, disestablishment and alteration of the

boundaries of this Preserve. The procedures in said Resolution are incorporated herein and made a part hereof as it fully set forth.

2. Policy. This Board recognizes that:

   a. The preservation of a maximum amount of the limited supply of agricultural land is necessary for the conservation of the State's economic resources, and is necessary not only for the maintenance of the agricultural economy of the State, but also for the assurance of adequate, healthful and nutritious food for future residents of this State and Nation.

   b. The discouragement of premature and unnecessary conversion of agricultural and open spaces to urban uses is a matter of public interest, and will be of benefit to urban dwellers themselves in that it will discourage discontinuous urban development patters which unnecessarily increase the costs of community services to community residents.

   c. In a rapidly urbanizing society, agricultural and other open space lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of the Williamson Act, constitutes an important physical, social, aesthetic, and economic asset to existing or pending urban or metropolitan developments.

   d. Within this Preserve, the lands shall be used only for the commercial production of agricultural commodities and other compatible uses herein designated.

   e. Property owners executing a contract for property within this Preserve should understand that the Board of Supervisors intends that the contract will run for the full term provided therein.

3. Permitted Agricultural Uses. Permitted agricultural uses are defined in EXHIBIT "B" hereto, which is incorporated herein and made a part of this Resolution.

4. Compatible Uses. Compatible uses are defined in EXHIBIT "C" hereto, which is incorporated herein and made a part of this Resolution.

5. Limitation on Uses. If a contract is entered into, incorporating the agricultural and compatible uses specified in EXHIBITS "B" AND "C" hereto,

the property owner shall be limited to said uses even though the Zoning Ordinance or other codes, ordinances or regulations authorize different uses. In the event other codes, ordinances or regulations are or should become more restrictive than the uses authorized by the contract, the codes, ordinances or regulations shall prevail.

6. Continuation of Preserve. Pursuant to the California Land Conservation Act, this Preserve shall continue in full effect follow annexation, incorporation or disincorporation of the land described in EXHIBIT "A", except as provided for in Subsection 51243(b) of the Government Code.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. That the area of San Mateo County described in EXHIBIT "A" of this Resolution in hereby designated and established as an Agricultural Preserve within the meaning of and pursuant to the California Land Conservation Act of 1965, subject to the policy and rules specified herein.

2. That the form of the Land Conservation Contract presented to this Board be, and the same is hereby, approved.

3. That the Chair of this Board of Supervisors be, and is hereby authorized and director to execute, said contract for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest her signature hereto.

4. That a copy of this Resolution, and a Map of the property described in EXHIBIT "A" hereof, be filed with the County Recorder of San Mateo for said County Recorder and Director of Agriculture, State of California, and that said Resolution and Map be kept current by the County of San Mateo for said County Recorder and Director of Agriculture.

* * * * * *

EXHIBIT "A"

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF CALIFORNIA LAND CONSERVATION (WILLIAMSON ACT) CONTRACT

APN: 089-230-420

The land referred to is situated in the unincorporated area of the County of San Mateo, State of California ,and is described as follows:

Parcel "2" as shown on that certain map entitled "PARCEL MAP OF A PORTION OF RANCHO PUNTA DEL NUEVO, BEING THE LAND DESCRIBED IN 6878 O.R. 603 AND 5508 O.R. 405, SAN MATEO COUNTY RECORDS, SAN MATEO COUNTY, CALIFORNIA", filed in the office of the County Recorder of San Mateo County, State of California on August 1980 in Volume 50 of the Parcel Maps at pages 5 and 6.

* * * * * *

EXHIBIT "B"

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF CALIFORNIA LAND CONSERVATION (WILLIAMSON ACT) CONTRACT

"PERMITTED AGRICULTURAL USES" are defined as follows:

A. Commercial production of agricultural commodities, as defined in the San Mateo County Land Conservation Act Regulations. Agricultural commodities shall mean an unprocessed product of farms, ranches, production nurseries, and forests.

   Agricultural commodities shall include fruits, nuts and vegetables; grains, such as wheat, barley, oats and corn; mushrooms; legumes, such as field beans and peas; animal feed and forage crops, such as grain, hay and alfalfa; seed crops; fiber, bio-fuel and oilseed crops, such as safflower and sunflower; nursery stock, such as Christmas trees, ornamentals and cut flowers; trees grown for lumber and wood products; turf grown for sod; livestock, such as cattle, sheep alpacas, llamas and swine; poultry, such as chickens, ostriches and emus.

