



County of San Mateo

Planning & Building Department

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June 3, 2014

Ms. Julie Casagrande
County of San Mateo
Department of Public Works
555 County Center
Redwood City, CA 94063

Dear Ms. Casagrande:

Subject: **LETTER OF DECISION**
File Number: PLN2014-00144
Location: Carlos St., between Etheldore St. and California Ave., Moss Beach
APNs: Public R-O-W, adjacent to 037-097-010, 037-097-160, 037-097-200, 037-097-210, 037-097-240,
and 037-097-250

On May 28, 2014, the San Mateo County Planning Commission considered a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, to implement a "Green Streets Improvement Project" on Carlos Street in the unincorporated Moss Beach area of San Mateo County.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the project by adopting the required findings and conditions of approval as identified in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m.** on June 11, 2014.

An approval of this project is appealable to the California Coastal Commission. Any aggrieved person may appeal this decision to the California Coastal Commission within 10 working days following the Coastal Commission's receipt of the notice of Final Local Decision. Please contact the Coastal Commission's North Central Coast District Office at (415)904-5260 for further information concerning the Commission's appeal process. The County and Coastal Commission appeal periods are sequential, not concurrent, and together total approximately one month. A project is considered approved when these appeal periods have expired and no appeals have been filed.

Please direct any questions regarding this matter to Mike Schaller, Senior Planner, at (650)363-1849 or Email: mschaller@smcgov.org.

Sincerely,

Heather Hardy
Planning Commission Secretary

cc: California Coastal Commission
Midcoast Community Council

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2014-00144

Hearing Date: May 28, 2014

Prepared By: Mike Schaller

Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review, Found:

1. That this project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act, consisting of the repair of existing public or private structures involving negligible or no expansion of use.

Regarding the Coastal Development Permit, Found:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as discussed in the staff report under Section A.2, including protection of biological resources.
3. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program as discussed in the staff report under Section A.2, the applicant has agreed to implement the mitigation measures identified in the biological report in order to minimize any potential impact to biological resources to a less than significant level.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in this report and plans as reviewed by the Planning Commission on May 28, 2014. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. The applicant shall implement their construction best management practices as necessary. Said practices shall conform to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines" and include, but not be limited to:

- a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
- b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
- c. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
- d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
- e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into existing drainage systems and water bodies and adhere to the above referenced practices.

3. The applicant shall train and provide instruction to all employees and subcontractors regarding the construction best management practices (as listed above).
4. This permit shall be valid for one year in which time construction shall commence. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees 60 days prior to expiration.
5. The applicant shall time their project to occur when rainfall is not predicted for the region in order to prevent erosion and water quality impacts. Work shall not occur unless a zero precipitation forecast is obtained for the planned workdays.
6. If work is scheduled to begin prior to August 15, a qualified biologist shall conduct a pre-construction nesting bird survey. If nesting birds are detected near the project sites, a 250-foot exclusion zone for passerines (500- to 1,000-foot for raptors) shall be established for protection. If the exclusion zone is located within the immediate work area, construction will be delayed until the young have fledged and left the nest.
7. The applicant shall have a qualified biologist perform pre-construction plant and wildlife surveys.
8. If sensitive semi-aquatic species (i.e., California red-legged frog (CRLF)) are observed at the project site, work shall not commence and the appropriate agencies, California Department of Fish and Wildlife and United States Fish and Wildlife Service, will be notified immediately. Construction shall not take place in any area in which listed species are present.

9. Any special status plants (i.e., beach strawberry) observed near the project site shall be clearly marked/flagged to delineate the areas to be avoided.
10. The applicant shall have a qualified biologist present worker awareness training for construction personnel describing the species, their protected status, their ecology, and measures to be taken to avoid impacts prior to any construction.
11. The applicant shall have a qualified biologist on the site to monitor construction activities. The monitoring biologist shall inspect the work area for wildlife each day prior to the start of construction activities. Work will not take place in any area in which CRLF are present. If this species is detected within the active work area, construction activities shall stop until a permitted biologist relocates the animal or it leaves on its own. The monitoring biologist shall inspect beneath all vehicles that have been parked for more than 15 minutes before they are moved to ensure that wildlife has not moved under the vehicle.
12. Sensitive habitat along the adjacent CalTrans ditch shall be clearly marked with orange plastic exclusionary fencing by the contractor as directed by a qualified biologist to establish an exclusionary zone. This fencing shall be designed to create a movement barrier that will prevent CRLF from entering the project work site. All personnel and equipment shall be prohibited from entering this area.
13. Fueling and maintenance of vehicles shall take place at least 65 feet away from the adjacent drainage ditch and storm drain inlets.
14. The applicant shall implement erosion control and containment best management practices (e.g., installation of silt fencing, natural fiber tightly woven straw rolls, catch basin protection, street sweeping, etc.) to prevent delivery of pollutants into the storm drain system and Areas of Special Biological Significance.
15. Access to adjacent public and private properties will be maintained during construction.
16. Vegetation, sediment, debris, and trash will not be stockpiled on-site and shall be removed from the site at the end of each workday.