

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
MITIGATED NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Mukaeda Residence (Cypress Avenue, Moss Beach), when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN2020-00070

APPLICANT/OWNER: Randolph Mukaeda, 105 Rosa Flora Cir., South San Francisco, CA 94080

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

ASSESSOR'S PARCEL NO.: APNs 037-221-020 and 037-221-030; 5,643 sq. ft.

LOCATION: Undeveloped property located on Cypress Avenue, in unincorporated Moss Beach/Seal Cove area of San Mateo County. The project site can be accessed from Cypress Avenue, which is a public roadway.

PROJECT DESCRIPTION

The project requires a Design Review Permit (DRP), a Coastal Development Permit (CDP), and Merger, for the construction of a new 2-story, 1,971 sq. ft. residence with a 1,015 sq. ft. attached garage on a 5,643 sq. ft. legal parcel (Certificate of Compliance No. PLN2017-00532). The project site is accessed from Cypress Avenue, a public roadway which is improved at the project location. The project involves no tree removal and minor grading. The subject property is located within Zone 2 (Questionable Stability) of the County's Local Coastal Program's Seal Cove Study Area. The project is appealable to the California Coastal Commission.

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project, as mitigated, will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project, as mitigated, will not have adverse impacts on traffic or land use.

5. In addition, the project, as mitigated, will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term environmental goals to the disadvantage of long-term environmental goals.
 - c. Create impacts for a project which are individually limited, but cumulatively considerable.
 - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is less than significant.

MITIGATION MEASURES included in the project and identified by the Lead Agency to avoid potentially significant effects:

Mitigation Measure 1: Upon the start of excavation activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- i. Construction-related activities shall not involve simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously).

Mitigation Measure 2: The applicant shall implement the following mitigation measures to avoid direct impacts to California Red-legged Frog (CRLF), San Francisco dusky-footed woodrat (SFDFW), protected nesting birds and raptors, if present during the course of activities on the site:

- a. Pre-construction surveys for SFDFW houses shall be performed no less than 30 days prior construction (including ground disturbance work and/or demolition of existing structures). If stick houses are found and avoidance is not feasible, the houses shall be dismantled by hand under the supervision of a biologist. If young are encountered during the dismantling process, the material shall be placed back on the house and a buffer of 25 to 50 feet shall be established by the biologist for a minimum of 3 weeks to allow young time to mature and leave the nest. Nest material shall be moved to a suitable adjacent area for reuse. Pre-construction surveys shall be provided to the Project Planner for review and approval, prior to start of any work at the Project Site.
- b. A pre-construction survey for CRLF shall be performed within 48 hours of ground disturbing activities. Non-listed species if found, may be relocated to suitable habitat outside the Project Site. If CRLF is found, work should be halted, and the USFWS will be contacted. If possible, CRLF should be allowed to leave the area on its own. If the animal does not leave on its own, all work shall remain halted until the USFWS provide authorization for work to resume. Pre-construction surveys shall be provided to the Project Planner for review and approval, prior to start of any work at the Project Site.
- c. Tree and vegetation removal activities shall be initiated during the non-nesting season of from September 1 to January 31 of protected nesting birds and raptors when possible. If work cannot be initiated during this period, then nesting bird pre-construction surveys shall be performed in trees proposed for removal and suitable nesting habitat within 500 feet of the project footprint. Pre-construction surveys shall be provided to the Project Planner for review and approval, prior to start of any work at the Project Site.

If nests are found, a no-disturbance buffer shall be placed around the nest of protected nesting birds and raptors until young have fledged or the nest is determined to be no longer active by the biologist. The size of the buffer may be determined by the biologist based on species and proximity to activities but should generally be between 50 to 100 feet for songbirds and up to 500 feet for nesting raptors.

Mitigation Measure 3: Prior to commencement of grading and construction activities, a field study by a qualified professional archaeologist shall be conducted to update the conditions of this possible site on Office of Historic Preservation's DPR 523 resource recordation forms, assess potential impacts of the proposed project activities on this site, and provide project-specific recommendations as warranted.

Mitigation Measure 4: In the event that cultural, paleontological, or archeological resources are encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archeologist and any recording, protecting, or curating shall be borne solely by the project sponsor. The archeologist shall be required to submit to the Director of Planning and Building for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

Mitigation Measure 5: The applicants and contractors shall be prepared to carry out the requirements of California State law with regard to the discovery of human remains, whether

historic or prehistoric, during grading and construction. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately, and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

Mitigation Measure 6: Prior to the issuance of the building permit for the residence, the applicant shall revise the Erosion Control Plan to include the driveway area and proposed measures and additional measures as follows, subject to the review and approval of the Community Development Director.

Mitigation Measure 7: The applicant shall adhere to the San Mateo County-wide Stormwater Pollution Prevention Program “General Construction and Site Supervision Guidelines,” including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.
- d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
- f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

Mitigation Measure 8: Once approved, erosion and sediment control measures of the revised Erosion Control Plan shall be installed prior to beginning any site work and maintained throughout the term of grading and construction, until all disturbed areas are stabilized. Failure to install or maintain these measures will result in stoppage of construction until corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Building Inspection Section.

Mitigation Measure 9: At the time of building permit application, the applicant shall demonstrate compliance with the following measures as indicated on the applicant-completed Climate Beneficial Actions by Project Developers Form (Attachment D) or equivalent measures, to the extent feasible. Such measures shall be shown on building plans.

- a. Energy storage technology (e.g. solar or home battery storage system)
- b. EV charging station(s)
- c. Use of drought-resistant landscape design principles which include replacing lawns or installing new gardens with native and drought-resistant plants, utilizing mulch, installing a rain garden, and avoiding the use of invasive and/or water-intensive plant selections.

Mitigation Measure 10: At the time of application for a building permit, the applicant shall submit a permanent stormwater management plan to the Building Inspection Section for review for compliance with Municipal Stormwater Regional Permit Provision C.3.i and the County's Drainage Manual.

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

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

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

RESPONSIBLE AGENCY: None.

REVIEW PERIOD: Tuesday, May 14, 2024 – Monday, June 3, 2024

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the contact person listed here, no later than **5:00 p.m., on Monday, June 3, 2024.**

SCHEDULED PUBLIC MEETING OR HEARING: Planning Commission Meeting – 9 a.m. on July 10, 2023 (Tentative Date; hybrid meeting)

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