B. Commercial grazing operation of the purpose of pasturing livestock such as cattle, sheep, alpacas, and llamas.

C. Commercial horse breeding provided the annual breeding operation consists of a minimum of 15 broodmares. The keeping of horses does not constitute an agricultural use.

*** * * * * ***

EXHIBIT "C"

To

RESOLUTION ESTABLISHING AN AGRICULTURAL PRESERVE AND TO AUTHORIZE EXECUTION OF CALIFORNIA LAND CONSERVATION (WILLIAMSON ACT) CONTRACT

"COMPATIBLE USES" are defined as follows:

1. Compatible uses include and shall comply with the provisions of Government Code Section 51238-51238.1 and the underlying San Mate County land use designation and zoning of the parcel, including permitting requirements. The following uses are identified as "Compatible Uses":

    a. The erection, construction, alteration, or maintenance of gas, electrical, water, communication, or agricultural laborer housing facilities.

    b. Non-residential development customarily considered accessory to agricultural uses including but not limited to: barns, storage/equipment sheds, water well, well covers, pump houses, water storage tanks, water impoundments, and water pollution control facilities for agricultural purposes et.

    c. Soil dependent and non-soil dependent greenhouses and nurseries.

    d. Dairies.

    e. Temporary road stands for seasonal sale of produce grown in San Mateo County.

    f. Permanent road stands for the seasonal sale of produce

    g. Single-family residences, including repairs, alterations, and additions.

    h. Keeping of pets in association with a one-family dwelling and the limited keeping of pets in association with a farm labor housing unit or multiple-family dwelling unit.

    i. Animal fanciers.

    j. Some uses not listed could be considered as "Compatible Uses" upon determination by the Planning Commission and Board of Supervisors.

CALIFORNIA LAND CONSERVATION CONTRACT

NO. _____

* * * * * *

CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT (LCA) CONTRACT PROVIDING FOR A MINIMUM OF TEN (10) YEAR TERM FOR PARCEL 089-230-420

THIS CALIFORNIA LAND CONSERVATION CONTRACT, made and entered into this _____ day of _____, 20____, by and between the COUNTY OF SAN MATEO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and Coastways Ranch, Inc. or successors thereof, hereinafter referred to as "OWNER";

WHEREAS, the OWNER is the legal owner of certain real property herein referred to as the subject property situated in the County of San Mateo, State of California; and

WHEREAS, the subject property is described in EXHIBIT "A" which is made a part of this Contract; and

WHEREAS, the subject property is located in an Agricultural Preserve which has heretofore been established by the COUNTY and a map of which is on file with the Recorder of San Mateo County; and

WHEREAS, the OWNER and the COUNTY desire to limit the use of the subject property to agricultural uses and compatible uses to preserve the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban uses; and

WHEREAS, the OWNER and the COUNTY recognize that agricultural land has definite public value as open space, that preservation of land in agricultural production will assure an adequate food supply and that such agricultural land constitutes an important social, aesthetic and economic asset to the people of the County and the State of California; and

WHEREAS, both the OWNER and the COUNTY intend that this Contract is and shall continue to be, through its initial term and any extension thereof, an enforceable restriction within the meaning of Section 8 of Article XIII of the State Constitution, and that this Contract shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 422.

NOW, THEREFORE, the parties, in consideration of the mutual benefits and conditions set forth herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. AGREEMENT MADE PURSUANT TO CALIFORNIA LAND CONSERVATION ACT

   This Contract is made and entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200), hereinafter referred to as the Act, and is subject to all provisions thereof, including any subsequent amendments thereto. This Contract is also made and entered into pursuant to Resolution 071565 (San Mateo County Land Conservation (Williamson) Act Uniform Rules and Procedures) of the Board of Supervisors of the County of San Mateo, and is subject to all of the provisions of said Resolution incorporated herein by reference, including any subsequent amendments thereto.

2. CONSIDERATION

   It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by the COUNTY from the preservation of land in agricultural or compatible uses, and the advantage which will accrue to the OWNER as a result of the effect on the method of determining the assessed value of the subject property, including any reduction thereto due to the imposition of limitations on its use set forth in this Contract. Neither the COUNTY nor the OWNER shall receive any payment in consideration of the obligations imposed herein.

3. SUCCESSORS IN INTEREST

   This Contract shall run with the land described herein and shall be binding upon and insure to the benefit of all successors in the interest of the OWNER. This Contract shall also be binding upon and inure to the benefit of any succeeding city or county acquiring jurisdiction over all or any portion of the subject property, except as provided in Section 51296 of the Act in the case of certain annexations to cities.

