

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: March 22, 2017

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit, Planned Agricultural Permit, and Kennel Permit to allow a dog hiking service located at 515 Stage Road in the unincorporated Pescadero area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00481 (Connolly/Smilin Dogs)

PROPOSAL

The owners of Smilin Dogs, a licensed dog daycare business with a kennel facility operating within the jurisdiction of the City of San Carlos, propose to legalize a currently unpermitted dog hiking service from their San Carlos office to a 756.93-acre parcel located at 515 Stage Road in the unincorporated Pescadero area of San Mateo County. The business currently provides the service to 72 dogs and proposes a maximum of 90 dogs through this permit. Additionally, the applicant proposes to install additional cattle fencing within the property and the use of a loafing shed used as a covered parking area.

RECOMMENDATION

That the Planning Commission certify the Mitigated Negative Declaration and approve the Coastal Development Permit, Planned Agricultural District Permit and Kennel Permit, County File Number PLN 2013-00481, by adopting the required findings and conditions of approval listed in Attachment A.

SUMMARY

The 756.93-acre parcel is located between Cabrillo Highway and Stage Road in Pescadero. The agriculturally zoned parcel is currently used to grow hay, pumpkins and supports a rotating commercial cattle grazing operation. An existing single-family residence, associated agricultural structures, and two fenced ponds are present within the property.

Local Coastal Program and General Plan Conformance

The project conforms to the Agricultural and Sensitive Habitats Component of the Local Coastal Program and the Vegetative, Water, Fish and Wildlife Resources, Visual Qualities, and Rural Land Use Policies of the General Plan. The submitted biologist report indicates a low to very low likelihood of occurrence of San Francisco garter snake and a low to moderate likelihood of occurrence of California red-legged frog within the project area and that no adverse impacts are anticipated to either species as a result of the project. Ponds on the property are inaccessible to the hiking service due to existing fencing; fence maintenance is included as a condition of approval as recommended by the biologist.

Zoning Regulations Compliance

Kennels are a conditionally permitted use, subject to a Planned Agricultural District Permit. The hiking service is compliant as to the location of the kennel use on Lands Suitable for Agriculture and Other Lands and that density credits, required for non-agricultural uses, are available on this property. The project also conforms to the substantive criteria for issuance of a Planned Agricultural District Permit in that the hiking service utilizes the existing firebreaks/service roads and will not convert soils, that development is clustered (the covered parking area is clustered in the southern portion of the property along with the residence and other agricultural structures), and that the kennel use is subordinate to the agricultural use of the property (ongoing commercial rotating cattle operation is given priority over the kennel use).

Kennel Ordinance Compliance

The project conforms to the General and Specific Requirements for kennels in that the use meets the definition of a kennel: *a place for the breeding, raising, keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment.* Kennel regulations allow such facilities only if they do not pose a nuisance or danger. Changes have been made since a 2013 incident where two dogs broke free from the pack in a northeast corner of the parcel, trespassed onto the neighboring cattle ranch through a hole in the perimeter fence, and where the cattle rancher shot one of the dogs for harassing his cattle (the perimeter fence repaired and the area no longer used by the hiking service).

Williamson Act Compliance

The parcel was found compliant with the County's Williamson Act Program as reviewed by the Agricultural Advisory Committee and the kennel was issued a Determination of Compatibility by the Agricultural Advisory Committee.

Environmental Review

An initial study and mitigated negative declaration was posted to which comments were received by the California Coastal Commission and a concerned community member, further discussed in the staff report.

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: March 22, 2017

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit, Planned Agricultural Permit, and Kennel Permit, pursuant to Sections 6328, 6350 of the County Zoning Regulations and Section 6.20.010 of the County Ordinance Code, respectively, to allow a dog hiking service located at 515 Stage Road in the unincorporated Pescadero area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00481 (Connolly/Smilin Dogs)

PROPOSAL

The owners of Smilin Dogs, a licensed dog daycare business with a kennel facility operating within the jurisdiction of the City of San Carlos, propose to legalize a currently unpermitted dog hiking service from their San Carlos office to a 756.93-acre parcel located at 515 Stage Road in the unincorporated Pescadero area of San Mateo County. The business currently provides the service to 72 dogs and proposes a maximum of 90 dogs through this permit. Additionally, the applicant proposes to install additional cattle fencing within the property and use a loafing shed as a covered parking area.

Current Operations

The hiking service operates Monday through Friday and occasional weekends from 10:00 a.m. to 2:00 p.m. Each weekday, six to eight converted passenger vans, containing 10-12 medium to large dogs (in excess of 25 pounds), are transported by Smilin Dogs employees from the San Carlos kennel location and/or clients' residences to the project site for off-leash hiking. Four vans are typically on the property at one time. The main business is located within the City of San Carlos jurisdiction and has a valid business permit to operate the dog day care (kennel).

Smilin Dogs uses the existing dirt road to access the property from Stage Road and parks their vans in an existing covered parking area (unpermitted loafing shed) on the property, then unload the dogs into an existing enclosed pen where the dogs relieve themselves before hiking. One employee then walks the pack through a fenced area to an existing bare soil firebreak. One pack of dogs is "hiked" along an existing firebreak/

service road that circles the inner area of the property. A total of 13.3 acres consisting of three trails on a rotating basis is proposed for dog hiking: Trail A (2.5 acres), Trail B (5.3 acres) and Trail C (5.5 acres). Only one trail will be utilized at one time and use of each trail is dependent on the needs of the ongoing agricultural operation. For the trail in use, five groups of dogs are hiked along the firebreak/service road at one time and at separate intervals. There are three water tanks on the property that are fed by a spring. Smilin Dogs uses water from the middle tank along the firebreak (about 50 gallons of water per day is used). The hiking area is fenced with 5-foot tall woven wire fencing topped with barbed wire along the outer edge of the firebreak/service road.

Dog waste is collected from the enclosed pen and hiking route by the handlers each day and taken to the San Carlos office for disposal (solid waste disposal by Recology). Two fenced and gated ponds are on the property to which the dogs do not have access.

Parcel Conditions

Of the approximate 757 acres, the landowner currently leases a total of 718 acres for cattle grazing and 37 acres for crop farming. A developed area that includes one single-family residence and agricultural-related buildings comprises the remaining acreage. Grazed areas include a lower grazing area (adjacent to the Stage Road entrance) and the upper portion of the parcel on the opposite side of the fenced firebreak.

Grazing on the parcel has been optimized through the completion of an Environmental Quality Incentive Program (EQIP) with the National Resources Conservation Service (NRCS) which has identified a maximum of 40 head of cattle on a rotating basis given the forage capacity and other site conditions. Staff contacted the NRCS EQIP Section and was informed that the dog hiking service does not pose a conflict with the Environmental Quality Incentive Program.

The parcel is under an active Williamson Act contract; kennels are a compatible use under the County's Williamson Act Program.

RECOMMENDATION

That the Planning Commission certify the Mitigated Negative Declaration and approve the Coastal Development Permit, Planned Agricultural District Permit and Kennel Permit, County File Number PLN 2013-00481, by adopting the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Melissa Ross, Senior Planner, Telephone 650/599-1559

Applicant: Konrad Thaler and Diana Ungersma for Smilin Dogs

Owner: Collete Gamble and Joseph Connolly

Location: 515 Stage Road, Pescadero

APN: 086-241-050

Size: 756.93 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Williamson Act: Contracted; AP67-36

Existing Land Use: Cattle grazing, hay and pumpkin farming, single-family residence and dog hiking service.

Water Supply: Existing spring and water tanks.

Sewage Disposal: Existing septic. No use or expansion as part of this project.

Flood Zone: Multiple. Zone X (area of minimal flood hazard), Zone X (0.2% annual chance flood hazard), Zone A (areas with a 1% annual change of flooding and a 26% chance of flooding over the life of a 30-year mortgage), Zone AE (base floodplain where base flood elevations are provided) FEMA Community Panels 06081C0510E and 06081C0505E; effective October 16, 2012. Dog hiking occurs within the Zone X (area of minimal flood hazard) area.

Environmental Evaluation: Initial Study and Mitigated Negative Declaration prepared and posted November 23, 2016 to December 13, 2016.

Setting: A portion of the 756.93-acre parcel abuts Cabrillo Highway but takes access from Stage Road 0.34 mile north of the intersection of Stage Road and Pescadero Creek Road. The parcel is characterized by rolling hills predominately used for a rotating commercial cattle grazing operation in conjunction with a lower flat pasture area and is sparsely vegetated with eucalyptus groves. The southern portion of the property is developed with a loafing shed/pen, single-family residence and outbuildings. Farming occurring in this area consists of hay and pumpkin crops. Multiple vehicular and fenced firebreak trails exist within the parcel as well as two fenced ponds and one water tank. The parcel abuts other agricultural lands and Pescadero Marsh to the southwest.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

Applicable General Plan Regulations are discussed below.

a. Vegetative, Water, Fish and Wildlife Resources

Policy 1.23 (*Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources*) regulates land uses and development activities to prevent, and if infeasible mitigate to the extent possible, significant adverse impacts on vegetative, water, fish and wildlife resources.

Two fenced ponds are present on the parcel; the lower pond is adjacent to the hiking trail and the upper pond is located approximately 180 feet from the edge of the trail. Though the parcel is not mapped for California red-legged frog (CRLF) or San Francisco garter snake (SFGS) habitat, a biologist report was submitted to evaluate the potential likelihood of protected species and impacts the dog hiking may have on such species.

The biologist report found that the upper and lower ponds support low to moderate suitable habitat for CRLF and SFGS but neither pond supports optimal habitat for the San Francisco garter snake. The report concluded that, given the open and sparsely vegetated condition of both ponds, CRLF has a low to moderate likelihood of occurrence and SFGS has a low to very low likelihood of occurrence. No riparian corridor, streams or buffer zones were identified in the report as being in the vicinity of the hiking areas. Further, no adverse impacts to protected species is anticipated since CRLF tend to move overland at night and the hiking service operates midday and SFGS will take cover when a disturbance is sensed, if the species were present on the parcel. Additionally, Smilin Dogs handlers do not have access to the fenced ponds further limiting potential impacts to aquatic species. The report recommended that the pond fencing be maintained, and staff has added this as a condition of approval.

Policy 1.37 (*Protect the Productive Use of Water Resources*) ensures that land uses and development on or near water resources will not impair the quality or productive capacity of these resources.

The parcel is bordered by Pescadero Creek along the western and southern parcel boundaries and Pescadero Marsh along the southwestern parcel boundary. Two fenced ponds are located within the property with one of the ponds adjacent to the hiking area. No hiking occurs within the vicinity of Pescadero Creek or Marsh and fencing around the existing ponds prevents access.

Although the dogs do not have access to these waterbodies, there remains the potential for dog waste pathogen contamination to occur within the watershed. After being offloaded from the vans, dogs relieve themselves within the existing pens prior to hiking. The pens are located in the southeast area of the parcel and not adjacent to any water sources. Handlers collect the waste in the pens and along the trail as necessary and transport the waste for disposal at the San Carlos location. In order to minimize potential pathogen contamination to Pescadero Creek and State Beach waters, conditions of approval have been added requiring the maintenance of pond fencing in addition to requiring the immediate collection of dog waste as recommended by the Regional Water Quality Control Board.

b. Visual Quality Policies

Policy 4.47 (*Regulation of Development in Scenic Corridors*) requires special controls to regulate both site and architectural design of structures located within rural scenic corridors in order to protect and enhance the visual quality of select rural landscapes.

The west portion of the parcel abutting Highway 1 is located within the Cabrillo Highway State Scenic Corridor; the eastern portion of the parcel is located within the Pescadero Creek Road and Stage Road County Scenic Corridors. No development is proposed within the State Scenic Corridor. The covered parking area and a portion of the hiking trail are located within the County Scenic Corridor but both are not visible due to steep topography and dense vegetation.

c. Rural Land Use Policies

Policy 9.30 (*Development Standards to Minimize Land Use Conflicts with Agriculture*) seeks to avoid to the greatest extent possible locating non-agricultural activities on soils with agricultural capability or lands in agricultural production. It also calls for regulations to place priorities according to the relative productive characteristics of the resource, and require buffers for any non-agricultural activities from agricultural activities by means of distance, physical barriers or other non-disruptive methods.

As identified on the San Mateo County General Plan Productive Soils Resources Soils with Agricultural Capability Map, the majority of the parcel is mapped for grazing. No forage is produced within the existing firebreak/service road where the dogs are hiked thereby minimizing impacts to agriculturally capable areas. Hiking is currently buffered from the cattle operations by means of existing cattle fencing but the entire grazing area is available and given priority to the grazing tenant as stated in the lease agreement (“Secondary Subservient Use,” refer to Attachment C) between the landowner and Smilin Dogs. The lease identifies a non-exclusive license agreement which may be terminated at any time without cause and that agricultural operations take precedent over any other activity on the premises.

Grazing has occurred and continues to occur on a rotating basis within the upper portion of the parcel depending on available forage. As areas are grazed, Smilin Dogs will accommodate the grazing operation such that the dog hiking trail utilized changes depending on the field grazed. At any point, should the grazing tenant wish to graze the entire upper area, Smilin Dogs will not be permitted on the property. Areas grazed are coordinated between the cattle tenant and applicant via phone call; cattle are typically rotated during weekends when the applicant does not provide hiking service. The grazing areas are buffered from the hiking use by cattle fencing.

2. Conformance with the Local Coastal Program (LCP)

Staff has reviewed the project and found it to be in compliance with the policies of the Local Coastal Program. The relevant policies are discussed below.

a. Locating and Planning New Development Component

Policy 1.8.c. (*Require Density Credits for Non-Agricultural Uses*) allows development in rural areas provided there are enough density credits available to that parcel to meet the density credit requirements for existing and additional uses.

In 2000, a density analysis (DEN 2000-00009) was performed which identified seven density credits as being available on this parcel. Density credit accrual is based on parcel zoning and land characteristics (e.g., percentage of slope, floodplains, landslide, etc.). Application of the resulting density credits for non-agricultural uses are based on the average daily water usage during the two highest months of water use in a year (one density credit is equal to 315 gallons, equivalent to a single-family residence). Local

Coastal Program Table 1.5 identifies a commercial kennel use and water usage based on square footage of a kennel. Since the hiking service does not include the construction of buildings, overnight accommodations or grooming services of a standard commercial dog kennel, water usage is limited to drinking water during the time the dogs are hiking on the property. Smilin Dogs uses approximately 50 gallons of water per day for 72 dogs and accesses this water from the existing water tank located approximately in the center of the property adjacent to the firebreak/service road. For the kennel use, one density credit would be required, and is available both for the existing operation and proposed operation of 90 dogs. One density credit is also consumed by the existing single-family residence (agricultural uses do not consume density credits). If approved, the kennel use will reduce the parcel density credits to five unused credits.

b. Agriculture Component

Policy 5.6(b) (*Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture*) conditionally permits kennels on lands designed for agriculture.

As further discussed in Section 3, below, kennels are conditionally permitted on Lands Suitable for Agriculture subject to permit approval.

Development in the rural areas of the Coastal Zone may be allowed only if the development will not have significant adverse impacts on coastal resources or diminish the ability to keep all lands suitable for agriculture in agricultural production (Policy 1.8 – *Land Uses and Development Densities in Rural Areas*).

Based on the applicant's submitted map, there are two main areas for cattle grazing: the lower area adjacent to Stage Road and the upper area consisting of four grazing sections. The lower area, separated from the upper hiking area by steep topography, provides the best grazing and can be grazed year round, weather and forage permitting. The upper grazing area consists of four sections and is grazed on a rotating basis.

Since the property has been optimized for grazing under the EQIP, no additional heads of cattle could be grazed given the EQIP capacity limit if the hiking use were not present on the property. Since grazing of the upper area occurs on a rotating basis, the hiking service utilizes the trail routes along the "resting" areas (areas not under active grazing). These resting areas are not in use by the cattle tenant until

such time as the forage is renewed thereby maintaining agricultural lands in production.

c. Sensitive Habitats Component

LCP Policies 7.1 (*Definitions of Sensitive Habitats*), 7.3 (*Protection of Sensitive Habitats*) and 7.5 (*Permit Conditions*) protects certain plants, animals and their habitats (e.g., streams) for protection against land uses or development which would have a significant adverse impact on such sensitive habitats, and require the applicant to demonstrate that no significant impacts will occur.

As discussed in Section A.1.a. of this report, a biological assessment was performed to address potential impacts to the California red-legged frog and the San Francisco garter snake given the trail proximity to the two on-site ponds. No adverse impacts are anticipated to either species given the low likelihood of occurrence within the project area. The project is conditioned requiring the maintenance of the pond fencing to further minimize potential impacts.

In addition to plant and animal species and habitat, watercourses and waterbodies are also defined as sensitive habitats. Pathogen contamination resulting from dog feces within the Pescadero watershed may become significant if the dog waste is left on-site. Bacteria found in dog feces can be a major source of water contamination and typically results from impervious surface runoff.¹ Although the project area is not adjacent to watercourses, located on impervious surfaces, or located within proximity to storm drains, a condition of approval has been included requiring the immediate collection dog waste in order to minimize potential watershed impacts. Immediate collection is the current business practice and was observed by staff during a site inspection. Collected waste is disposed of at the San Carlos facility. A review of the project by the Regional Water Quality Control Board recommended restricted access to waterbodies and immediate collection of dog waste.

3. Compliance with the Zoning Regulations

The project is compliant with the applicable zoning regulations as discussed below.

¹ Total Maximum Daily Load for Bacteria in San Pedro Creek and at Pacifica State Beach Final Staff Report for Proposed Basin Plan Amendment, California Regional Water Quality Control Board San Francisco Bay Region (November 2012).

a. Permitted Uses within the Planned Agricultural District (PAD) Zoning

Section 6353.B. of the Zoning Regulations allows kennels as a conditionally permitted use on Lands Suitable for Agriculture and Other Lands within the Planned Agricultural Zoning District subject to PAD and Kennel permit approval. Kennels are defined as the breeding, raising, keeping, boarding or other handling of more than ten dogs per dwelling or business establishment and is discussed further under Section 4, below, of this staff report.