4. DIVISION OF SUBJECT PROPERTY

   In the event the subject property is divided, the OWNER or successors thereof, as the case may be, agree as a condition of such division to execute such Contract or Contracts as will restrict any parcels created by said division to the same extent as the subject property is restricted by the Contract at the time of division. The COUNTY shall, as a condition of

approving the division of the subject property, require the execution of the Contracts provided for in this paragraph.

The OWNER of any parcel created by division of the subject property may exercise, independently of any other OWNER of a portion of the divided property, any of the rights of the OWNER executing this Contract, including the right to give notice of non-renewal as provided in Paragraph 8. The effect of any such action by an OWNER of a parcel created by a division of the subject property shall not be imputed to the owners of the remaining parcels and shall have no effect on the Contracts which apply to the remaining parcels of the divided land.

5. USE OF SUBJECT PROPERTY

During the term of this Contract, or any extensions thereof, the subject property shall not be used for any purpose other than the "Permitted Agricultural Uses" or "Compatible Uses" set forth in EXHIBITS "B" and "C". The OWNER shall be limited to these uses, except that if the ordinances, codes or regulations of the COUNTY are more restrictive as to the use of said property than is the Resolution, the ordinances, codes or regulations shall prevail.

6. ADDITIONAL USES

The Board of Supervisors of the COUNTY may from time to time during the term of this Contract or any extension thereof, by resolution, revise the lists of "Permitted Agricultural Uses" or "Compatible Uses" for the Agricultural Preserve in which the subject property is located; provided that said Board shall not eliminate any such permitted agricultural or compatible use during the term of this Contract or any extension thereof without the written consent of the OWNER or his successors in interest.

7. TERM

This Contract shall be effective on the date first written above, hereinafter the Anniversary Date, and shall remain in effect for a period of ten (10) years therefrom. On each succeeding anniversary date, one (1) year shall automatically be added to the unexpired term unless notice of non-renewal is given as provided in Paragraph 8. If either party gives notice not to renew, it is understood and agreed that this Contract shall remain in effect for the unexpired term.

8. NOTICE OF NON-RENEWAL

If either the OWNER or the COUNTY desires in any year not to renew this Contract, that party shall serve written notice of non-renewal of the Contract

upon the other party in advance of the anniversary date. Unless such written notice is served by the OWNER at least ninety (90) days prior to the anniversary date or by the COUNTY at least sixty (60) days prior to the anniversary date, the Contract shall be considered renewed as provided in Paragraph 7. Upon receipt by the OWNER of a notice from the COUNTY of non-renewal, the OWNER may protest the non-renewal, provided such protest is made in writing and is filed with the Clerk of the Board of Supervisors of the COUNTY not later than thirty (30) days after receipt of said notice of non-renewal. The COUNTY may withdraw the notice of non-renewal at any time prior to the anniversary date. Upon request by the OWNER, the Board of the Supervisors of the COUNTY may authorize the OWNER to serve a notice of non-renewal on a portion of the subject property, provided that such notice is in accordance with the foregoing provisions of this paragraph.

9. ACTION IN EMINENT DOMAIN TO TAKE ALL OR PART OF THE SUBJECT PROPERTY

Upon the filing of an action in Eminent Domain by an agency or person specified in Section 51297.1 of the Government Code, for the condemnation of the fee title of all or a portion of the subject property or upon the acquisition of the fee in lieu of condemnation, this Contract shall be null and void as provided in said Section 51295.

10. ABANDONMENT OF ACTION IN EMINENT DOMAIN

In the event a condemnation suit is abandoned in whole or in part, or if funds are not provided to acquire the subject property in lieu of condemnation, the OWNER agrees to execute a new Contract for all of the subject property to have been taken or acquired, which Contract shall be identical to the Contract in effect at the time the suit was filed or on the date the land was to have been acquired, provided that: (1) a notice for non-renewal was not given by either party prior to the filing of suit or date the property was to have been acquired, and (2) the property at the time of said execution of a new Contract is within the boundaries of an Agricultural Preserve.

11. REMOVAL OF SUBJECT PROPERTY FROM AGRICULTURAL PRESERVE

In the event any proposal to disestablish or to alter the boundary of an Agricultural Preserve will remove the subject property from such a Preserve, the Board of Supervisors of the COUNTY shall furnish such notice of the proposed alteration or disestablishment to the OWNER as required by Section 51232 of the Act. Removal of any of the property from the Agricultural Preserve in which the subject property is located shall be the equivalent of notice of non-renewal, as provided in Paragraph 8, at least

sixty (60) days prior to the anniversary date following the removal. The COUNTY shall record the notice of non-renewal in the Office of the Recorder of the COUNTY, as required by Paragraph 13 herein; however, the OWNER agrees that a failure of the COUNTY to record said notice of non-renewal shall not invalidate or in any manner affect said notice.

12. INFORMATION TO COUNTY

The OWNER shall furnish the COUNTY with such information as the COUNTY may require in order to enable it to determine the value of the subject property for assessment purposes and the eligibility of the subject property under the provisions of the Act.

13. RECORDING OF DOCUMENTS

In the event of the termination of this Contract with respect to any part of the subject property, the COUNTY shall record the documents evidencing such termination with the Recorder of the COUNTY.

14. ENFORCEMENT OF CONTRACT

Any conveyance, contract, or authorization (whether written or oral) by the OWNER, or his successors in interest, which would permit use of the subject property contrary to the terms of this Contract or the rules of the Agricultural Preserve in which the subject property is located, will be deemed a breach of this Contract. The COUNTY may bring any action in court necessary to enforce this Contract including, but not limited to, an action to enforce the Contract by specific performance or injunction. It is understood and agreed that the enforcement proceedings provided in this paragraph are not exclusive and that both the OWNER and the COUNTY may pursue their legal and equitable remedies.

15. CANCELLATION

This LCA Contract may be cancelled as to all or a part of the subject property only upon the petition of the OWNER to the COUNTY, and after a public hearing has been held and notice thereof given as required by Section 51297 of the Government Code. The Board of Supervisors of the COUNTY may approve cancellation only as provided by Article 7 of the Act.

16. SEVERABILITY

It is understood and agreed by the parties hereto that if any of these provisions shall contravene or be invalid under any law, such contravention or invalidity shall not invalidate the whole Contract, but is shall be construed as if not containing that particular provision or provisions held to be invalid,

and the rights and obligations of the parties hereto shall be construed and enforced accordingly.

17. ASSESSMENT INFORMATION

OWNER agrees to provide COUNTY, upon request, with all information concerning OWNER'S agricultural, recreational or open space and compatible activities upon the subject property, including but not limited to, income derived in the course of OWNER's agricultural pursuits in relation to the subject property. Said information will be necessary to implement the assessment process, pursuant to the California Land Conservation Act of 1965 (as amended) and the San Mateo County Land Conservation Act Uniform Rules and Procedures (as amended).

18. CONTRACT SUBJECT TO EXERCISE OF POLICE POWER

Nothing in this Contract shall limit or supersede the planning, zoning, health, safety and other police powers of the COUNTY, and the right of the COUNTY to exercise such powers with regard to the subject property.

19. EXCULPATORY CLAUSE

The OWNER shall hold the COUNTY harmless from any demand, claim, cause of action or action for damages involving the OWNER'S interest or rights in and to the real property described herein. Person or persons signing this Contract represent that they are OWNERS of the real property entitled to and possessing the authority to enter into this Contract and to bind the real property in accordance with this Contract.

20. COSTS OF LITIGATION

In case the COUNTY shall, without any fault on its part, be made a party to any litigation commenced by or against OWNER, the OWNER shall and will pay all costs together with reasonable attorney's fees incurred by or imposed upon COUNTY by or in connection with such litigation; further, OWNER shall and will pay all costs and reasonable attorney's fees which may be incurred or paid by COUNTY in enforcing the covenants and agreements of this Contract.

21. ANNEXATION

This Contract shall be transferred from COUNTY to any succeeding City or County acquiring jurisdiction over the subject property in the manner provided for in Section 51296 of the California Government Code. On the completion of annexation proceedings by a City, that City shall succeed to all

rights, duties and powers of the County under this Contract for that portion of the subject property annexed to the City.

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the day and year first written above.

(NOTE: OWNERS SIGNATURES MUST BE NOTARIZED)

Coastways Ranch, Inc.

_____
By
President,
"Owner"

COUNTY OF SAN MATEO

_____
By
President, Board of Supervisors
"County"

ATTEST: _____

Clerk of Said Board of Supervisors

(NOTARIAL ACKNOWLEDGMENT)

* * * * * *

LAR:cmc – LARFF0530_WCS.DOCX

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT F

EXHIBIT "A"

PARCEL I (APN 089-230-370)

Parcel "1" as shown on that certain map entitled "PARCEL MAP OF A PORTION OF RANCHO PUNTA DEL ANO NUEVO, BEING THE LAND DESCRIBED IN 6878 O.R. 603 AND 5508 O.R. 405, SAN MATEO COUNTY RECORDS, SAN MATEO COUNTY, CALIFORNIA", filed in the office of the County Recorder of San Mateo County, State of California, on August 4, 1980 in Volume 50 of Parcel Maps at pages 5 and 6.