With regard to the classification of land within the hiking area, the lands are classified as Other Lands Suitable for Agriculture and do not meet the definition of Prime Agricultural Lands.

Prime Agricultural Lands are defined as any one of the following: (1) mapped Class I, II or Class III lands (capable of growing Brussel sprouts), (2) mapped lands with a Storie Index of 80-100, (3) lands having crops planted with an annual return of \$1,534.79² per acre, (4) or lands that support livestock use for the production of food and fiber with an annual carrying capacity to at least one animal unit³ per acre.

Prime Agricultural Lands on this parcel include the hay and pumpkin growing areas and the lower grazing area adjacent to Stage Road but do not include the upper grazing area since no mapped prime agricultural lands are present and the grazing operation is capped at 40 head/parcel thus not meeting the minimum animal unit carrying capacity of one animal unit per acre. Therefore, the upper grazing area and hiking area are designated as Lands Suitable for Agriculture which is the land designation where a kennel operation may occur subject to permit approval. Since no ground disturbance is proposed with this project, no change in soil composition is occurring, no non-dependent soil structures/buildings are proposed, and the grazing operation can continue on a rotating basis, no soil conversion is occurring with this project.

Section 6358 (*Maximum Height of Structures*) and Section 6359 (*Minimum Yards*) identify minimum setbacks for non-agricultural development; legalization of the covered parking area is compliant with these setbacks.

² Per the PAD Regulations Section 6351, this number has been adjusted for inflation using the 1965 base year according to the U.S. Bureau of Labor Statistics Consumer Price Index Inflation Calculator at a rate of \$200 per acre for the 2016 year.

³ Animal unit as defined by the U.S. Department of Agriculture: "An animal unit is generally one mature cow of approximately 1,000 pounds and a calf as old as 6 months, or their equivalent."

	Development Standards	Existing Setbacks
Minimum Front Yard	50 feet	Approx. 2,000 feet
Minimum Side and Rear Yards	20 feet	Approx. 400 feet Approx. 1,000 feet
Maximum Height	28 feet	Approx. 10 feet for the covered parking structure

b. Density Credits

As discussed in Section A.2.a. above, non-agricultural uses within the PAD Zoning District require density credits. For the kennel use, one density credit would be required, and is available. One density credit is also consumed by the existing single-family residence (agricultural uses do not consume density credits). If approved, the kennel use will reduce the parcel density credits to five unused credits.

c. Substantive Criteria for Issuance of a Planned Agricultural District Permit

In order to issue a PAD permit for this use, the following criteria must be met.

General Criteria

- (1) *That the encroachment of all development upon land which is suitable for agricultural use shall be minimized.*

The hiking route utilizes existing firebreaks and service roads found in the upper grazing area and will not convert soils for the use. These established roads do not directly provide forage for cattle though the adjacent areas are used for the rotating grazing operation. To that end, the hiking service maintains the fenced grazing areas and utilizes the trail route according to the grazing area in use so as to avoid encroachment with the ongoing agricultural operations.

- (2) *That all development permitted on a site shall be clustered.*

The existing single-family residence, covered parking area and associated agricultural buildings/structures are clustered in the southern portion of the property.

- (3) *That the project conforms to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.*

The project is compliant with the Development Review Criteria regarding Site Design and Water Resources in that the presence of the use is subordinate to the pre-existing agricultural use of the site, the surrounding character of the site is maintained and unchanged as a result of the proposed use, and that solid waste is collected regularly from the site as recommended by the Regional Water Quality Control Board.

Water Supply Criteria

- (4) *That the existing availability of an adequate and potable well water source for all non-agricultural uses is demonstrated.*

Water use for the hiking service is restricted to drinking water for the dogs for which a permanent potable water source is not required. The on-site water system provides the water required for the dog hiking operation, which is a minimal amount that has no impact on the water supply needed to support agriculture.

- (5) *That adequate and sufficient water supplies needed for agricultural production and sensitive habitat protection in the watershed are not diminished.*

The hiking services utilizes approximately 50 gallons of water daily from the water tank located in the center of the property; no water is taken from the two stock ponds. Given the restricted access to the ponds and relatively low water consumption of the use, it is not likely that significant adverse impacts to the agriculture and sensitive habitats will result. Further, both agricultural tenants have stated that the hiking service has not impacted their ongoing cattle or crop operations (Attachments G and H).

4. Compliance with the Kennel Ordinance

Kennels are defined under San Mateo County Ordinance Code Section 6.20.010 as “a place for the breeding, raising, keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment.”

Kennel permits are renewable and revocable. The term of a Kennel permit is 12 months, subject to revocation and a site compliance inspection prior to renewal. Action on the renewal is taken by the Community Development Director; permit revocation is by the Planning Commission.

Kennel permits may be granted provided the General and Specific Requirements outlined below are met.

a. General Requirements for Kennels

- (1) *That the keeping and maintenance of the animals will not create a nuisance or endanger the public health, safety or welfare.*

Smilin Dogs has been providing the hiking service unpermitted on the subject property since 2000. In 2013, staff became aware of the operation by way of an incident that occurred at the property where two dogs under the control of a Smilin Dogs handler broke free from the pack in the northeast corner of the parcel. The two dogs trespassed through a hole in the existing perimeter fence onto the northern neighboring parcel where cattle were present. The trespass resulted in the neighboring cattle rancher shooting one of the dogs for harassing his cattle.

Since the incident, Smilin Dogs no longer utilizes that area for dog hiking and has repaired the perimeter fencing. Staff is not aware of any further incidents involving trespass or harassment of cattle on the neighboring property or of any incidents where the dogs have harassed cattle grazing within the subject property.

The applicant is proposing a fenced corridor (cattle fencing; woven wire with a barbed wire top) along the start of the hiking route which will further restrict access to the northeast corner. Staff has added a condition of approval requiring installation and/or repair of perimeter fencing sufficient to contain the dogs within the property.

A referral of the project to San Mateo County Animal Control and Licensing yielded no comments.

- (2) *That facilities exist at the proposed location to safely and adequately secure, feed, house, exercise and maintain the animals.*

The subject parcel is used only for exercise of the dogs; housing and other care is provided at the San Carlos facility. Smilin Dogs has relationships with local veterinarians and has equipped each van with dog first aid kits in case care is urgently needed on-site. Each handler is equipped with a cell phone in case of emergency.

Staff is aware of one lost dog instance in May 2016 where one handler noticed one dog was unable to keep pace with the rest of the pack. In this instance the handler contacted the next handler following to attend to and leash the dog. During this time, the dog was left unattended and wandered within the property. The dog was found within the property. Smilin Dogs' procedure for such occurrences includes alerting the ranch manager and all handlers, search by all handlers (if dog has not returned within 10 minutes) followed by notification to the General Manager at the San Carlos office and notification, as needed, to the dog's owner. Smilin Dogs may initiate larger scale search parties, flyers, notification to neighbors, the use of dog trackers, and contacting the Society for the Prevention of Cruelty to Animals (SPCA) if necessary.

Staff has added a condition for additional fencing and that no dog is left unattended at any time.

- (3) *That facilities exist at the proposed location to provide adequate light, ventilation and space for each animal to move, stand and sit.*

No buildings are proposed to house the dogs; all hiking occurs outdoors. Dogs are transported from the San Carlos office in passenger vans converted for animal transport.

- (4) *That possession and maintenance of the animals at the proposed location will not result in the animals being subject to discomfort, neglect, suffering, cruelty, or abuse.*

Handlers are trained to utilize positive reinforcement. During staff's site visit, staff observed the handlers rewarding behavior with treats (e.g., maintaining proximity to handler/pack) and allowing dogs to rest along the hiking route.

- (5) *That the permit holder agrees to make every effort to keep all animals free of disease and parasites and provide adequate veterinary care as needed.*

Smilin Dogs requires vaccinations for DHPP (distemper, hepatitis, parainfluenza and parvovirus), rabies, and Bordetella (kennel cough) and recommends owners use a tick and heartworm preventative. Dogs are checked for “stickers” (e.g., foxtail, burrs) and ticks at the end of each hike. Veterinary information from owners are on file with Smilin Dogs.

- (6) *That where permanent buildings are constructed for the keeping of animals, they shall be of Type V or better construction as defined in the County Building Regulations (Division VII of this Ordinance Code).*

No buildings are proposed to house the dogs as part of the hiking service.

- (7) *That the keeping of the animals at the facility will not violate any federal, state or local law.*

Chapter 6 Animal Control Section 6.04.070(b) (*Prohibited Conduct*) states that no owner or possessor of any animal shall cause or permit it to trespass upon any private property without the consent of the owner thereof, and to knowingly permit the animal to remain upon the property or to habitually continue to trespass thereon.

As discussed previously, one incident occurred on the subject parcel whereby two dogs trespassed onto the neighboring private property. The dogs did not remain on the property and no trespassing has occurred since the 2013 incident. Staff recommends that Smilin Dogs install and/or repair perimeter fencing as a condition of approval.

- (8) *That the applicant has not had any animal license or permit revoked or been convicted of violating of any provision of Chapters 6.04, 6.12 or 6.16 of this Ordinance Code, or any other federal, state or local animal control law, within the past year.*

Smilin Dogs has not been convicted of violating said chapters (Chapter 6.04 *Animal Control*, Chapter 6.12 *Spaying, Neutering and Breeding*, Chapter 6.16 *Animal Fanciers Permit*) or any other federal, state or local animal control law.

A referral of the project to San Mateo County Animal Control and Licensing and a search of the Superior Court of California County of San Mateo yielded no comment/results. Smilin Dogs

maintains a valid business license with the City of San Carlos (no business license is required in unincorporated San Mateo County).

b. Specific Requirements for Kennels

- (1) *That any building, pen, run or other enclosure housing dogs is at least 300 feet from any residence on a neighboring property, unless an exception is granted pursuant to Section 6.20.130.*

The closest point of the hiking trail is 500 feet from the residence on the neighboring parcel.

- (2) *That where dogs are to be kept primarily indoors, buildings constructed for that purpose shall have floors made of concrete, asphaltic concrete, or other impervious material, with drains provided as necessary to insure adequate drainage. Where dogs are to be kept primarily within a single-family dwelling, alternative provisions shall be made as appropriate to ensure dogs' quarters are easy to keep clean to the satisfaction of the Director of Environmental Health.*

No indoor use is proposed.

- (3) *That all outdoor dog pens and runs are kept free of standing water and are enclosed with a substantial fence which adequately secures the dogs.*

No outdoor pens are existing or proposed such that standing water would present an issue. Perimeter/cattle fencing exists within the property, however, staff has conditioned the project to require the maintenance and/or installation of perimeter fencing sufficient to contain the dogs within the subject parcel and that a fencing proposal be submitted to the Planning Department within 15 days of permit approval for review and approval.

- (4) *That if the proposed kennel is located in an R-E, R-1, or RH Zoning District, the following additional findings shall apply:*
- (a) *That the kennel is located on a parcel at least one (1) acre in size.*
- (b) *That the keeping of dogs at the proposed facility involves no retail or wholesale activity other than that which is clearly incidental to the keeping, raising or breeding of*

dogs, and services or sales conducted on the premises are by appointment only, whereby on one customer or client is on the premises at a time, and sales are not oriented toward or designed to attract off-the-street customers or clients.

The kennel is not proposed in R-E, R-1, or RH Districts.

5. Compliance with the Williamson Act Program

The County’s Williamson Act Program authorizes the County to enter into contracts with private landowners for the purpose of restricting development to commercial agricultural uses in exchange for a reduced property tax assessment. This parcel has been under contract since 1967.

a. Minimum Eligibility Requirements

The parcel has met the minimum parcel eligibility requirements (e.g., minimum parcel size, zoning) and land utilization for grazing operations as shown in the table below.

	Williamson Act Program Requirements	Planning Review	Compliance
Land Use Designation	Open Space or Agriculture	Agriculture	Yes
Zoning ¹	PAD, RM, or RM-CZ	PAD	Yes
Parcel Size ²	40 Acres	756.93	Yes
Prime Soils ³	N/A	5.73	N/A
Non-Prime Soils	N/A	751.2	N/A
Crop Income ^{4,6}	\$29,602.50	undetermined	undetermined
Grazing Utilization ^{5,6}	567.69 Acres	718	Yes
Horse Breeding	15 Broodmares	None	N/A
1. Zoning designations: "PAD" (Planned Agricultural District), "RM" (Resource Management), and "RM-CZ" (Resource Management-Coastal Zone).			
2. Minimum parcel size required is determined by the presence of Prime Agricultural Lands and/or Non-Prime Agricultural Lands. Parcel size taken from the San Mateo County Assessor's Office records.			
3. Prime soils: Class I or Class II (U.S. Department of Agriculture Soil Conservation Service (USDA SCS) Land Use Capability Classification), Class III with lands capable of growing artichokes or Brussels sprouts (USDA SCS and San Mateo County General Plan), and lands qualifying for an 80-100 Storie Index Rating (USDA SCS Storie Index Rating).			
4. Required income calculated per Income Requirements for Crops (Uniform Rule 2.A.6).			
5. Grazing land utilization is 75% of parcel acreage (Uniform Rule 2.A.7).			
6. Crop income and grazing data taken from Assessor's Office Agricultural Preserve Questionnaire response using the highest income and grazing acreage of the previous three years for purposes of this review. Contracted parcels are required to meet the minimum commercial crop income, commercial grazing land utilization, or commercial horse breeding.			

b. Determination of Compatibility

As outlined in the Program, non-agricultural uses (e.g., kennels, single-family residences) identified in the underlying zoning district of contracted lands may be deemed as being compatible to agriculture

subject to a determination by the Agricultural Advisory Committee. When compatible uses are proposed, these uses cannot exceed the amount of agricultural uses present on the parcel and in no case can the compatible uses exceed 25% of the parcel size. This project is compliant and was issued a Determination of Compatibility by the Agricultural Advisory Committee, refer to Section 6 below for further discussion.

Maximum Allowance of Compatible Uses: 25% of Parcel Size Maximum = 189.23 acres	
Agricultural Uses	
Grazing	718.95 acres
Farming	37 acres
Total	755.95 acre
Compatible Uses	
Residence	1 acre
Kennel (including Covered Parking Structure)	13.3 acres
Total	14.3 acres

6. Agricultural Advisory Committee Review

At its public hearing on October, 13, 2015, the Agricultural Advisory Committee (AAC) reviewed the project for conformance with the PAD regulations and reviewed the project for compliance with the minimum requirements for commercial grazing operations under the County’s Williamson Act Program and issued a Determination of Compatibility for the kennel use. The AAC recommended approval of the project.

7. Public Comments Received During Permit Processing

Staff has received one letter from the California Cattleman’s Association opposing the project, two letters in support from the landowner’s tenants (crop and cattle rancher tenants), and 56 emails in support from clients of Smilin Dogs.

a. California Cattleman’s Association Letter

In October 2013, staff received a letter from the California Cattleman’s Association (CCA) in opposition to the project. The letter has stated that “on more than one occasion, dogs have trespassed onto adjacent properties and have threatened domestic livestock” which “led to a rancher having to shoot a dog that was violently harassing his cattle.” The CCA also notes that direct and indirect stress from feral dogs can

affect the health of livestock and, in turn, impact a rancher economically.

The letter encourages the County to “address this issue properly to be sure that livestock and dogs alike are not harmed in the future” and that the CCA believes the use is “incompatible with adjacent and surrounding land uses that are largely agricultural.” As mitigation, the CCA requests that the County set conditions that require the business to mitigate the cost of any damages to adjacent neighbors, including a formula to assess direct and indirect damages, and that the County work with adjacent land owner to ensure their concerns are addressed.

Staff Response: Staff is aware of one instance in 2013 where two dogs trespassed through a hole in the perimeter fence and onto the adjacent land to the north of the subject parcel. The northerly parcel is the only adjacent land used for cattle, all other adjacent agricultural lands are farmed. As stated by the applicant, the dogs broke free from the handler and harassed livestock on the neighboring land; one dog was killed. This occurred along the northeastern portion of the parcel which is no longer part of the hiking route. Additional cattle fencing was installed and the perimeter fencing was also repaired. Staff has not received any comments or complaints from the on-site grazing tenant regarding harassment or health impacts to his cattle and is not aware of any other incidents where dogs have trespassed onto neighboring properties.

Regarding CCA’s request for mitigation of damages resulting from the loss of livestock, this request is not in the purview of the Planning Department to impose and the remedy for damages is outlined in California Food and Agricultural Code, Section 31501 which states: The owner of any livestock or poultry which is injured or killed by any dog may recover as liquidated damages from the owner of the dog twice the actual value of the animals killed or twice the value of the damages sustained by reason of the injuries, as the case may be. (*Pursuant to Section 31503 of this Code*), a proceeding under this section is a limited civil case.

B. ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration were prepared and posted on November 23, 2016 to December 13, 2016. Staff received two comments: California Coastal Commission and Ron Sturgeon.

California Coastal Commission

1. *The applicant must apply for a Planned Agricultural Permit and the proposed use must be consistent with LCP Zoning Regulations.*

Staff's Response: The applicant has applied for these permits and LCP and Zoning Regulations consistency is discussed in this staff report.