Subject Parcel

PARCEL II (APN 089-230-420)

Parcel "2" as shown on that certain map entitled "PARCEL MAP OF A PORTION OF RANCHO PUNTA DEL ANO NUEVO, BEING THE LAND DESCRIBED IN 6878 O.R. 603 and 5508 O.R. 405, SAN MATEO COUNTY RECORDS, SAN MATEO COUNTY, CALIFORNIA", filed in the office of the County Recorder of San Mateo County, State of California, on August 4, 1980 in Volume 50 of Parcel Maps at pages 5 and 6.

PARCEL III (APN 089-230-390)

BEGINNING at a point where the Southeasterly boundary of the Rancho Punta del Ano Nuevo intersects the shore of the Pacific Ocean said point of beginning being at the mouth of a small gulch commonly known as "Wilson Gulch" and said point bears North 26° 35' East 24 feet and South 25° 30' West 103.50 feet from a 14 inch pine tree on the Northwest side of the County Road leading from Santa Cruz to Pescadero said point of beginning being also the most Southerly corner of that certain 400 acre tract of land conveyed by William Cranston et al to Mary de Fremery Atkins by Deed recorded May 31, 1917 in Book 264 of Deeds at page 311, Records of San Mateo County; running thence from said point of beginning along the Southeast boundary of said Rancho North 25° 30' East 2461.75 feet (called North 25° 18' 04" East 2274.79 feet on that certain Parcel Map filed in the office of the County Recorder of San Mateo County, State of California, on August 4, 1980 in Volume 50 of Parcel Maps at pages 5 and 6) to Station P.A.N. 123, said point being marked by an iron pipe monument from which monument a 6 inch madrone tree bears North 24° 18' 40" East 125.87 feet and a 12 inch pine tree bears North 15° 03' East 36.42 feet; thence South 37° 03' West 2350.85 feet (called North 36° 51' 04" East 2159.01 feet on the above mentioned parcel map) to a point on the shore of the Pacific Ocean; thence along said shore South 38° 30' East 236.38 feet (called North 20° 16' 57" West 69.40 feet on the above mentioned parcel map) and South 52° 30' East 264.00 feet (called North 41° 57' 25" West 508.83 feet on the above mentioned parcel map) to the point of beginning.

83120566

EXCEPTING THEREFROM so much of the herein described property as lies within the lands conveyed to the State of California by Deed recorded July 7, 1947 in Book 1365 of Official Records at page 229 (File No. 74690-G), Records of San Mateo County, California.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM 9

Draft Farm Stand Guidelines

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: March 8, 2020

TO: Agricultural Advisory Committee

FROM: Planning Staff

SUBJECT: Draft Farm Stand Guidelines

The San Mateo County Planning and Building Department has developed the following guidelines for the review and establishment of farm stands within the Planned Agricultural District, Resource Management District, and Resource Management-Coastal Zone zoning districts in the unincorporated County. These guidelines seek to provide guidance regarding the application of existing Local Coastal Program (LCP) policies and zoning regulations in a manner that facilitates the establishment of farm stands that support the economic viability of farming and minimize conflicts with agricultural activities on said lands and/or adjacent lands. These guidelines are not intended to prevent or remove compliance with other local, state or federal regulations.

A. DEFINITIONS

1. ***PRODUCE:*** Whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, honey, dairy, and meats, as well as other farm products and agricultural commodities grown in San Mateo County. Farm products may also include "value-added" farm products.

2. ***VALUE-ADDED PRODUCTS:*** Farm products in which the primary* ingredients are produced in San Mateo County and which are lightly processed to include only the following added ingredients: pectin, salt, seasoning, and/or sugar. Value-added products must be sold in accordance with local, state, and federal regulations. Examples include but are not limited to: jams, nut butters, preserves, juices, pickles etc.

   *Primary ingredients are defined as an ingredient that constitutes greater than 50% of the product ingredients. Product ingredients are those products defined under produce above.

   Products that are characterized as services, compost, fertilizers, foraged foods, and types of wares etc. are *not* considered produce and will not be permitted to be sold either in a Temporary or Permanent farm stand.

3. ***FARM STAND OR ROAD STAND:*** A business established and operated for the display and sale of agricultural products grown on the premises, or on adjacent lands, or other lands within San Mateo County. Farm or road stands shall not contain a commercial kitchen or cooking facilities. All products sold must be in accordance with local, state, and federal regulations and subject to all applicable health codes.

Permitted products to be sold at a farm or road stand include: whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, meat, dairy, and honey as well as value-added products permitted under Cottage Food Law. Whole farm products and value-added products (except for added pectin, salt, seasoning, and/or sugar) must be produced in San Mateo County. Unless made in a commercial kitchen, edible value-added products must comply with Environmental Health Services requirements.

For permanent farm or road stands, the sale of whole farm products and value-added products produced outside of San Mateo are permitted. However, the majority of products sold at permanent farm or road stand structures must be produced and sold in San Mateo County (refer to Section B.2 for standards).

Sale of alcoholic or cannabis products prohibited.

B. TYPES OF FARM STANDS

1. *TEMPORARY FARM STANDS*

a. Operations are limited to a less than a nine-month operating period per year.

b. Agricultural products from different farm operations, and/or located on different parcels in San Mateo County, may be sold at temporary farm stand structures. Products sold are limited to value-added and agricultural products grown/produced in San Mateo County as defined under Produce above.

c. Farm stand size shall be limited to 200 sq. ft.

d. The structure and all other supporting structures shall be of portable construction and removed from the site within 10 days of the seasonal closure of the farm stand.

e. Setbacks subject to regulations pertaining to watercourses and riparian vegetation. Structures shall be located outside of sensitive habitat areas.

f. For the purposes of density credit calculation, temporary farm stands do not consume density credits.

2. *PERMANENT FARM STANDS*

a. Operations occur for 9 months or more.

b. Agricultural products from different farm operations, and/or located on different parcels in San Mateo County, may be sold at permanent farm stand structures.

c. Agricultural and value-added products produced and/or grown outside of San Mateo County may also be sold. Note that a majority of products sold must be produced and/or grown within San Mateo County.

d. A Produce Dealer's License issued by the San Mateo County Agricultural Weights and Measures Department will be required for anyone selling farm products grown outside of San Mateo County.

e. Setbacks subject those of the overlaying zoning district as well as regulations pertaining to watercourses and riparian vegetation. Structures shall be located outside of sensitive habitat areas.

f. Structures are limited to 1,000 sq. ft. of sales floor area. Larger structures are subject to the discretion of the Community Development Director.

g. For the purposes of density credit calculation, permanent farm stand structures in the PAD and RM-CZ shall consume density credits (refer to SECTIONS 6356 and 6906).

C. PERFORMANCE STANDARDS

The following standards are applicable to all farm stand:

1. Farm stand operations shall not interfere with agricultural production on or adjacent to the parcel on which the farm stand is located.

2. If located in the Planned Agricultural District, a maximum of 1/4 acres of prime agricultural soils may be converted to accommodate a permanent farm stand with appropriate permits.

3. A Building Permit shall be required if: the farm stand structure is 120 sq. ft. or larger, electrical or plumbing is required, and/or the farm stand is in operation for 180 days or longer. A demolition permit is required to remove any structure that required a Building Permit to construct.

4. Lighting All exterior lighting shall be downward directed and contained to the project parcel.

5. Parking Adequate parking to accommodate the farm stand structure and use must be provided and designated on the site plan for review by Planning staff.

   a. Adequate parking shall be 1 space per each 250 sq. ft. of sales floor area or as determined by the Community Development Director.

   b. Parking shall adhere to ADA requirements.

   c. Parking for permanent farm stands shall be of permanent construction (i.e. paved) and striped.

6. Hours of Operation May not exceed the following: Daily 7:00 a.m. to 8:00 p.m.

7. Signage

   a. Attached signs shall not exceed the height of the building or structure to which the sign is attached, extend above the roofline, or project more than four (4) feet from the building or structure to which the sign is attached.

   b. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project a maximum of four (4) feet into the public right-of-way subject to the approval of the Director of Public Works.

   c. Freestanding signs shall not exceed eight (8) feet in height measured from grade to the top of the sign structure.

d. Off-premises signage for permanent farm stand operations is prohibited.

e. All signage shall be removed by the operator within 10 days of the closure of the farm stand.

f. All abandoned signs shall be removed at the farm stand operator's expense.

g. Signage for farm stands located in the Coastal Zone is subject to Policy 8.21 (*Commercial Signs*) of the Local Coastal Program.

   i. Prohibit off-premises commercial signs except for seasonal temporary agricultural signs.

   ii. Design on premises commercial signs as an integral part of the structure they identify and which do not extend above the roofline.

   iii. Prohibit brightly illuminated colored, rotating, reflective, blinking, flashing, or moving signs, pennants or streamers.

   iv. Design and minimize information and direction of signs to be simple, easy-to-read, and harmonize with surrounding elements.