2. *We previously recommended that a biological survey be conducted to evaluate the project's potential to adversely affect CRLF and SFGS and we greatly appreciate that such a survey was conducted. However, due to the survey being conducted in a particularly dry year in November, it may not have captured the extent of potential habitat use by these species. As such, we recommend that the applicant conduct a survey of the site later in the season to ensure the extent of potential habitat used by these species is properly delineated and sufficient mitigation measures are included to protect sensitive habitats.*

Staff's Response: In response to the Coastal Commission's concern, the applicant has submitted a supplemental biological evaluation in which the biologist conducted a subsequent site visit on January 25, 2017 after higher than normal precipitation for the current rainy season and within the breeding period of CRLF (November-March) as stated by the biologist. The biologist walked both on-site ponds, both were full, and detected chorus frogs but did not observe any larger frogs or find any egg masses. The biologist concluded that the habitat assessment and findings regarding potential impacts to CRLF and SFGS provided in the January 2016 biological evaluation are still accurate, and no additional mitigation measures are recommended at this time. Staff has added as a condition of approval that subsequent biological evaluations may be required by the Planning Department prior to renewal as needed to ensure protection of sensitive habitats and sufficient mitigation measures.

Ron Sturgeon

1. *Smilin Dogs does not maintain/operate a kennel on the Ranch. It's incorrect and misleading as it characterizes this activity as the equivalent of a dog kennel.*

Staff's Response: As discussed in Section A.4 of this report, the definition of a kennel is "a place for the breeding, raising, keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment." The keeping and other handling of the dogs on the subject property thereby falls within the definition of a kennel and this use is subject to a kennel permit.

2. *This Negative Declaration is inadequate in that it fails to assess the adverse impact that this dog romp project previously has had (and could potentially have) on surrounding agriculture. The failure to mitigate against the repetition of dogs being able to escape the Connolly Ranch and harass cattle on the neighboring Ranch to the north is an obvious oversight.*

Staff's Response: One incident occurred on the property resulting from a hole in the perimeter fence which has since been repaired and the area where the incident occurred removed from use. Repair of the fence and modification of the hiking route occurred immediately after the incident in 2013. Staff is unaware of any repeated trespass onto the northern property or any interference/harassment of on-site cattle as stated in the cattle tenant's declaration.

Staff has conditioned the project to require the maintenance and/or installation of perimeter fencing sufficient to contain the dogs within the subject parcel and that a fencing proposal be submitted to the Planning Department within 15 days of permit approval for review and approval.

3. *The accompanying documents should also include the "license agreement" between Smilin Dogs and the Ranch owner. It's highly doubtful that this agreement allows the grazing tenet [sic] to determine if/when Smilin Dogs will have its anticipated access to the Ranch for its activities.*

Staff's Response: The lease agreement identifies the Smilin Dogs use as a "secondary subservient use" that "may be terminated at any time without cause" and that "it is clearly understood by all parties involved that agricultural operations take precedence over any other activity on the premises." The applicant has stated that the cattle tenant calls the applicant several days prior to when he intends to move his cattle to other grazing areas. Relocation typically occurs on the weekend when the applicant has stated they do not provide hiking services.

4. *The exhibits attached to the Neg. Dec are wholly inadequate. They do not present in a discernible manner the location old trails or new trails, the necessary gates between pastures, etc.*

Staff's Response: The hiking service utilizes the existing fire break/service roads within the property, new trails are not proposed and all trail routes were identified. In response to the comment, the applicant has submitted a revised site plan that identifies all gates located within the property.

C. REVIEWING AGENCIES

Building Inspection Section
California Department of Fish and Wildlife
California Coastal Commission
Department of Public Works
Environmental Health Division
Cal-Fire
Geotechnical Section
Pescadero Municipal Advisory Council
Regional Water Quality Control Board
San Mateo County Animal Control and Licensing
City of San Carlos Business License (license verification)

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Site Plan and Rotational Grazing Areas/Hiking Trail
- C. Landowner Documents and Lease Agreement
- D. Biological Evaluation, December 2015
- E. Biological Evaluation Supplemental, January 2016
- F. Letter, California Cattleman's Association
- G. Declaration, BJ Burns, Agricultural Tenant (crops)
- H. Declaration, Tom Pacheco, Agricultural Tenant (grazing)
- I. Letter, Merrit Moore
- J. Initial Study/Mitigated Negative Declaration
- K. Comment, California Coastal Commission
- L. Comment, Ronald Sturgeon

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2013-00481

Hearing Date: March 22, 2017

Prepared By: Melissa Ross
Senior Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Mitigated Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.
4. That the mitigated measures identified in the Mitigated Negative Declaration and agreed to by the applicant and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Find:

5. That the project, as described in the application and accompanying materials required by 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 described in Section A2 of the staff report dated March 22, 2017.
6. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program as described in Section A2 of the staff report dated March 22, 2017.

Regarding the Planned Agricultural District Permit, Find:

7. That the project, as described and conditioned, conforms with the General Criteria, Water Supply Criteria, Criteria for the Conversion of Lands Suitable for Agriculture and Other Land of the Planning Agricultural District Regulations in accordance with Section 6350 of the San Mateo County Zoning Regulations as described in Section A3 of the staff report dated March 22, 2017.

Regarding the Kennel Permit, Find:

8. That the project, as described and conditioned, conforms with the General and Specific Requirements for Kennels as required by the San Mateo County Ordinance Code Chapter 6.20 as described in Section A4 of the staff report dated March 22, 2017.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission on March 22, 2017. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. This permit is **renewable** and **revocable**. This permit shall be valid for twelve (12) months from the date of approval. If the applicant seeks to renew this permit, renewal shall be applied for six (6) months prior to expiration with the Planning and Building Department and shall be accompanied by the renewal application and fee applicable at that time. The decision whether to renew for an additional twelve (12) months shall be made by the Community Development Director and shall be based on whether the operation of the facility during the previous twelve (12) months has been in full conformance with the Kennel Ordinance and other applicable federal, state, and local laws. Renewal of the permit shall be subject to an inspection of the facility prior to renewal.
3. **Permit Revocation.** This permit may be revoked by the Planning Commission if any of the following findings are made:
 - a. That the permit holder or his/her agent(s) has been convicted of violating any animal control laws or regulations, any zoning or health and safety laws or any regulations relating to the keeping of animals.
 - b. That the permit holder or his/her agent(s) has failed to comply with any conditions of the permit.

- c. That the permit holder or his/her agent(s) has failed to pay any fee or obtain any license imposed under Division III of the San Mateo County Ordinance Code.
 - d. That the permit holder or his/her agent(s) has provided false information in the permit application or has failed to cooperate in allowing inspection of the premises by County staff.
4. Any Kennel Permit issued for a kennel at a specified location shall be transferable to another permit holder at the same location upon written application of the holder of the permit to the Community Development Director, and with the consent of the latter endorsed thereon.
 5. The permit holder shall comply with all requirements for kennels as specified in San Mateo County Ordinance Code Chapter 6.20.
 6. The permit holder shall post the kennel permit issued as provided herein in a conspicuous place in the facility, or provide if for inspection upon request.
 7. The applicant shall ensure that all dogs are accompanied by a handler at all times and that no dog shall be permitted to be unattended at any time.
 8. The applicant shall maintain and/or install perimeter cattle/dog fencing with fencing that is strong and substantial such that dogs are contained within the subject parcel. Fencing constructed in accordance with California Food and Agriculture Code Section 17121 would conform to this standard. All fencing shall be routinely checked and kept in good repair at all times. Fence height, which shall not exceed six (6) feet, and materials shall be sufficient to contain the dogs. Vegetation removal shall be limited to only that necessary to install/repair the fencing. The applicant shall submit a fencing proposal to the Planning Department within 15 days of this approval for review and approval prior to installation.
 9. Subsequent biological evaluations may be required by the Planning Department prior to permit renewal as needed to ensure sensitive habitats are not negatively impacted by the use and to ensure mitigation measures are sufficient to protect sensitive habitats.
 10. **Mitigation Measure 1:** Pond fencing shall be checked at least once per month and maintained in good condition. Any replacement or repairs shall occur immediately. Dogs shall be prohibited from entering fenced pond areas or creeks within the property.
 11. **Mitigation Measure 2:** In the event that cultural, paleontological or archaeological resources should be 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 archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

12. **Mitigation Measure 3:** Dog waste shall be collected from the holding pens by the end of the hiking day and from the hiking trail on a continual basis. Waste shall be disposed of at the San Carlos kennel. No dog waste shall be left on-site.

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County of San Mateo - Planning and Building Department

ATTACHMENT B

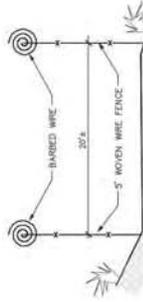


SMILN DOGS - PLAN 2013-00481
 BASE MAP FOR DOG WALKING FACILITIES

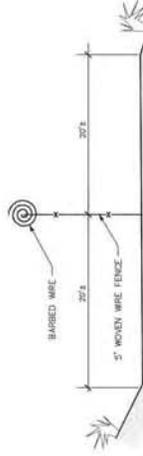
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Checked	DKM
Approved	DKM

LEGEND

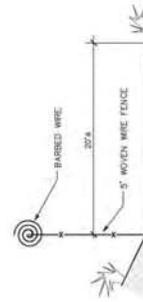
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- 3 WATER TANK
- 4 FENCED PONDS
- 5 FARMING LAND
- 6 WALKING TRAIL
- 7 CONDITIONAL FENCING
- 8 DOG WALKING TRAIL TYPE A
- 9 DOG WALKING TRAIL TYPE B
- 10 DOG WALKING TRAIL TYPE C
- 11 FENCE GATE



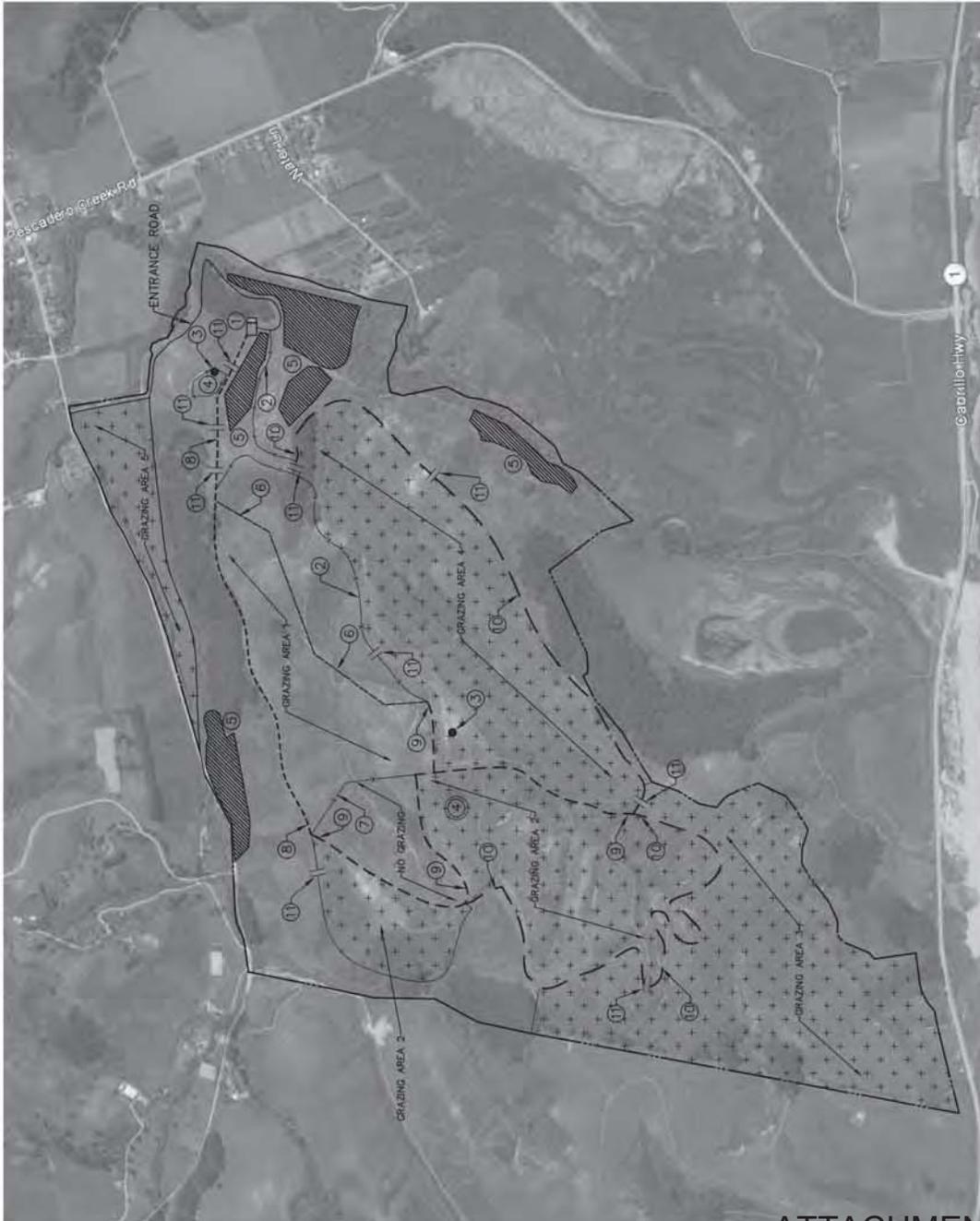
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TYPICAL SECTION OF DOG WALKING TRAIL TYPE B
 (NOT TO SCALE)



TYPICAL SECTION OF DOG WALKING TRAIL TYPE C
 (NOT TO SCALE)



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- TRAIL TYPE B: 5.3 ACRES ±
- TRAIL TYPE C: 3.5 ACRES ±

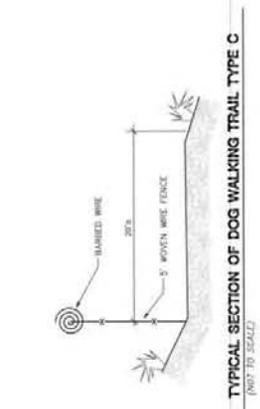
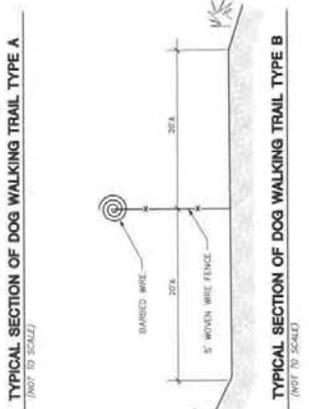
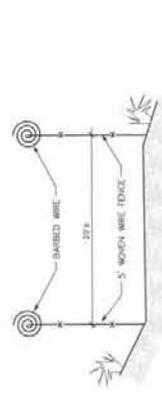
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 TOPOGRAPHIC FEATURES.





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PROJECT			
CLIENT			
DESIGNER			
APPROVED			
DATE	10-17-10	NO.	1

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 - 2 EXISTING PERIMETER FENCE
 - 3 WATER TANK
 - 4 FENCED PONDS
 - 5 FARMING LAND
 - 6 WALKING TRAIL
 - 7 CONDITIONAL FENCING
 - 8 DOG WALKING TRAIL TYPE A
 - 9 DOG WALKING TRAIL TYPE B
 - 10 DOG WALKING TRAIL TYPE C



DOG WALKING TRAIL AREAS:
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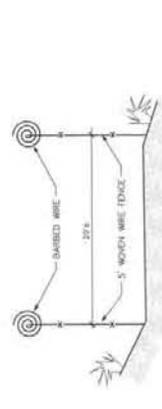
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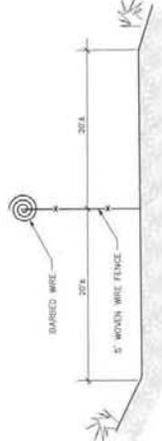


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DESIGNED BY	BERRY AND ASSOCIATES		
CHECKED BY	BERRY AND ASSOCIATES		
APPROVED BY	BERRY AND ASSOCIATES		
DATE	10-17-13	NO.	1

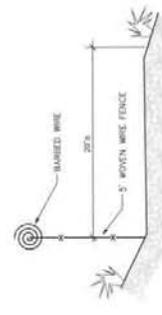
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 - 10 DOG WALKING TRAIL TYPE C



TYPICAL SECTION OF DOG WALKING TRAIL TYPE A
 (NOT TO SCALE)



TYPICAL SECTION OF DOG WALKING TRAIL TYPE B
 (NOT TO SCALE)



TYPICAL SECTION OF DOG WALKING TRAIL TYPE C
 (NOT TO SCALE)



DOG WALKING TRAIL AREAS:

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- TRAIL TYPE C: 5.6 ACRES ±

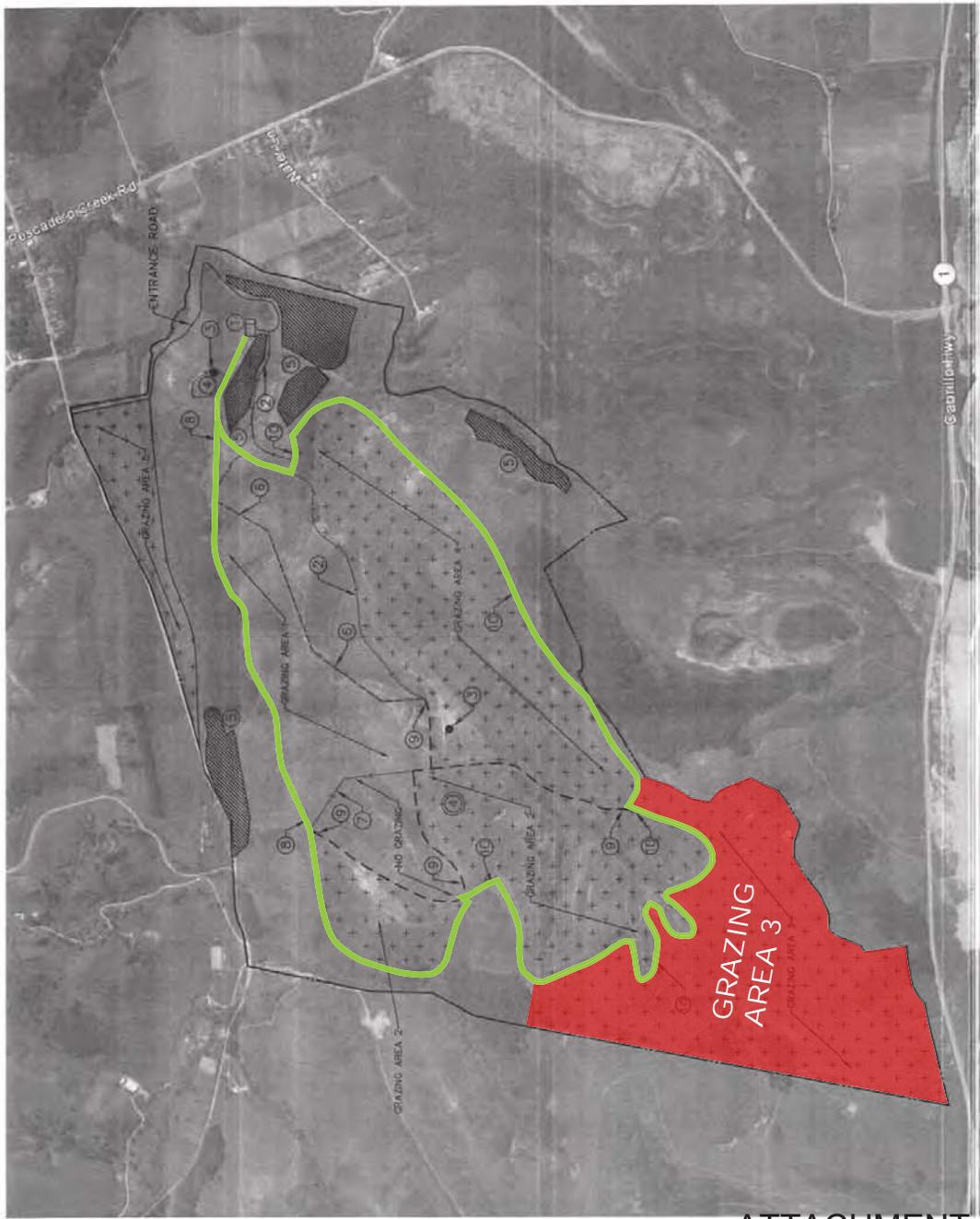
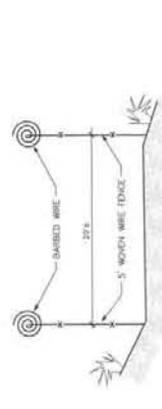
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DATE	10-17-13	NO.	1
PROJECT	SMILIN DOGS - PLAN 2013-00481		
SCALE	AS SHOWN		
DESIGNED BY	BERRY AND ASSOCIATES		
CHECKED BY	BERRY AND ASSOCIATES		
APPROVED BY	BERRY AND ASSOCIATES		
DATE	10-17-13	NO.	1

- LEGEND**
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 - 8 DOG WALKING TRAIL TYPE A
 - 9 DOG WALKING TRAIL TYPE B
 - 10 DOG WALKING TRAIL TYPE C
- RECEIVED**
 (E.I.P.) JRM
 San Mateo County
 Planning and Public Works



DOG WALKING TRAIL AREAS:
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 TRAIL TYPE B: 5.3 ACRES ±
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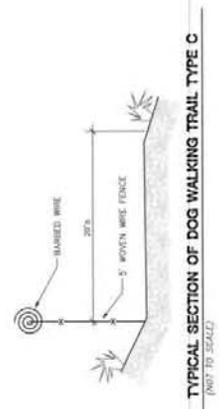
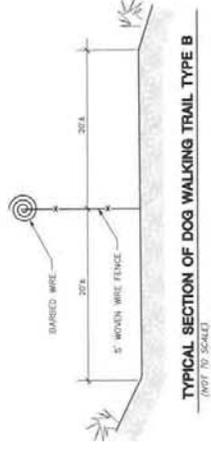
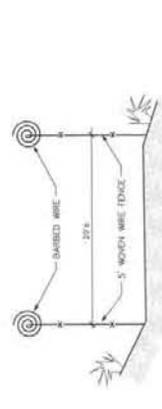
NOTE:
 ALL PLANNING INFORMATION
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 PHOTOGRAPHIC FEATURES.





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CHECKED BY	P. PEGASDERO		
DATE	10-17-13	NO.	1

- LEGEND**
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- RECEIVED**
 (E.I.P. JOB)
 San Mateo County
 Planning and Public Works



DOG WALKING TRAIL AREAS:
 TRAIL TYPE A: 2.5 ACRES ±
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 TRAIL TYPE C: 5.6 ACRES ±

NOTE:
 ALL PLANNING INFORMATION
 HAS BEEN ADJUSTED TO FIT AERIAL
 TOPOGRAPHIC FEATURES.





County of San Mateo - Planning and Building Department

ATTACHMENT C

CRAIG CONOLLY

PO Box 1030 • St. Helena, CA 94574 • Phone: 310-428-4447 • e-mail: craig.conolly@gmail.com

Date: March 29, 2015

Melissa Ross

San Mateo County Planning Department
55 County Center, Redwood City, California, 94063

Dear Melissa.

Per our recent telephone conversation, please find below a description of 515 Stage Road in Pescadero, and clarification pertaining to its use and devotion to operation as an agricultural property.

DESCRIPTION:

The Property consists of 757.95 acres of agricultural land, which is now, as it has always been, a farming and cattle operation. The following two (2) tenants have leased the property in its entirety for several years and intend to continue doing so, and both tenants are engaged in the production of agricultural commodities for commercial purposes:

Mr. Tom Pachecko P.O. Box 3192, Half Moon Bay, CA 94019.

1) Grazing Lease in two parts:

- a) 30 Acres of naturally sub-irrigated pasture know as the Cemetery Flat.
- b) 688.95 Acres of seasonal hill pastures; the Southwest, Northwest Corner, and Middle Range.

Mr. BJ Burns PO Box 250, Pescadero CA 94060.

2) Farming Lease in three parts:

- a) 7 Acres - Park Flat - Pumpkins
- b) 12 acres - House Flat - Hay
- c) 18 acres - Plateau Field - Hay

A homestead, consisting of a residence and loafing sheds, accounts for one (1) acre, which is reserved by the owners, and not leased at present.

The above represents the property in its entirety, totaling 756.95 acres leased for agricultural use.

GRAZING USE:

The prescribed number of head and grazing rotation plan was formulated with the NRCS as part of a comprehensive Farm Plan, designed to optimize land use while recognizing conditions such as annual rainfall and forage capacity. Below are excerpts from the grazing lease currently in force, which reflect these prescriptions.

GRAZING LEASE

Carpy Conolly Properties (Lessor), a California general partnership, whose address is [REDACTED], hereby leases to Tom Pacheco (Lessee), a California resident [REDACTED], whose address is P.O. Box 3192, Half Moon Bay, CA 94019, the real property, herein called "Premises," in the County of San Mateo, State of California, constituting a portion of San Mateo County Assessor's Parcel No. 086-241-050 (the "Real Property") as depicted on Exhibit A attached hereto and made a part hereof with a street address of 515 Stage Road, Pescadero, California 94606, subject to the terms and conditions set forth below. The Premises include the areas referred to as Cemetery Flat, West Range, Middle Range and Northwest Corner, which are depicted on Exhibit A. This Lease is subject to (i) all existing easements, servitudes, licenses, and rights-of-way for roads, highways, telephone, and electric power lines, railroads, pipelines, and other purposes, whether recorded or not; and (ii) the rights of other lessees under any existing or future oil, gas, and mineral lease or timber leases from Lessor affecting the entire or any portion of the Premises, whether recorded or not.

Term of Lease:

The term of this lease shall be for a period of one year, commencing on November 1, 2011, and ending on February 28th, 2014 (the "Initial Term"). At the expiration of the Initial Term, this lease, including all the terms and conditions set forth herein, shall be automatically renewed for an additional period of one year, and thereafter shall be automatically renewed for succeeding and consecutive one-year periods until either Lessor or Lessee gives written notice to the other, at least sixty (60) days prior to expiration of the then current one year term, of the termination of the lease at the end of the current one year term. Under no circumstances, however, shall the Initial Term and subsequent renewal terms extend beyond a total lease term of thirty-four years. The notice required by this paragraph shall be given in the manner prescribed in Paragraph 26 of this lease.

Rent:

A. As rental for the Cemetery Flat portion of the Premises, Lessee hereby agrees to pay to Lessor a total rent of \$ [REDACTED] per month payable in lawful currency of the United States of America, without deduction or offset. Payment shall be made on the first day of each month commencing November 1, 2011 at [REDACTED], or any other place that may be designated by Lessor in a written notice to Lessee given in the manner prescribed in Paragraph 26 of this lease.

B. As rental for the West Range, Middle Range and Northwest Corner Range portions of the Premises, Lessee hereby agrees to pay to Lessor the total rent of \$ [REDACTED] per month per head of cattle grazed on such portions of the Premises payable in arrears commencing thirty (30) days after the first day cattle are grazed thereon. Rental payment shall be made at [REDACTED] or other any other place that may be designated by Lessor in a written notice to Lessee given in the manner prescribed in Paragraph 26 of this lease.

Use of Premises:

The Premises are demised to Lessee for the purpose of feeding, maintenance, grazing, and production of cattle consistent with the terms of this lease, good animal husbandry and the provisions of that certain Land Conservation Agreement with respect to the Real Property entered into between Charles A. Carpy and Mathilde Carpy Conolly and the County of San Mateo on March 6, 1967. The total number of cattle shall not exceed forty (40) and grazing on the West Range, Middle Range and Northwest Corner shall be limited to periods when grass is adequate and foraging will cease when forage reaches approximately sixty percent (60%). No other use shall be permitted without the prior written consent of Lessor which consent Lessor may withhold in its sole and absolute discretion. Lessee acknowledges that Lessor reserves the right to allow (i) dog walking and/or (ii) activities on the Premises that are not inconsistent with limitations on use of the Real Property under the Land Conservation Agreement referred to herein.

Operations on Premises:

A. Lessee shall carry on all of Lessee's activities specified under Paragraph 3 in accordance with good husbandry and the best practices of the farming community in which the Premises are situated. Should Lessee fail to take any action required by the best course of husbandry practiced in the farming community surrounding the Premises, or should Lessee fail to conduct any operation undertaken by Lessee on the Premises in accordance with the best course of husbandry practiced in the farming community surrounding the Premises, Lessor may, after serving ten (10) days written

notice of the failure on Lessee in the manner prescribed in Paragraph 26 of this lease, enter the Premises and take any reasonable action Lessor may deem necessary to protect Lessor's interest in this lease and the Premises. Lessee agrees to reimburse Lessor on demand for the cost of any reasonable actions taken by Lessor pursuant to the provisions of this paragraph;

B. Lessee shall, at Lessee's cost and expense, comply with any and all present or future laws, ordinances, rules, regulations, requirements, and orders of federal, state, county, or municipal governments that may apply in any way to the use, maintenance, operations, or production of livestock on the Premises, or the sale or disposition of that livestock;

C. Lessee agrees not to apply pesticides, insecticides, fungicides, herbicides, or other chemical treatments upon the Premises that may have a residual effect on the Premises, except with the prior written consent of Lessor, which Lessor may withhold in its sole and absolute discretion.

FARMING USE:

LEASE AGREEMENT

This Lease Agreement (the "Lease") dated as of June 21st, 2012 is hereby entered into by and between Carpy Conolly Properties, a California general partnership ("Landlord"), whose address is [REDACTED], and B.J Burns of Bianchi Flowers ("Tenant"), whose address is PO Box 243 Pescadero CA 94060 who agree as follows:

RECITALS

WHEREAS, Landlord is the owner of that certain real property commonly known as San Mateo County Assessor Parcel No. 086-241-050 and improvements located on the real property (the "Property").

WHEREAS, Tenant desires to lease from Landlord and Landlord desires to lease to Tenant two portions of the Property known as the "House Flat" and "The Park Flat", more particularly described in Exhibit "A", attached hereto (the "Premises"), on the terms and conditions in this Lease.

*A third Portion of the property was been added to the above referenced lease in the last year and is referred to as the "Plateau Field in an addendum to the lease and in Exhibit "A".

SECONDARY SUBSERVIAENT USE:

Secondary and subservient to the above lease agreements, a non-exclusive license agreement exists between Smilin' Dogs and Carpy Conolly Properties. Said license may be terminated at any time without cause. Both Farmer and Cattle operator recognize the existence of Smilin' Dogs, but are in now way subject to it. Nor are they averse to its not-incompatible use of the premises. It is clearly understood by all parties involved that agricultural operations take precedents over any other activity on the premises.

Please do not hesitate to contact me should you require further information or clarification.

Not one more calf, one more bail of hay or even one more pumpkin could be produced on these premises, were dog walking to be absent.

Sincerely,



Craig Conolly
Owner-Manager
515 Stage Road, Pescadero, CA 94060

Additionally, please find attached:

- 1) Exhibit "A" reflecting the acreage leased on the parcel.
- 2) A soils map.
- 3) A companion to soils map listing and rating soil-types found on the parcel.



County of San Mateo - Planning and Building Department

ATTACHMENT D

Date: December 15, 2015
Project No.: 16061
Prepared For: Mr. Konrad Thaler
Manager, Smilin Dogs/Wagly Inc.
251 Old County Road
San Carlos, California 94070
Phone: 650-592-3997
Email: konrad@smilindogs.com
Re: Biological Evaluation for California red-legged frog and San
Francisco garter snake, Smilin Dogs hiking operation, Pescadero
California

Dear Mr. Thaler:

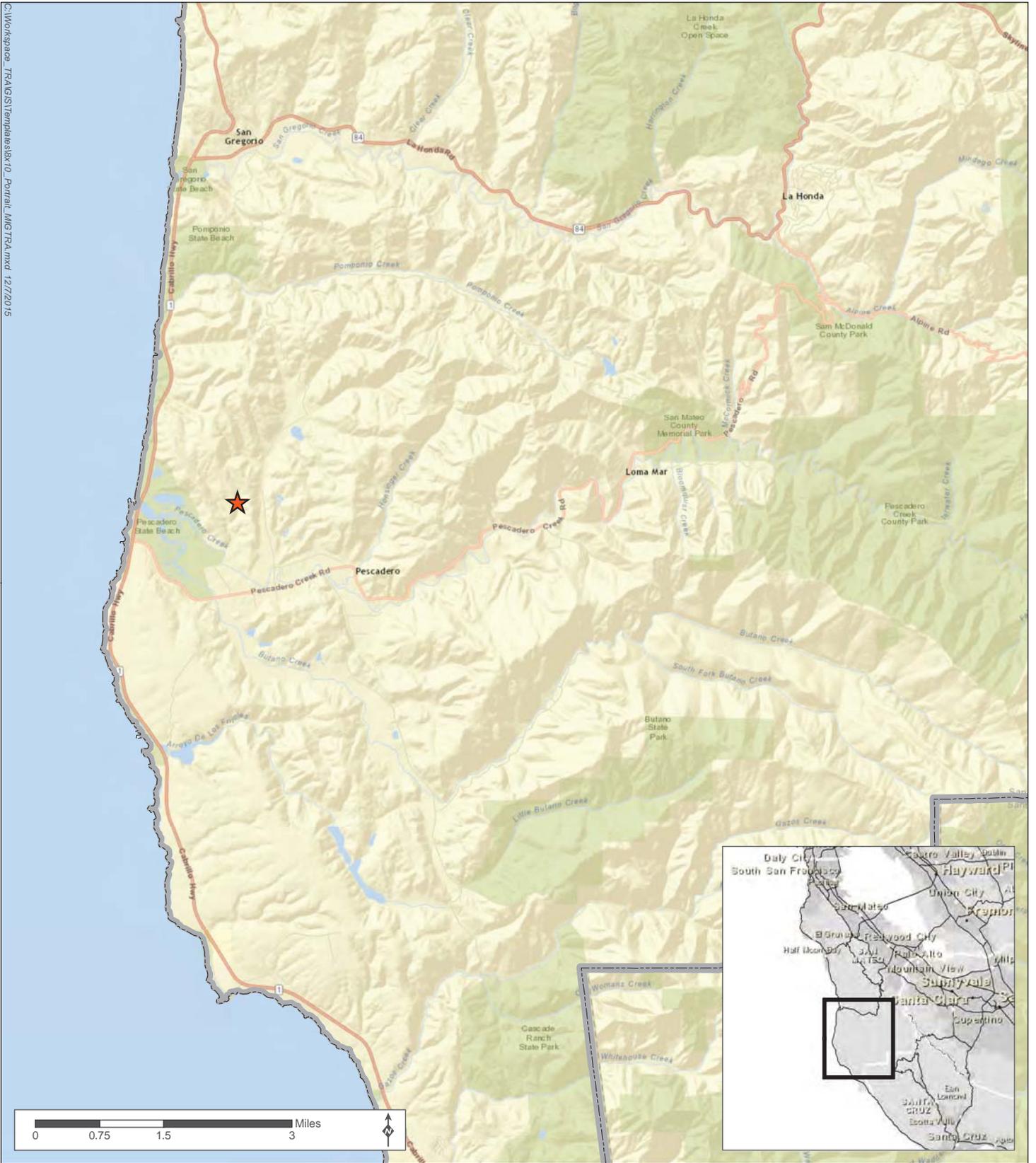
MIG|TRA Environmental Sciences (MIG|TRA) conducted a biological evaluation for California red-legged frog and San Francisco garter snake at the Smilin Dogs hiking operation in Pescadero, San Mateo County, California. This letter describes our findings.

Project Background

Smilin Dogs, a licensed dog daycare business with a kennel facility operating in San Carlos, maintains a dog hiking operation within 180 fenced acres on a 757-acre parcel located at 515 Stage Road in Pescadero, unincorporated San Mateo County (Figure 1). The remainder of the property not used by Smilin Dogs is farmed, with pumpkin and hay farming in areas of prime soils and the remaining land used for cattle grazing.

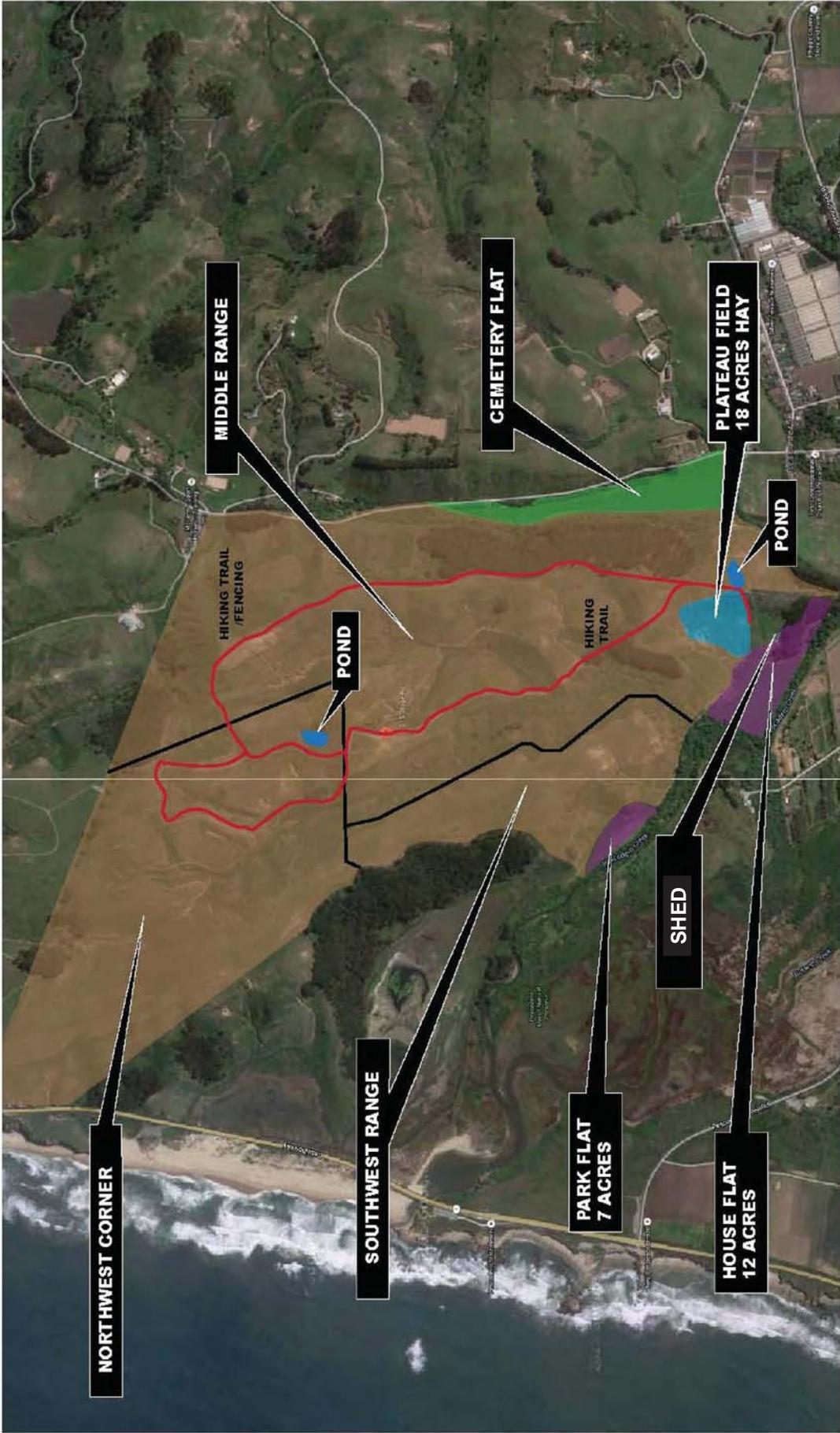
The hiking service operates Monday through Friday rain or shine and occasionally on weekends from 10:00 a.m. to 2:00 p.m. Each weekday, six to eight converted passenger vans, containing 10-14 medium to large dogs (in excess of 25 pounds), are transported by Smilin Dogs employees from the San Carlos daycare location and/or clients' residences to the project site for off-leash hiking. The business currently provides the service to 72 dogs and proposes a maximum of 90 dogs.

Site access is from an existing dirt road off of Stage Road. Vans are parked in an existing covered parking area/shed on the property, and dogs are unloaded into an enclosed pen where the dogs relieve themselves before hiking. One employee then walks the pack through a fenced area along an existing bare soil fire road. One pack of dogs is "hiked" along the fire road that circles the inner area of the fenced property (180 acres) for a distance of about 5 miles. Up to five groups of dogs hike the firebreak at one time, and they are spaced apart. The fence is 5 feet tall and composed of woven wire topped with barbed wire and is located along the outer edge of the fire road. Dog waste is collected from the enclosed pen and hiking route by the handlers each day and taken to the San Carlos office for disposal. Figures 2 and 3 provide an overview of site features and the fire road.

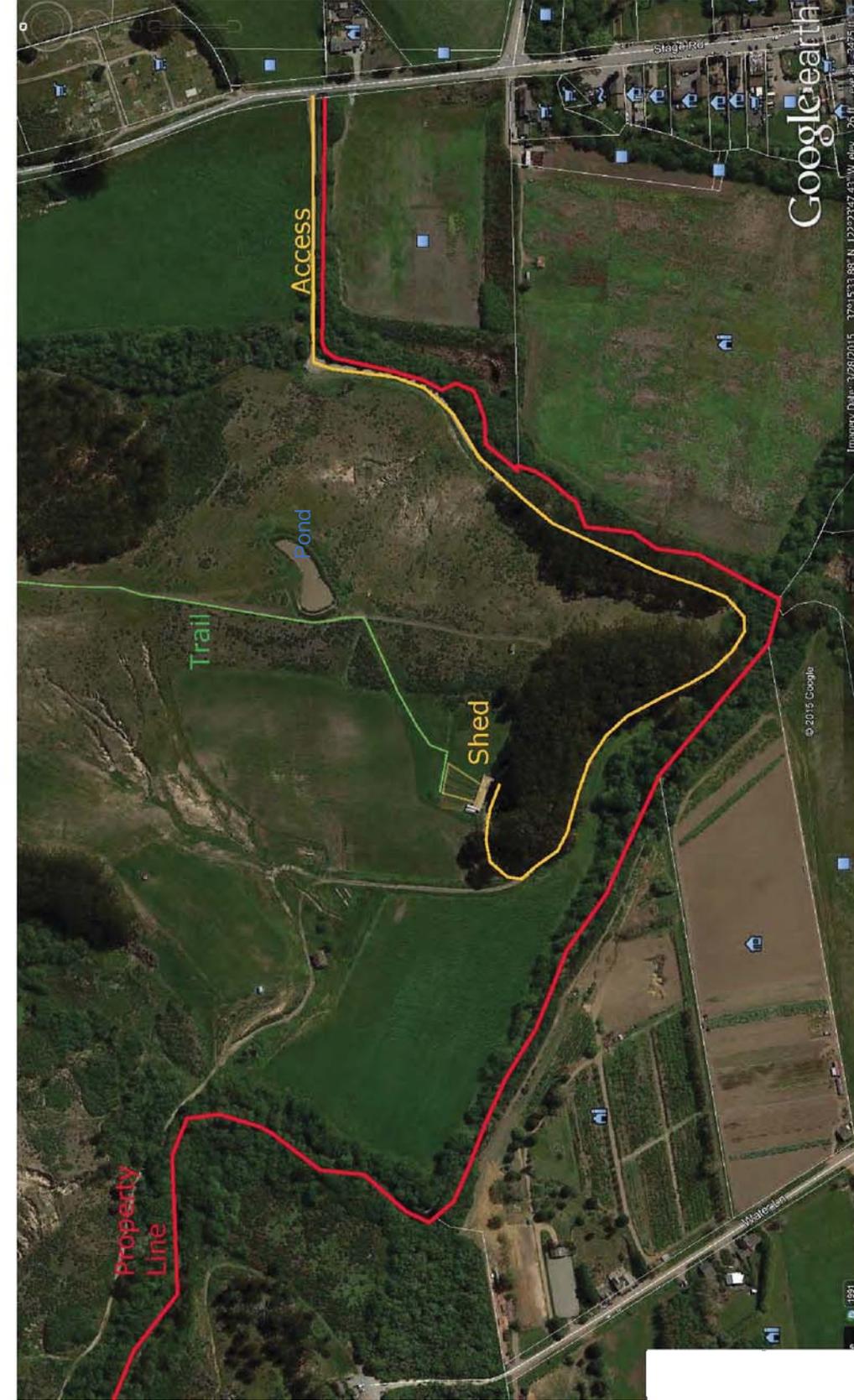


-  Project location
-  County boundary

Figure 1 Project Vicinity
 ATTACHMENT PAGE 15
Smilin Dogs Pescadero Biological Evaluation



Source: San Mateo County 2015



Source: San Mateo County 2015

Figure 3 Project Access
Smilin Dogs Pescadero Biological Evaluation

A portion of Pescadero Creek runs along the southern parcel boundary over 300 feet from the van parking area. Bradley Creek runs within the parcel parallel to Stage Road in an area called Cemetery Flat. It is over 400 feet from the dog hiking road and is separated from the road by steep topography. Two fenced stock ponds are also located within the property. The lower fenced pond (approximately 13,700 sq. ft. surface area) is 20 feet from the dog hiking road and the upper fenced pond (approximately 21,500 sq. ft. surface area) is 150 feet away from the dog hiking road. California red-legged frog (*Rana draytonii* (CRF), federally listed as Threatened), and San Francisco garter snake (*Thamnophis sirtalis tetrataenia* (SFGS), federally listed as Endangered, and state listed as Endangered and Fully Protected) are both known from the region and can be found in pond habitat.

Methodology

Prior to the site visit, the California Natural Diversity Database was searched for records of CRF and SFGS occurrences in the region, as well as occurrences of other special-status species. Aerial photos and topographical maps were reviewed to get an overview of water features on site and in the vicinity of the property. On November 23, 2015, Senior Biologist Autumn Meisel met Smilin Dogs owner Konrad Thaler on the property. The dog hiking operation was described and the 180-acre enclosed facility was toured by truck. Both ponds were visited and explored on foot. Photos of the site and ponds are provided at the end of this letter.

Life History- California Red-legged Frog

California red-legged frog is endemic to California and Baja California, Mexico, at elevations ranging from sea level to approximately 5,000 feet. California red-legged frog occupies a fairly distinct habitat, combining both specific aquatic and riparian components. Adults need dense, shrubby or emergent riparian vegetation closely associated with deep (greater than 2 1/3-foot deep) still or slow moving water. The largest densities of CRF are associated with deepwater pools with dense stands of overhanging willows and an intermixed fringe of cattails. Well-vegetated terrestrial areas within the riparian corridor may provide important sheltering habitat during winter. California red-legged frogs may estivate (enter a dormant state during summer or dry weather) in small mammal burrows and moist leaf litter.

California red-legged frogs breed from November through March. The diet of CRF is highly variable. Larvae probably eat algae. Invertebrates are the most common food items of adult frogs. Vertebrates, such as Pacific tree frogs and California mice, are frequently eaten by larger frogs. Juvenile frogs are active both during the day and at night, whereas adult frogs are largely nocturnal. Feeding activity occurs along the shoreline and on the surface of the water.

Life History- San Francisco Garter Snake

Historically, San Francisco garter snakes occurred in scattered wetland areas on the San Francisco Peninsula and along the coast south to Año Nuevo Point, San Mateo County, and Waddell Creek, Santa Cruz County. Currently, although the geographical distribution may remain the same, reliable information regarding specific locations and population status is not available. Many locations that previously had healthy populations of garter snakes are now in decline.

The snakes' preferred habitat 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, bulrushes and spike rushes 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. The snakes also use floating algal or rush mats, if available. San Francisco garter snakes are primarily active during the day. The snakes are extremely shy, difficult to locate and capture, and quick to flee to water or cover when disturbed. Adult SFGS feed primarily on CRF. They may also feed on juvenile bullfrogs, and newborn and juvenile SFGS depend heavily upon Pacific tree frogs as prey. Adult snakes sometimes estivate in rodent burrows during summer months when ponds dry. On the coast, snakes hibernate during the winter, but further inland, if the weather is suitable, snakes may be active year-round.

Findings- Biological Setting

Vegetation on the 180-acre study site is dominated by a mix of annual grassland and coastal scrub, with some pockets of eucalyptus forest. The fire road where the dogs are hiked is earthen and supports no vegetation. The fence around the site was found to be sturdy and intact and clearly prevents dogs from going through, under, or over. Dogs were observed to defecate immediately upon exiting the vans and employees were seen collecting the waste and placing in a garbage receptacle. The dogs were also observed on their hike and stay as a pack along the fire road route and with their handler.

Although there are no records of California red-legged frog in Pescadero Creek in the CNDDDB, the species has been observed in Honsinger Creek, a tributary to Pescadero Creek as well as a pond located off of Cloverdale Road near Pescadero Creek (CNDDDB 2015). Suitable habitat is found within Pescadero Creek, and the species has potential to occur here and in nearby ponds with suitable habitat. San Francisco garter snake has been recorded in Pescadero Creek and has potential to occur in streams and ponds in the region that support suitable habitat (CNDDDB 2015). In addition, there is a record of foothill yellow-legged frog (*Rana boylei*, a California Species of Special Concern) from Pescadero Creek observed in 1999. Foothill yellow-legged frog is a stream species and does not breed or forage in ponds.

The lower fenced pond was found to be dry during the site visit (see photos at the end of this letter). The margin of the dry pond was vegetated with wetland grasses. The upper pond was holding water, and Mr. Thayer described that he adds water to this pond from a nearby well to keep it wet for wildlife. This pond has been observed by staff to go dry in the summer. The pond was at maximum about one foot in depth during the site visit. Wetland grasses are established in shallow locations within the pond, and coastal scrub is found at the pond margins. No amphibians or reptiles were observed at either pond.

Both the upper and lower pond support low to moderately suitable habitat for CRF. Depending on the depth these ponds reach and maintain during the rainy season, they may support moderate foraging and breeding habitat. However if the ponds are less than three feet deep at maximum capacity, then they are unlikely to support breeding CRF. Neither pond provides optimal habitat for SFGS due to the lack of cover. SFGS prefer ponds that are densely vegetated, often with cattail and/or bulrush. Both ponds are primarily open and sparsely vegetated. CRF has a low to moderate likelihood of occurrence, and SFGS has a low to very low likelihood of occurrence.

Findings- Potential Impacts to Protected Species

The purpose of the biological evaluation is to determine potential impacts and identify measures (if needed) to ensure that the proposed continued use of the parcel by Smilin Dogs would not result in adverse impacts to these protected species. The current dog hiking operation prevents the dogs from coming into contact with the ponds. Dogs are hiked only during daylight hours, and van transport only occurs from mid morning to early afternoon. As CRF is primarily a nocturnal species, and as the dogs and handlers do not have access to the ponds, no adverse impact to CRF is anticipated from the Smilin Dogs' operation. SFGS is not likely to occur in the ponds, however, if the species were in the ponds, no adverse impact from dog hiking is expected, again due to the fenced enclosure of the ponds.

As frogs and snakes move overland, they chose pathways that provide cover when possible. CRF tends to make movements at night, with a higher frequency of movement during rain events. SFGS moves in the day, but is very elusive and takes cover in burrows or under logs or debris when startled. The dogs are walked only during daylight hours and tend to stay on the road, running together back and forth around the handler. They exhibit pack behavior, moving together and with the handler acting as the pack leader. They are large dogs that sometimes bark and can be heard as they hike. As CRF is primarily restricted to nighttime movements, and as SFGS selects movement pathways with cover and take refuge quickly when they sense disturbance, no significant impact to CRF or SFGS that may be dispersing to or from ponds is expected from the dog hiking operation.

The dog hiking route does not take the dogs into contact with any streams, and therefore no impact to aquatic species that may reside in the streams is expected. All dog waste is collected and disposed of offsite.

It is recommended that the fence continue to be routinely monitored for damage to ensure that the dogs remain excluded from the pond habitat.

Please do not hesitate to contact me if there are any questions regarding this report.

Sincerely,



Autumn Meisel
Senior Biologist

Photos taken November 2015



Pen where dogs are released from the van. Dogs defecate here and then handler starts them on the fire road, seen in the background.



Photo taken from just above the fire road looking down on van parking shed and release pen.



Fire road vehicle entrance. The fence on the right was constructed by Smilin Dogs and encircles the hiking operation.