8. Health and Safety- All farm stands shall comply with health and safety standards including but not limited to the following:

   a. Food preparation is prohibited at farm stands with the exception of food samples.

   b. Environmental Health Services approved toilet and handwashing facilities shall be available for use by farm stand operators or their employees when food sampling is conducted in accordance with California Health and Safety Code.

   c. Prepackaged food products, including bottled water and/or soft drinks, shall be limited to a 50 sq. ft. storage and sales area.

   d. No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale.

   e. All garbage and refuse shall be stored and disposed in an appropriate manner.

   f. All prepackaged processed food products shall be stored in an approved vermin proof area or container when the farm stand facility is closed.

<table>
<tr><th></th><th></th><th>Planned Agricultural District</th><th colspan="2">Resource Management and Resource Management-Coastal Zone Districts</th></tr>
<tr><td rowspan="5">Temporary Farm Stands</td><td rowspan="2">Permits Required</td><td rowspan="2">Coastal Development Exemption (CDX);
Coastal Development Permit (CDP) if exemption criteria not met.</td><td>RM</td><td>RM-CZ</td></tr>
<tr><td>N/A</td><td>Coastal Development Exemption (CDX);
Coastal Development Permit (CDP) if exemption criteria not met.</td></tr>
<tr><td></td><td colspan="3">Potential Building Permit</td></tr>
<tr><td>Allowed Products</td><td colspan="3">Whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, meat, dairy and honey as well as value-added products allowed under Cottage Food Law. Whole farm products and value-added products (except for added pectin, salt, seasoning, and/or sugar) must be produced in San Mateo County.
Sale of alcoholic or cannabis products prohibited.</td></tr>
<tr><td>Considerations</td><td colspan="3">Limited to 200 sq. ft. in size.
Building permit required when: over 120 sq. ft. and/or if requires utilities or operates for 180 days or longer.
Operations limited to less than 9 months
Products sold are limited to those produced and/or grown in San Mateo County
Setbacks subject to regulations pertaining to watercourses and riparian habitat
Temporary Farm Stands do not consume density credits.</td></tr>
<tr><td rowspan="5">Permanent Farm Stands</td><td rowspan="2">Permits Required</td><td rowspan="2">Planned Agricultural District (PAD) Permit. Coastal Development Exemption (CDX);
Coastal Development Permit (CDP) if exemption criteria not met.</td><td>RM</td><td>RM-CZ</td></tr>
<tr><td>Resource Management (RM) Permit.</td><td>Resource Management-Coastal Zone (RM-CZ) Permit;
Coastal Development Exemption (CDX);
Coastal Development Permit (CDP) if exemption criteria not met.</td></tr>
<tr><td></td><td colspan="3">Potential Building Permit.</td></tr>
<tr><td>Allowed Products</td><td colspan="3">Whole farm products, including fresh fruits and vegetables, flowers, plants, grains, nuts, eggs, meat, dairy and honey as well as value-added products allowed under Cottage Food Law.
Sale of alcoholic or cannabis products prohibited.</td></tr>
<tr><td rowspan="2">Considerations</td><td colspan="3">Limited to 1,000 sq. ft.</td></tr>
<tr><td colspan="3">Building permit required when: over 120 sq. ft. and/or if requires utilities or operates for 180 days or longer.
Operations occur for 9 months or more.
Products grown or produced outside of San Mateo County may be sold with the issuance of a Produce Dealer's License issued by the San Mateo County Agricultural Weights and Measures Department.
A majority of whole farm products sold as well as the primary ingredients in value-added products must be produced and sold in San Mateo County</td></tr>
</table>

		Setbacks subject to overlying zoning district requirements as well as regulations pertaining to watercourses and riparian vegetation. Structures shall be located outside of sensitive habitat areas. Permanent Farm Stands consume density credits (Refer to SECTIONS 6356 and 6906).

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ITEM 10

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: February 26, 2021

TO: Agricultural Advisory Committee

FROM: Planning Staff

SUBJECT: Community Development Director's Report

CONTACT INFORMATION: Laura Richstone, Planner II, lrichstone@smcgov.org

The following is a list of Planned Agricultural District permits and Coastal Development Exemptions for the rural area of the County that have been received by the Planning Department from February 1, 2021 to February 26, 2021.