Upper pond



Fence at upper pond



Lower pond



County of San Mateo - Planning and Building Department

ATTACHMENT E



Date: January 12, 2016
Project No.: 16061
Prepared For: Mr. Konrad Thaler
Manager, Smilin Dogs/Wagly Inc.
251 Old County Road
San Carlos, California 94070
Phone: 650-592-3997
Email: konrad@smilindogs.com
Re: Biological Evaluation for California red-legged frog and San Francisco garter snake, Smilin Dogs hiking operation, Pescadero California

Dear Mr. Thaler:

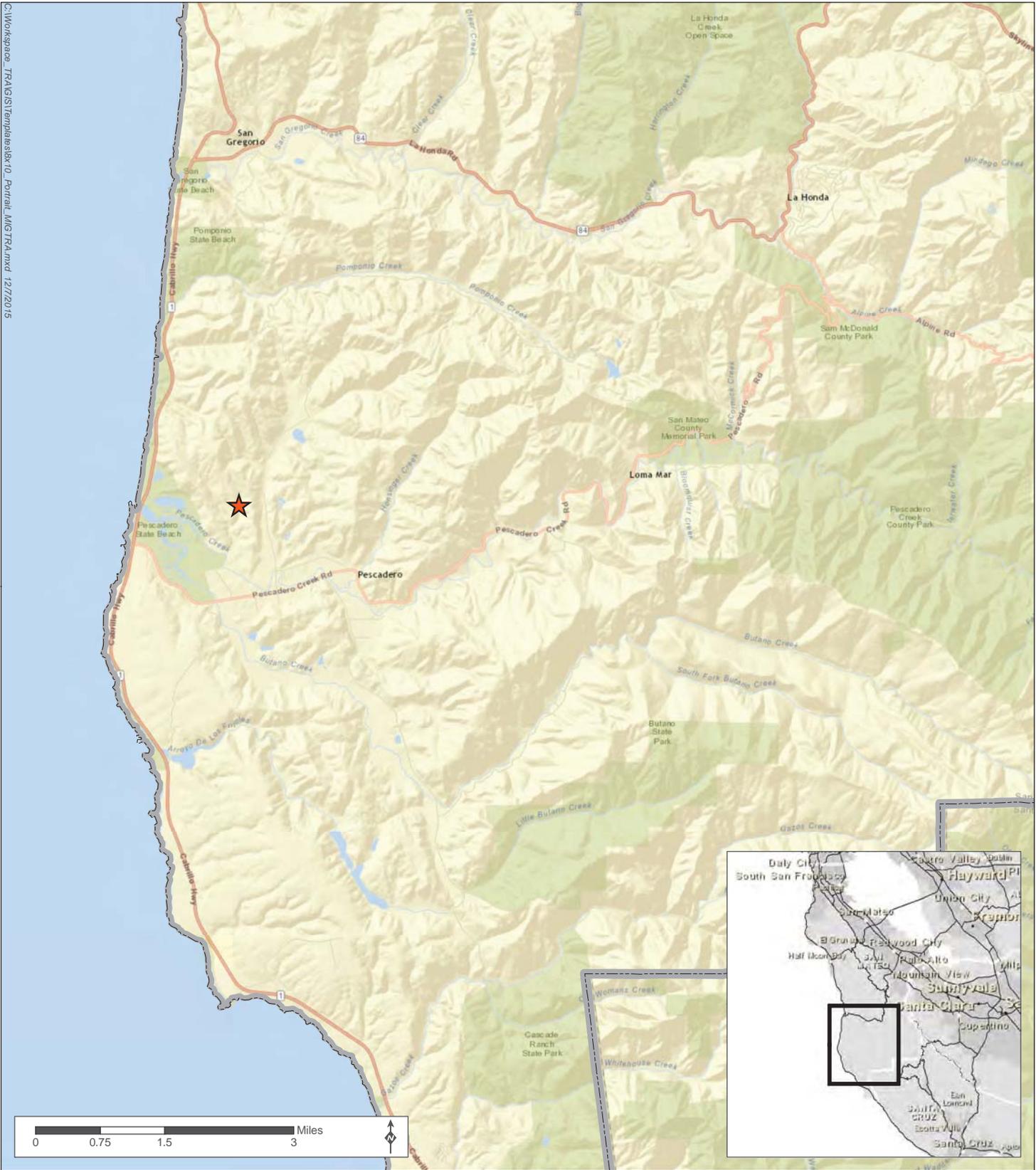
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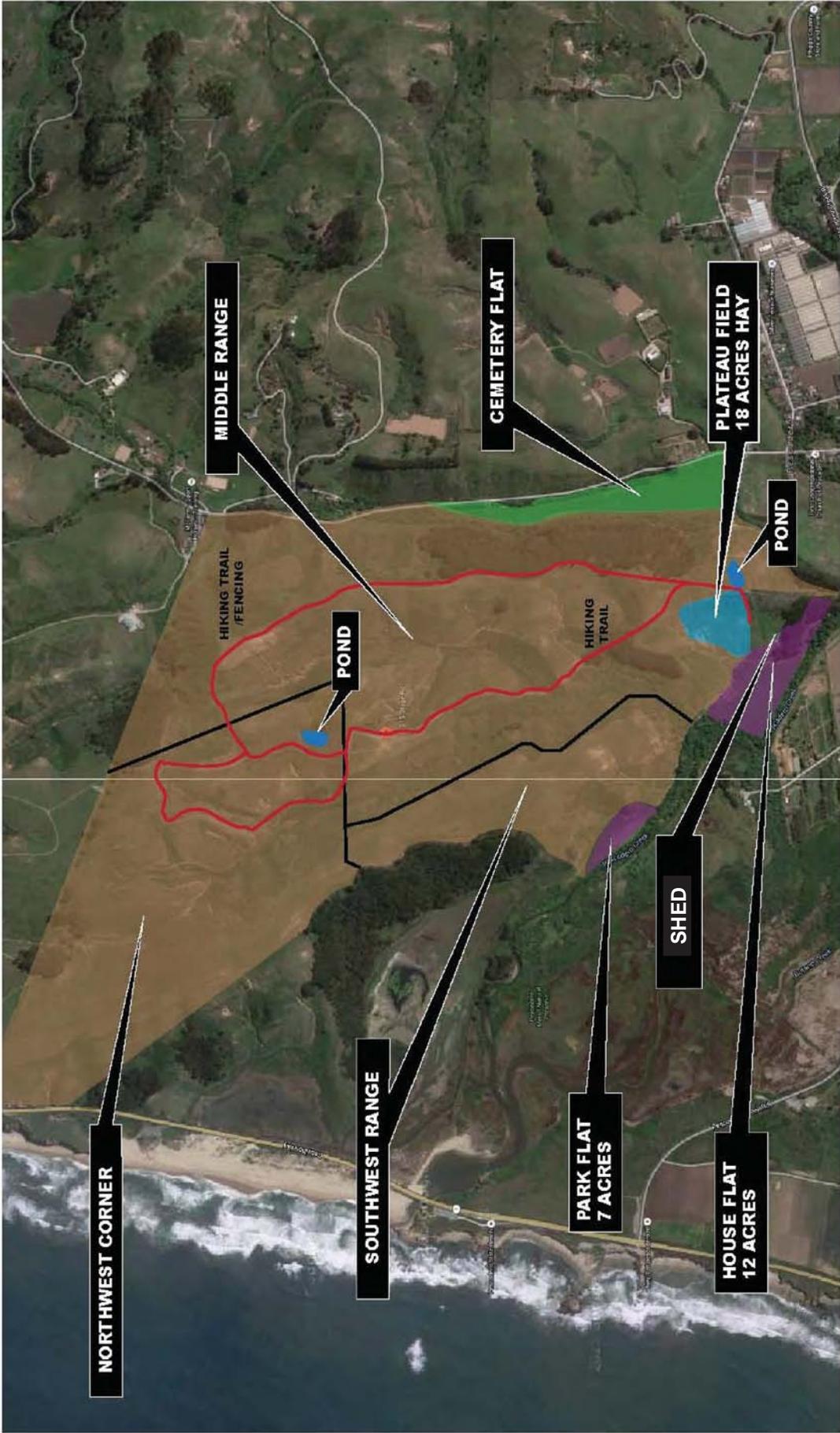
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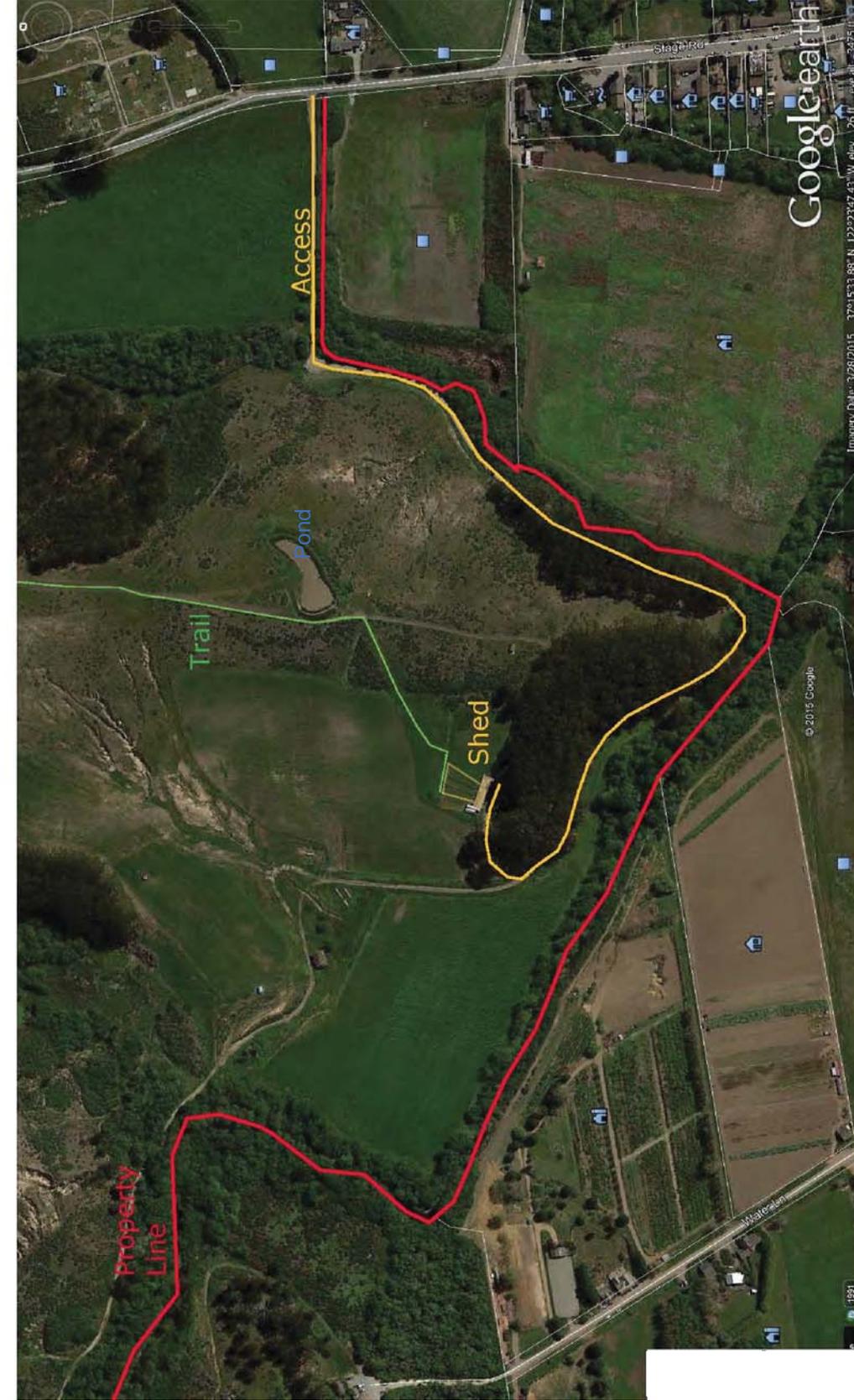


-  Project location
-  County boundary

Figure 1 Project Vicinity
 ATTACHMENT PAGE 27
Smilin Dogs Pescadero Biological Evaluation



Source: San Mateo County 2015



Source: San Mateo County 2015

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Smilin Dogs Pescadero Biological Evaluation

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Sincerely,



Autumn Meisel
Senior Biologist

Photos taken November 2015



Pen where dogs are released from the van. Dogs defecate here and then handler starts them on the fire road, seen in the background.



Photo taken from just above the fire road looking down on van parking shed and release pen.



Fire road vehicle entrance. The fence on the right was constructed by Smilin Dogs and encircles the hiking operation.



Lower pond



Fence at lower pond

Mr. Konrad Thaler.
January 12, 2016



Upper pond



County of San Mateo - Planning and Building Department

ATTACHMENT F

CALIFORNIA CATTLEMEN'S ASSOCIATION

1221 H STREET • SACRAMENTO, CALIFORNIA • 95814-1910

SERVING THE CATTLE
INDUSTRY SINCE 1917



PHONE: (916) 444-0846
FAX: (916) 444-2194
www.calcattlemen.org

October 2, 2013

The Honorable Don Horsley
President, San Mateo County Board of Supervisors
County Government Center
Hall of Justice & Records
400 County Center, 1st Floor
Redwood City, CA 94063

RECEIVED

OCT 08 2013

San Mateo County
Planning Division

Dear Supervisor Horsley,

The California Cattlemen's Association (CCA) has been notified that a rancher operating in San Mateo County has been harmed by activities occurring on adjacent property not properly permitted by the county. We are speaking specifically in regards to the presence of an unpermitted pet handling facility known as Smilin Dogs headquartered in San Carlos. This facility specifically offers pet owners the opportunity to unleash their dogs and roam 750 acres of private property in Pescadero bordering our member's property.

On more than one occasion, dogs have trespassed on to adjacent properties and have threatened domestic livestock. Unfortunately, one instance led to a rancher having to shoot a dog that was violently harassing his cattle. California Food and Agriculture Code Section §31152 clearly provides the authority for a rancher to kill a dog that has trespassed on to private property and is in the act of harassing or pursuing livestock. While this authority exists, ranchers are not always present to act when dogs are actively killing, wounding or aggressively pursuing livestock. Generally speaking, ranchers have no desire to kill dogs or wildlife but will act to defend their livestock if threatened. Ranchers take great pride in the care they provide their livestock. Most ranchers have dogs that are not only trained and used to work cattle but are also pets and part of their family.

According to the United States Department of Agriculture and University of Nebraska, Lincoln, "Livestock and poultry can be victims of harassment, injury, and death from both domestic and feral dogs."¹ Unlike most common predators that attack livestock for food, domestic dogs "...leave the impression that they were involved in vicious play..." generally marked by "...the slashing and biting of prey animals over much of their bodies."²

Comprehensive peer-reviewed research has been done that specifically demonstrates the direct and indirect stress borne by cattle due to feral dogs that actively pursue or harass livestock. Specifically, the indirect impact of predation can significantly impact a ranchers' bottom line due

¹ Green, Jeffrey and Gipson, Phillip, "Prevention and Control of Wildlife Damage – 1994" (1994). C-77. University of Nebraska – Lincoln, U.S. Department of Agriculture, Great Plains Agricultural Council Wildlife Committee.

² Green, Jeffrey and Gipson, Phillip, "Prevention and Control of Wildlife Damage – 1994" (1994). C-77. University of Nebraska – Lincoln, U.S. Department of Agriculture, Great Plains Agricultural Council Wildlife Committee.

THE KOOPMANN
PRESIDENT
SUNOL

JACK HANSON
TREASURER
SUSANVILLE

BILLY GATLIN
EXECUTIVE VICE PRESIDENT
HERALD

FRED CHAMBERLIN
SECOND VICE PRESIDENT
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DAVE DALEY
SECOND VICE PRESIDENT
CHICO

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FIRST VICE PRESIDENT
ALTURAS

PAUL CAMERON
FEEDER COUNCIL CHAIR
DRAWLEY

LAWRENCE DWIGHT
SECOND VICE PRESIDENT
MCKINLEYVILLE

BILL BRANDENBERG
FEEDER COUNCIL VICECHAIR
EL CENTRO

weight loss in pregnant cows and calves and an overall decline in body condition, increased cases of abortion and changes in grazing patterns.³ Environmental impacts may also occur due to predation by forcing cattle to overgraze or congregate in certain areas due to the presence of animals, in this case dogs, that cattle sense may threaten their welfare.⁴ Howery et al. (2004) further suggests that behavioral responses by prey species to impending predation may have greater consequences on livestock than the direct act of a predator attacking livestock. For example, threatened livestock have a greater tendency to shift grazing patterns to lower quality forages that have less nutritional value and higher levels of toxins.⁵

CCA encourages the Board of Supervisors to address this issue properly to be sure that livestock and dogs alike are not harmed in the future. It does appear that the 750 acre Smilin Dog hiking facility is incompatible with adjacent and surrounding land uses that are largely agricultural. Should the county approve a formal operating permit for Smilin Dogs, CCA respectfully requests that the county set conditions for the operation of the facility that would require the facility or pet owners using the facility to fully mitigate the cost of any damage to the infrastructure or livestock of adjacent land owners. CCA also respectfully requests that mitigation not only include direct damages but also a formula to assess the indirect damages to livestock associated with the continual presence of "off-leash" dogs including but not limited to the loss of suitable grazing lands, calf abortions, a decline in body score condition or any other animal health and welfare issue caused by the routine threat of impending predation.

CCA also requests the county work directly with adjacent land owners to ensure their requests, concerns and grievances are fully addressed moving forward. If you have any questions regarding CCA's concerns, requests or to learn more about the impacts of livestock predation by domestic and feral dogs, please contact Justin Oldfield in the CCA office.

Sincerely,



Justin Oldfield
Vice President, Government Relations

CC: Members, San Mateo County Board of Supervisors
Mr. Dante Silvestri

³ Howery, Larry D. and DeLiberto, Thomas J., "Indirect Effects of Carnivores on Livestock Foraging Behavior and Production" (2004). *Sheep & Goat Research Journal*. Paper 8.

⁴ Howery, Larry D. and DeLiberto, Thomas J., "Indirect Effects of Carnivores on Livestock Foraging Behavior and Production" (2004). *Sheep & Goat Research Journal*. Paper 8.

⁵ Howery, Larry D. and DeLiberto, Thomas J., "Indirect Effects of Carnivores on Livestock Foraging Behavior and Production" (2004). *Sheep & Goat Research Journal*. Paper 8.



County of San Mateo - Planning and Building Department

ATTACHMENT G

From:

BJ. Burns

To:

Don Horsley, President of the Board of Supervisors, dhorsley@smcgov.org

John Nibbelin, Chief Deputy Counsel

jnibbelin@smcgov.org

Steve Monowitz

smonowitz@co.sanmateo.ca.us

DECLARATION OF BJ BURNS

I, BJ Burns, declare:

1. I am a farmer in Pescadero, California and a resident of San Mateo County, and I have personal knowledge of the matters stated herein. If called as a witness, I could competently testify as to such matters.
2. For the past approximately ten years I have leased portions (now, approximately forty [40] acres) of property at 515 Stage Rd., an approximately 800 acre ranch near Pescadero, California bordering the Pescadero Marsh. The owner of the property, and my lessor, is Craig Connelly.
3. This declaration concerns the current issue on the property regarding the existing dog walking operation of Smilin Dogs. I am currently farming the flat areas of the property (approx. 40 acres) for pumpkins and hay. In addition, as the land manager, I do work for the property owner, Craig Connelly, to maintain and improve the property, including building and installing fencing, roads, water for cattle and any other general land improvements. As such, I am ideally suited to observe the day-to-day operations on the ranch property.
4. I have been sharing the ranch land with Konrad Thaler of Smilin Dogs and his dog walking operation for the past ten (10) years and have never experienced any problems of any nature with Smilin Dogs or its dogs.
5. As a member of the Agriculture Advisory Committee I am knowledgeable about the Williamson Act, and am an active and vocal supporter and promoter of its protections. I believe the Williamson Act should be used to preserve agricultural land and eliminate abuse of these lands in ways that are not truly agricultural in nature or which interfere with agricultural use.

6. Smilin Dogs dog walking operation does not in any way interfere with the agricultural use of this property, and it
 7. should be allowed as a secondary use under the Williamson Act. In fact, dog walking on the property actually *improves* the agricultural viability of this land in that Smilin Dogs clears brush and mows land which then can be used for cattle grazing in rotation. Also, the money the operation pays as rent to Craig Connelly is reinvested in the property to improve the agricultural capacity. In the last few years Craig has been able to install three 2,500 gallon water tanks, thereby increasing the amount of cattle that can be grazed. Plus, the Smilin Dogs owners have been working with NRCS on erosion control.
 8. I believe the county should grant a conditional use permit for this operation and allow it as a secondary use under the Williamson Act.
-

I declare, under penalty of perjury, that the above stated facts are true and correct to the best of my knowledge.

Dated: 9-18-13

BJ Burns





County of San Mateo - Planning and Building Department

ATTACHMENT H

From: Tom Pacheco

To: Steve Monowitz, Deputy Director, SMonowitz@co.sanmateo.ca.us

Supervisor Don Horsley,

DHorsley@smcgov.org

John Nibbelin, Chief Deputy Counsel, JNibbelin@smcgov.org

DECLARATION OF TOM PACHECO

I, Tom Pacheco, declare:

1. I am a resident of the County of San Mateo. I have personal knowledge of the matters stated herein, and if called as a witness, could competently testify as to such matters.
2. I am currently Vice President of our the San Mateo County Cattleman's Association and a member of the National and State Associations.
3. I currently run approximately 45 head of cattle on 515 Stage Road annually, under lease with the co-owner and manager, Craig Conolly, and I have no problem, nor have I ever had a problem, co-existing with the dogs of Smilin Dogs .
4. Although I have just completed my first year on 515 Stage Road, I know that there were cattle on the ranch previously, owned by Merritt Moore and Reno Dinelli and that those earlier cattle operation also successfully shared the land with Smilin Dogs.
5. Smilin Dogs dog walking does not in any way interfere or compete with my agricultural use of this property. The Smilin Dogs owners have installed fencing which completely separates their dog walking operation from my grazing cattle. The two never mix. The Smilin Dogs operation should be allowed as a secondary use under the Williamson Act. Indeed, I actually believe that the use of dog walking in this case is a benefit to the agricultural use of this land, in that (a) Smilin Dogs' owners

be used for cattle grazing in rotation; and (b) regularly builds and maintains fencing, which keep my cattle safe.

6. I believe the county should grant a conditional use permit for this operation and allow it as a secondary use under the Williamson Act.
7. I believe this is a great business which serves and helps many people of San Mateo County and is great for the pets also.

I declare, under penalty of perjury, that the above is true and correct to the best of my knowledge.

Dated: 10/10/15

Tom Pacheco
Tom Pacheco



County of San Mateo - Planning and Building Department

ATTACHMENT I

29 October 2013

To whom it may concern,

In 2000 Konrad Thaler started his dog walking enterprise, Smilin Dogs, on the ranches that my wife and I were leasing. My family was running a cow calf livestock operation, Moore Cattle Company, on the two properties at that time. These parcels, our family ranch known as Pacific Acres, and the Carpey ranch share a property line. Smilin Dogs and Moore Cattle Company successfully operated on the same land for the next 5 or 6 years that I was involved with these properties. Mr. Thaler always demonstrated a high level of professionalism and a sensitivity to all the animals involved.

While I was in the livestock business in San Mateo County, I was a member of CCA, for a time holding the treasurer's office of the San Mateo/San Francisco county Cattlemen's Association. In a letter to the county, CCA infers that dogs are unleashed by owners to freely roam 750 acres. My experience was that dogs were walked (continuously moving) by trained handlers. This method kept the dogs in a small group in control of the walker. It should be pointed out that Mr. Thaler diligently screens prospective dogs and refuses any that are deemed questionable. Reno Dinelli, Tom Pacheco, and Merritt Moore have all run cattle on the Carpey ranch while Smilin Dogs operated simultaneously on the same property.

Respectfully,
Merritt Moore



County of San Mateo - Planning and Building Department

ATTACHMENT J

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: Kennel (dog hiking service), when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2013-00481

OWNER: Smilin Dogs

APPLICANT: Konrad Thaler and Diana Ungersma

ASSESSOR'S PARCEL NO.: 086-241-050

LOCATION: 515 Stage Road, Pescadero

PROJECT DESCRIPTION: Legalization of an unpermitted dog hiking service (commercial kennel operation) on a 756.93-acre legal parcel for a maximum of 90 medium to large dogs, cattle fencing, and legalization of a loafing shed used as a covered parking area.

FINDINGS AND BASIS FOR A MITIGATED NEGATIVE DECLARATION

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

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

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: Pond fencing shall be checked at least once per month and maintained in good condition. Any replacement or repairs shall occur immediately. Dogs shall be prohibited from entering fenced pond areas or creeks within the property.

Mitigation Measure 2: In the event that should cultural, paleontological or archaeological resources be 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 archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

Mitigation Measure 3: Dog waste shall be collected from the holding pens by the end of the hiking day and from the hiking trail on a continual basis. Waste shall be disposed of at the San Carlos kennel. No dog waste shall be left on-site.

RESPONSIBLE AGENCY CONSULTATION: None

INITIAL STUDY: The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: November 23, 2016 to December 13, 2016

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., December 13, 2016.**

CONTACT PERSON

Melissa Ross
Senior Planner, 650/599-1559
mross@smcgov.org



Melissa Ross, Senior Planner

MAR:pac - MARAA639_WPH.DOCX

County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

1. **Project Title:** Kennel (dog hiking service)
2. **County File Number:** PLN2013-00481
3. **Lead Agency Name and Address:** County of San Mateo, 455 County Center, 2nd Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Melissa Ross, Senior Planner, (650) 599-1559
5. **Project Location:** 515 Stage Road, Pescadero
6. **Assessor's Parcel Number and Size of Parcel:** 086-241-050
7. **Project Sponsor's Name and Address:** Konrad Thaler and Diana Ungersma, 2719 Monserat Avenue, Belmont, CA 94002
8. **General Plan Designation:** Agriculture
9. **Zoning:** Planned Agricultural District/Coastal Development (PAD/CD)
10. **Description of the Project:** Legalization of an unpermitted dog hiking service (commercial kennel operation) on a 756.93-acre legal parcel for a maximum of 90 medium to large dogs, cattle fencing, and legalization of a loafing shed used as a covered parking area.

Detailed Description: The owners of Smilin Dogs, a licensed dog daycare business with a kennel facility operating within the jurisdiction of the City of San Carlos, propose to legalize a currently unpermitted dog hiking service from their San Carlos office to a 756.93-acre parcel located at 515 Stage Road in the unincorporated Pescadero West area of San Mateo County. The business currently provides the service to 72 dogs and proposes a maximum of 90 dogs through this permit. Additionally, the applicant proposes to install additional cattle fencing within the property and legalize an unpermitted loafing shed used as a covered parking area.

Current Operations

The hiking service operates Monday through Friday and occasional weekends from 10:00 a.m. to 2:00 p.m. Each weekday, six to eight converted passenger vans, containing 10-12 medium to large dogs (in excess of 25 pounds), are transported by Smilin Dogs employees from the San Carlos kennel location and/or clients' residences to the project site for off-leash hiking. Four vans are typically on the property at one time. The main business is located within the City of San Carlos jurisdiction and has a valid business permit to operate the dog day care (kennel).

Smilin Dogs uses the existing dirt road to access the property from Stage Road and parks their vans in an existing covered parking area (unpermitted loafing shed) on the property, then unload the dogs into an existing enclosed pen where the dogs relieve themselves before hiking. One employee then walks the pack through a fenced area to an existing bare soil firebreak. One pack of dogs is "hiked" along an existing firebreak/service road (hiking trail) that circles the inner area of the property. A total of 13.3 acres consisting of three trails on a rotating basis is proposed for dog hiking: Trail A (2.5 acres), Trail B (5.3 acres) and Trail C (5.5 acres). Only one trail will be utilized at one time and use of each trail is dependent on the needs of the ongoing agricultural operation. For the trail in use, up to five packs of dogs are hiked along the hiking trail road at one time and at separate intervals. There are three water tanks on the property that are fed by a spring. Smilin Dogs uses water from the middle tank along the hiking trail (about 50 gallons of water per day is used). The hiking area is fenced with 5-foot tall woven wire fencing topped with barbed wire along the outer edge of the firebreak.

Dog waste is collected from the enclosed pen and hiking route by the handlers each day and taken to the San Carlos office for disposal (solid waste disposal by Recology). Two fenced and gated ponds are on the property to which the dogs do not have access.

Parcel Conditions

Of the approximate 757 acres, the landowner currently leases a total of 718 acres for cattle grazing and 37 acres for crop farming. A developed area that includes one single-family residence and agricultural-related buildings comprises the remaining acreage. Grazed areas include a lower grazing area (adjacent to the Stage Road entrance) and the upper portion of the parcel on the opposite side of the fenced firebreak.

Grazing on the parcel has been optimized through the completion of an Environmental Quality Incentive Program (EQIP) with the National Resources Conservation Service (NRCS) which has identified a maximum of 40 head of cattle on a rotating basis given the forage capacity and other site conditions. Staff contacted the NRCS EQIP Section and was informed that the dog hiking service does not pose a conflict with the EQIP.

The parcel is under an active Williamson Act contract.

11. **Surrounding Land Uses and Setting:** Agricultural uses predominately grazing, single-family residential, Pescadero Marsh to the south and Pescadero State Beach westward across Highway 1.
12. **Other Public Agencies Whose Approval is Required:** None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Climate Change		Population/Housing
	Agricultural and Forest Resources		Hazards and Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c. **Mitigation Measures.** For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 7. **Supporting Information Sources.** Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Have a significant adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?			X	
<p>Discussion: The project includes the installation of a 5-foot tall woven wire perimeter fence along the hiking trail and legalization of the existing loafing shed. The hiking trail location is at approximate elevations of 100 to 300 feet above sea level; residential areas (rural service center) and publicly accessible areas of Pescadero State Beach are located roughly at 34 feet in elevation and below and Pescadero Marsh is at an approximate elevation of 9 feet above sea level.</p> <p>Views from the beach and marsh and are shielded primarily by steep topography, as the hills rise from the marsh, and existing mature vegetation by way of eucalyptus stands. Similarly, no effect on views from residential areas will result from this project due to topography, vegetation and the nature of the project. The proposed fencing is typical of cattle fencing and will not have a significant adverse visual impact. The location of the loafing shed is not visible from residential, public lands, water bodies or roads due to its location in a low lying area, and due to the surrounding topography and vegetation.</p> <p>Source: Project scope, Google Earth, Site Visit.</p>				
b. Significantly damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
<p>Discussion: The western edge of the parcel is located within the Cabrillo State Scenic Corridor. Neither the hiking service nor the proposed cattle fencing are proposed within the State Scenic Corridor. No tree removal is required for the fence installation. The fencing will be located along the hiking trail road within the disturbed areas. No rock outcroppings are located on the property and no modifications are proposed to any buildings or structures.</p> <p>Source: Project scope, San Mateo County Geographic Information System.</p>				

c. Significantly degrade the existing visual character or quality of the site and its surroundings, including significant change in topography or ground surface relief features, and/or development on a ridgeline?				X
<p>Discussion: Minor disturbance will be required for the installation of the proposed cattle fencing. No significant degradation of the visual character or quality of the site is anticipated. The hiking trail is a maintained firebreak/service road and will continue in such a manner. No expansion of the firebreak/service road will occur.</p> <p>Source: Project Scope.</p>				
d. Create a new source of significant light or glare that would adversely affect day or nighttime views in the area?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>				
e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
<p>Discussion: Portions of the parcel are located within the Cabrillo State Scenic Corridor and the Stage Road and Pescadero Creek Road County Scenic Corridors. Portions of the hiking trail and all of the existing structures are located within the County Scenic Corridors, although they are not visible from the scenic corridors due to existing mature vegetation, distance and topography.</p> <p>Source: Project Location, San Mateo County Geographic Information System.</p>				
f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
<p>Discussion: Not located in such a district.</p> <p>Source: Project Location.</p>				
g. Visually intrude into an area having natural scenic qualities?			X	
<p>Discussion: No new structures, aside from cattle fencing, are proposed. The existing loafing shed proposed for legalization is located in a low lying area adjacent to a eucalyptus stand and is not visible from public viewpoints due to topography and mature vegetation. The structure is of a rustic nature and is typically found within rural settings.</p> <p>Source: Project Scope.</p>				

2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

Discussion: Not applicable. Parcel is located within the Coastal Zone

Source: Project Location.

b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?			X	
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Discussion: Current ongoing agricultural uses on this parcel include a rotating commercial cattle grazing operation and commercial hay and pumpkin crops. The parcel is under an active Williamson Act contract. The property is zoned Planned Agricultural District which allows kennels subject to the issuance of the applicable permits.

No impact to the crops are proposed since the hiking service avoids these low lying southeastern areas. Cattle grazing occurs in two general areas within the property: the lower area adjacent to Stage Road, and the upper lands. These two areas are separated by a hill rising from the lower area at about 100 feet in elevation. The lower area provides the best grazing and can be grazed year round, weather and forage permitting. No hiking will occur in this area.

The upper area contains gently sloping areas which are grazed typically between April through August; the center of the upper lands contains a fairly steep ravine with the majority of the grazing lands located within the center to western property line.

The project includes installation of new cattle fencing (in addition to the existing cattle fencing) to segment the grazing area into three trail areas. The hiking service will then have access to one trail at a time (total trail length of 13.3 acres) depending on the needs of the grazing tenant who is given priority to the use of the land for grazing over the hiking service. Prioritization of the land for grazing purposes is written into the lease agreement between the applicant and the landowner.

The property has been optimized for grazing under a National Resources Conservation Service Environmental Quality Incentive Program which has capped the head of cattle to 40. Since no additional areas could be grazed given this capacity limit and the fenced grazing areas are given priority over the hiking service, impacts to agriculture are less than significant. Staff contacted the NRCS EQIP Section and was informed that the dog hiking service does not pose a conflict with the EQIP.

Further, the project has been reviewed by the County Agricultural Advisory Committee for contract compliance with the San Mateo County Williamson Act Program. As proposed, the project meets the minimum contract eligibility requirements, agricultural land utilization for grazing requirement and has been issued a Determination of Compatibility by the Agricultural Advisory Committee. Under the County's Program, kennels are a compatible use to agriculture subject to a Determination of Compatibility review and issuance.

Source: Project plans, San Mateo County Williamson Act Program, Landowner Documents.

c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
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Discussion: The upper and lower grazed areas are classified as Grazing Lands (grazing land is land on which the existing vegetation is suited to the grazing of livestock). The lower crop growing fields are classified Farmland of Local Importance (lands other than prime, statewide, or unique that produce the following crops: oats, Christmas trees, pumpkins, dryland pasture, other grains, and hay lands).

Utilization of the existing firebreak for the hiking trail within the upper grazing area will not convert additional grazing lands nor will the hiking occur on other farmlands within the property.

Regarding conversion of forestland to non-forest uses, the majority of the tree cover within the property consists of non-native eucalyptus trees and does not meet the definition of forestland (land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits). No tree removal is proposed and no conversion is proposed.

Source: California Department of Conservation San Mateo County Important Farmland 2014 Map, Resources Code Section 12220(g) *Forest Land*.

d. For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
---	--	--	--	---

Discussion: The parcel does not contain Class I or II Soils as identified on the Natural Resources Conservation Service (NRCS) Web Soil Survey for Non-irrigated Capability Classes. Some areas within the parcel are classified as Class III Soils by the NRCS; however, the San Mateo County General Plan Productive Soils Resources Soils with Agricultural Capability Map identifies these areas for Grazing or excludes the areas entirely from Productive Soils Resources (as Class III soils rated for artichokes or Brussels sprouts). No impact to these soils is proposed.