PLANNED AGRICULTURAL DISTRICT PERMIT OUTCOMES

The following PAD permit applications were heard or considered by the Board of Supervisors and/or Planning Commission during this time period:

1. Owner/Applicant: MidPeninsula Open Space District
   County File Number: PLN 2019-00385
   Location: 20080 Cabrillo Highway, San Gregorio
   APN: 086-060-100

   Consideration of a Coastal Development Permit and a Planned Agricultural Permit to drill a domestic water well to replace domestic water drawn from a natural spring and spring water box. There is no grading, no tree removal and no vegetation removal. The property is located at 20080 Cabrillo Highway in the unincorporated San Gregorio area of San Mateo County. The project is appealable to the California Coastal Commission. Please direct any questions to Project Planner Olivia Boo at oboo@smcgov.org.

   This project was approved by the Planning Commission at its February 24, 2021 regular meeting.

   The AAC reviewed and recommended this project for approval at its August 10, 2020 meeting.

2. Owner: Henry Lowman
   Applicant: Bruce Turner
   County File Number: PLN 2019-00366
   Location: 400 San Juan Avenue, El Granada
   APN: 047-117-010

   Consideration of Coastal Development Permit, Planned Agricultural Development Permit and Grading Permit for a major addition to add 2,009 sq. ft. to an existing 3,352 sq. ft. single-family dwelling. The project involves 555 cubic yards of grading, to include 505 cubic yards of cut and 50 cubic yards of fill. No trees are proposed for removal. The

project is located within the Highway 1 County scenic corridor. The project is NOT appealable to the Coastal Commission. Please direct any questions to Project Planner Bryan Albini at BAlbini@smcgov.org.

This project was approved by the Planning Commission at its February 24, 2021 regular meeting.

The AAC reviewed and recommended this project for approval at its July 13, 2020 meeting.

UPCOMING PLANNED AGRICULTURAL DISTRICT PERMIT PROJECTS

One PAD permit application was submitted during this time period:

1. Owner/Applicant: Tim Pond
   County File Number: PLN 2021-0045
   Location: 732 Alta Vista Road, Montara
   APN: 036-143-050

   Consideration of a Planned Agricultural District Permit and Coastal Development Exemption for 1,223 sq. ft. addition to an existing single-family residence to include the conversion of basement area to living space, enclosing of decks, a staircase, and new entry.

   This project was submitted on February 9, 2021.

COASTAL DEVELOPMENT EXEMPTIONS FOR AGRICULTURAL PROJECTS

No rural CDX applications were submitted during this time period.

ADDITIONAL ANNOUNCEMENTS

1. The following projects were submitted during this time period, are located in the PAD, but do not require a PAD permit:

   a. *Owner/Applicant:* *County of San Mateo*
   County File Number: *PLN 2021-00056*
   Location: *330 Butano Cut Off, Pescadero*
   APN: *086-160-050*

   Consideration of Local Coastal Program Amendment for CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project. LCP amendment to facilitate: (1) CSA-11 water line extension to serve the Pescadero Middle/High School and future replacement Fire Station 59 located at 350-360 Butano Cut Off and (2) allow for the location of the replacement Station 59 at the Middle/High School property. Existing Station 59, located at 1200 Pescadero Creek Road, will be partially demolished. This project is subject to Coastal Commission certification of the amendments and LAFCo CSA-11 Municipal Service Review and Annexation approval. LCP text amendment only, no construction is proposed under this permit. Construction of the water line extension and fire station will be subject to separate Coastal Development Permits at a later date.

This application was submitted on February 18, 2021 and no decision has been made.

b. *Owner/Applicant:* *Angela Deiana, PG&E*
County File Number: *PLN 2021-00035*
Location: *Pescadero*
APN: *Various*

Consideration of a Coastal Development Permit for PG&E for the emergency removal of 381 burned trees adjacent to distribution lines in the CZU fire that posed an immediate threat to PG&E electric equipment and future removal of 43 additional trees. Emergency replacement of 37 distribution poles burned during the CZU fire and vegetation debris cleanup (2 locations completed; 8 future locations identified. All noted "minimal" to "moderate" clean up). The project area is primarily in along Highway 1 near Ano Nuevo. Project is appealable to the Coastal Commission.

This application was submitted on February 9, 2021 and no decision has been made.

3. The AAC Agritourism Subcommittee conducted its final meeting on February 27, 2021 and gathered proposed amendments to the Agritourism Guidelines. Draft recommendations will be considered before the whole Committee at a future AAC meeting.

4. The next regular meeting of the AAC is scheduled for April 12, 2021

5. AAC meetings will be held via videoconference until further notice to adhere to social distancing guidelines.