Source: Natural Resources Conservation Service Web Soil Survey, San Mateo County General Plan Productive Soils Resources Soils with Agricultural Capability Map.					
e.	Result in damage to soil capability or loss of agricultural land?			X	
<p>Discussion: No impact to soil capability is anticipated since the above referenced soils are not mapped within the parcel. The property, however, is currently agricultural land since a portion of the land is used for crop farming and the remaining land is grazed. The hiking service will not operate on the farmed lands and will only utilize the firebreak/service road for dog hiking. The applicant proposes to install cattle fencing to segment the upper grazing area such that the cattle continue to graze on a rotating basis and are unaffected by the concurrent dog hiking. The hiking service will operate only within the hiking trail and in the pasture areas not actively grazed.</p> <p>Source: Project Scope.</p>					
f.	Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? <i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i>				X
<p>Discussion: The property is not used for timber harvesting nor is it zoned Timberland Production. Additionally, the existing eucalyptus stands do not meet the definition of forestland which must include 10% of native tree cover.</p> <p>Source: San Mateo County GIS, Parcel Conditions/Uses.</p>					

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Conflict with or obstruct implementation of the applicable air quality plan?				X
<p>Discussion: The use of the property by the applicant will not conflict with or obstruct implementation of the current 2010 Multi-Pollutant Clean Air Plan adopted by the Bay Area Air Quality Management District. The dog hiking does not affect air quality and the use of six passenger vans to transport the dogs to/from the property does not present a significant impact to air quality due to the low number of vans for transport and state emission standards.</p> <p>Source: Project scope, Bay Area Air Quality Management District 2010 Multi-Pollutant Clean Air Plan.</p>					

b. Violate any air quality standard or contribute significantly to an existing or projected air quality violation?			X	
<p>Discussion: It is not expected that the use of the passenger vans significantly contributes to the degradation of air quality given emission standards and compliance with such standards for passenger vehicles. Further, the use of six vans traveling to the site within a four hour time frame does not constitute a significant number of vehicles such that the cumulative emissions would degrade air quality. Minor construction vehicle activity is expected for the installation of the cattle fencing but is temporary and will cease once the fencing is installed.</p> <p>Source: Project Scope.</p>				
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
<p>Discussion: The San Francisco Bay Area Air Basin is a State non-attainment area for 1-hour and 8-hour ozone and particulate matter (PM2.5 and PM10). Although the Environmental Protection Agency has ruled that the Bay Area Basin has attained the 2006 national 24-hour PM2.5 standard, the Bay Area is still classified non-attainment for PM2.5 until such time the area is re-designated by the Environmental Protection Agency. Emissions associated with the project include the short term construction activities to construct the cattle fencing. Following construction, the emissions relating to the project include the use of the six passenger vans to transport the dogs to and from the project site. Both activities will not result in considerable cumulative impacts to the existing air quality.</p> <p>Source: Project Scope, Bay Area Air Quality Management District Air Quality Standards and Attainment Status.</p>				
d. Expose sensitive receptors to significant pollutant concentrations, as defined by BAAQMD?				X
<p>Discussion: Sensitive receptors include day care centers, hospitals and schools among others. Pescadero Elementary School is approximately 0.2 miles east of the subject parcel. No significant pollutant concentrations are proposed with the project.</p> <p>Source: San Mateo County GIS, Project Scope.</p>				
e. Create objectionable odors affecting a significant number of people?			X	
<p>Discussion: None proposed. Dog waste is collected from the hiking route and enclosed pen each day by the handlers and transported to the San Carlos office for disposal.</p> <p>Source: Project Scope.</p>				
f. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of				X

air quality on-site or in the surrounding area?				
Discussion: Refer to Section 3.c., above.				
Source: Project Scope.				

4. BIOLOGICAL RESOURCES. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		

Discussion: Pescadero Creek runs along the southern parcel boundary; Bradley Creek runs adjacent to the eastern parcel boundary along Stage Road. The property contains two fenced ponds and one unnamed tributary (dry) leading to Pescadero Creek. All watercourses are upstream of Pescadero State Beach. Dog hiking does not occur in the vicinity of Bradley or Pescadero Creek. Of the two ponds, the lower pond is approximately 20 feet from the edge of the hiking trail at its start; the upper pond is located 150 feet from the midpoint of the trail. Both ponds are fenced. The dogs do not have access to either pond.

The biologist report prepared by MIG | TRA Environmental Sciences, assessed the ponds for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) habitat and the potential effect of dog hiking on such species and habitat, if present.

The site was visited by a biologist on November 23, 2015. The report notes that the upper pond was dry and that the lower pond was holding water at approximately 1-foot in depth. Rushes are established in the shallow areas of the lower pond; coastal scrub is found at the pond margins. No amphibians or reptiles were observed at either pond. Both ponds support low to moderately suitable habitat for California red-legged frog and might support moderate foraging and breeding habitat depending on the water depth (the biologist notes that at less than 3 feet in depth, the ponds are unlikely to support breeding). Cover at both ponds is insufficient to provide habitat for San Francisco garter snake. Overall, CRLF has a low to moderate likelihood of occurrence and SFGS has a low to very low likelihood of occurrence.

No adverse impact to CRLF is anticipated since the dogs are hiked during the day (CRLF are nocturnal) and do not have access to the fenced ponds. No adverse impact to SFGS is anticipated since SFGS move along paths with cover and will seek refuge quickly when they sense a disturbance. The report also notes that no significant impact to CRLF or SFGS that may be dispersing to or from the ponds is expected.

The following mitigation measure is recommended to minimize the potential for dogs to enter the fenced ponds.

<p>Mitigation Measure 1: Pond fencing shall be checked at least once per month and maintained in good condition. Any replacement or repairs shall occur immediately. Dogs shall be prohibited from entering fenced pond areas or creeks within the property.</p> <p>Source: MIG TRA Environmental Sciences Biological Evaluation for California Red-legged Frog and San Francisco Garter Snake, Smilin Dogs Hiking Operation, Pescadero, California (January 12, 2016).</p>				
<p>b. Have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>		X		
<p>Discussion: No riparian habitat was identified in the biologist report for either pond. Rushes are established in the shallow area within the lower pond but within the fenced area. It is unlikely that significant impacts will occur given the restricted access to the ponds, however, Mitigation Measure 1 is recommended to ensure potential significant impacts are reduced to less than significant levels.</p> <p>Source: MIG TRA Environmental Sciences Biological Evaluation for California Red-legged Frog and San Francisco Garter Snake, Smilin Dogs Hiking Operation, Pescadero, California (January 12, 2016).</p>				
<p>c. Have a significant adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>				X
<p>Discussion: No wetlands identified within the hiking area.</p> <p>Source: Project Location, MIG TRA Environmental Sciences Biological Evaluation for California Red-legged Frog and San Francisco Garter Snake, Smilin Dogs Hiking Operation, Pescadero, California (January 12, 2016).</p>				
<p>d. Interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>		X		
<p>Discussion: Refer to Section 4.a. for discussion and mitigation.</p> <p>Source MIG TRA Environmental Sciences Biological Evaluation for California Red-legged Frog and San Francisco Garter Snake, Smilin Dogs Hiking Operation, Pescadero, California (January 12, 2016).</p>				

e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X
<p>Discussion: No vegetation removal proposed.</p> <p>Source: Project Scope.</p>					
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?				X
<p>Discussion: No known conservation plan adopted for this area.</p> <p>Source: Project Location, San Mateo County General Plan, San Mateo County Local Coastal Program.</p>					
g.	Be located inside or within 200 feet of a marine or wildlife reserve?				X
<p>Discussion: The hiking trail is over 1,000 feet from the parcel boundary which abuts Pescadero Marsh Natural Preserve.</p> <p>Source: San Mateo County GIS.</p>					
h.	Result in loss of oak woodlands or other non-timber woodlands?				X
<p>Discussion: None proposed. No oaks are located on the property and no trees are proposed for removal.</p> <p>Source: Project Scope, San Mateo County GIS.</p>					

5. CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Cause a significant adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?			X
<p>Discussion: Project does not include modifications to any structures or other objects. No structures or buildings listed on the National Park Service National Register of Historic Places.</p> <p>Source: Project Scope.</p>				

b. Cause a significant adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?		X		
<p>Discussion: Project includes the installation of cattle fencing along the existing hiking trail. Vehicular access to install the fence will be by the existing firebreak/service road and the fence installed by hand (metal stakes hammered into the soil). No other ground disturbance will occur. The following mitigation measure is recommended in the event archaeological resources are encountered during fence installation.</p> <p>Mitigation Measure 2: In the event that should cultural, paleontological or archaeological resources be 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 archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).</p> <p>Source: Project Scope, California State Parks Office of Historic Preservation.</p>				
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
<p>Discussion: No mapped unique paleontological resources or geological features are located in the project area. The project site consists of Qt (marine terrace deposits), Qsl (hillslope deposits), and Tpms (sedimentary rocks) which are commonly found within the area.</p> <p>Source: U.S. Geological Survey Geologic Map of the San Francisco Bay Region.</p>				
d. Disturb any human remains, including those interred outside of formal cemeteries?				X
<p>Discussion: There are no known human remains in the project site area.</p> <p>Source: Project Scope.</p>				

6. GEOLOGY AND SOILS. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential significant adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>				X
<p>Discussion: None proposed. Parcel not in the mapped Alquist-Priolo area. Additionally, the project does not include structures for human habitation.</p> <p>Source: California Department of Conservation Regional Geologic Hazards and Mapping Program – Alquist-Priolo.</p>				
ii. Strong seismic ground shaking?			X	
<p>Discussion: Parcel is located within the Violent shaking scenario for a high intensity (Modified Mercalli Intensity (MMI) > 6) earthquake within the San Gregorio fault area. Impacts are less than significant since no habitable structures are proposed.</p> <p>Source: Association of Bay Area Governments GIS (Shaking Scenarios).</p>				
iii. Seismic-related ground failure, including liquefaction and differential settling?			X	
<p>Discussion: The low lying areas are mapped High Susceptibility for liquefaction as mapped on the Association of Bay Area Governments Liquefaction Susceptibility. The loafing shed is located within this area though it is not a habitable structure. The hiking trail is located within a Low to Very Low Susceptibility area.</p> <p>Source: Association of Bay Area Governments GIS (Liquefaction Susceptibility).</p>				
iv. Landslides?			X	

<p>Discussion: The hiking trail and loafing shed are located in mapped areas of landsliding - Units II, III and V (low susceptibility, moderate susceptibility, and high susceptibility to landsliding, respectively) on the U.S. Geological Survey Landslide Susceptibility in San Mateo County map. Though a portion of the project site is mapped high landslide susceptibility, no habitable structures are proposed.</p> <p>Source: U.S. Geological Survey Landslide Susceptibility in San Mateo County Map.</p>				
<p>v. Coastal cliff/bluff instability or erosion?</p> <p><i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).</i></p>				X
<p>Discussion: Not located in such an area.</p> <p>Source: Project Location.</p>				
<p>b. Result in significant soil erosion or the loss of topsoil?</p>				X
<p>Discussion: None proposed. Trail used for hiking consists of existing firebreaks/service road. No additional trails will be constructed with this project. Access for the installation of the cattle fencing will utilize the existing firebreak/service road; no vegetation removal is proposed.</p> <p>Source: Project Plans, Aerial Photos.</p>				
<p>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?</p>				X
<p>Discussion: The project is not located on a geologic unit. Though a portion of the project is located in a mapped high landslide susceptibility and high liquefaction susceptibility, no structures for habitation are proposed.</p> <p>Source: Project Location.</p>				
<p>d. Be located on expansive soil, as noted in the 2010 California Building Code, creating significant risks to life or property?</p>				X
<p>Discussion: No known expansive soils are located with the project site.</p> <p>Source: Project Location.</p>				
<p>e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</p>				X

Discussion: None proposed. No septic use is needed by the project. Dog handlers utilize the facilities at the San Carlos office prior to hiking the dogs and dog waste is collected and transported for disposal at the San Carlos kennel office.

Source: Project Scope.

7. CLIMATE CHANGE. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	
<p>Discussion: It is not expected that the use of the eight passenger vans will emit significant greenhouse gas emissions given the small number of vehicles and state emission standards required for such vehicles. Additionally, the project site is not located within close proximity to large GHG emitting facilities; the closest facilities are located 16 miles north (electricity generation facility, Half Moon Bay) and 16 miles east (fossil fuel electric power generation facility, Santa Clara County).</p> <p>Source: Project Scope, Project Location, California Air Resources Board Facility GHG Emissions Visualization and Analysis Tool.</p>				
b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
<p>Discussion: The project is not in conflict with the County's climate action plan given the limited number of passenger vans to the project site.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan.</p>				
c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>				
d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X

Discussion: Not located in such an area.				
Source: Project Location.				
e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
Discussion: It is not expected that the project will expose people to significant sea level rise impacts due to the elevation of the project site in relation to Pescadero Marsh and the Pacific Ocean.				
Source: Project Location.				
f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
Discussion: The loafing shed to be legalized for parking is not located within a flood hazard area.				
Source: San Mateo County GIS FEMA Flood Maps.				
g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
Discussion: None proposed.				
Source: Project Scope.				

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
Discussion: None proposed.				
Source: Project Scope.				

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>				
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
<p>Discussion: Not located on such a site.</p> <p>Source: California Department of Toxic Substances Control Hazardous Waste and Substances Site List, California State Water Resources Control Board List of Leaking Underground Storage Tank Sites.</p>				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: Not located in such an area.</p> <p>Source: Project Location.</p>				
f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: Not located in such an area.</p> <p>Source: Project Location.</p>				

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>				
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<p>Discussion: No habitable structures proposed. Water tanks and stock ponds are present on the property should water for fire suppression be required.</p> <p>Source: Project Scope.</p>				
i. Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: No residence proposed; no alteration of land.</p> <p>Source: Project Scope.</p>				
j. Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: No development proposed other than cattle fencing which is not located in a 100-year flood hazard area.</p> <p>Source: Project Scope.</p>				
k. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<p>Discussion: No habitable structures proposed. Project area is not near a levee or dam.</p> <p>Source: Project Scope.</p>				
l. Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: None proposed. The lower grazing area is located within a flood zone; no development is proposed in this area and this area is not used by the hiking service.</p>				

Source: Project Scope.

9. HYDROLOGY AND WATER QUALITY. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Violate any water quality standards or waste discharge requirements (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?		X		

Discussion: Pescadero Creek runs along the southern parcel boundary; Bradley Creek runs adjacent to the eastern parcel boundary and Stage Road. The property contains two fenced ponds and one unnamed tributary (dry) leading to Pescadero Creek. All watercourses are upstream of Pescadero State Beach. Dog hiking does not occur in the vicinity of Bradley or Pescadero Creek. Of the two ponds, the lower pond is approximately 20 feet from the edge of the hiking trail at its start; the upper pond is located 150 feet from the midpoint of the trail. Both ponds are fenced. The dogs do not have access to either pond.

The Regional Water Quality Control Board (RWQCB) has provided comments on the project to minimize pathogen contamination from dog waste to waters of the State. The RWQCB references their report completed on the San Pedro Creek Watershed located in Pacifica and notes that dog waste, among others, contributes to pathogen contamination within the San Pedro Creek Watershed particularly from impervious surface runoff. Based on this report, RWQCB recommends preventing access to waters and removal of dog waste (i.e., pickup).

Current hiking operations allow for the dogs to relieve themselves within the dirt/grass holding pens prior to hiking. As the dogs are hiked, employees collect waste along the trail and upon returning to the pens at the end of the hiking day, will collect the waste from the pens and dispose of all waste at the San Carlos kennel. Dog do not have access to the two on-site fenced ponds.

Due to the potential for dog waste to affect water quality the following mitigation measure is recommended to reduce the potential significant impacts to less than significant levels. This mitigation measure is in conjunction with the measure identified in Section 4.a regarding the maintenance of the fenced ponds and the restriction on the dogs to access the ponds.

Mitigation Measure 3: Dog waste shall be collected from the holding pens by the end of the hiking day and from the hiking trail on a continual basis. Waste shall be disposed of at the San Carlos kennel. No dog waste shall be left on-site.

Source: Project Scope, Project Location, Regional Water Quality Control Board email, San Pedro Creek and Pacifica State Beach Total Maximum Daily Load Report (2012).

<p>b. Significantly deplete groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>			X	
<p>Discussion: Two water tanks are on-site and provide potable and irrigation water to the existing residence and agricultural operations. The hiking service utilizes 50 gallons of water per day. Though this is an additional use of water, it is not expected that this will result in a significant depletion of groundwater. The use will not interfere with groundwater recharge.</p> <p>Source: Project Scope.</p>				
<p>c. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in significant erosion or siltation on- or off-site?</p>				X
<p>Discussion: Use of the land for the hiking service does not require alteration of the existing drainage patterns since the service utilizes the existing firebreak/dirt service road.</p> <p>Source: Project Scope.</p>				
<p>d. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or significantly increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?</p>				X
<p>Discussion: Use of the land for the hiking service does not require alteration of the existing drainage patterns since the service utilizes the existing firebreak/dirt service road.</p> <p>Source: Project Scope.</p>				
<p>e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?</p>				X
<p>Discussion: None proposed. No stormwater drainage systems are existing or proposed.</p> <p>Source: Project Scope.</p>				

f.	Significantly degrade surface or ground-water water quality?		X		
<p>Discussion: Refer to Section 9.a, above for discussion and mitigation measures.</p> <p>Source: Project scope, Project Location.</p>					
g.	Result in increased impervious surfaces and associated increased runoff?				X
<p>Discussion: None proposed. No impervious surface proposed.</p> <p>Source: Project Scope.</p>					

10. LAND USE AND PLANNING. Would the project:					
		Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
a.	Physically divide an established community?				X
<p>Discussion: No. Project located in a rural agricultural area.</p> <p>Source: Project Scope.</p>					
b.	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
<p>Discussion: Kennels are an allowed conditional use within the Planned Agricultural District/Coastal Zone Zoning District.</p> <p>Source: San Mateo County Zoning Regulations.</p>					
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: No known habitat conservation plan or natural community conservation plan has been adopted for this area.</p> <p>Source: Project Location.</p>					
d.	Result in the congregating of more than 50 people on a regular basis?				X

<p>Discussion: At most, 12 employees will be on-site from the hours of 10:00 a.m. to 2:00 p.m. during the week and occasionally on the weekends.</p> <p>Source: Project Scope.</p>					
e.	Result in the introduction of activities not currently found within the community?			X	
<p>Discussion: Kennels are a permitted use under the Planned Agricultural District subject to applicable permits though no other kennel permits have been requested in the vicinity of this parcel.</p> <p>Source: San Mateo County Zoning Regulations.</p>					
f.	Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>					
g.	Create a significant new demand for housing?				X
<p>Discussion: No. Employees begin and end the workday in San Carlos.</p> <p>Source: Project Scope.</p>					

11. MINERAL RESOURCES. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: No. There are no known mineral resources on-site.</p> <p>Source: Project Scope.</p>					
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion: No. There are no known mineral resources on-site.

Source: Project Scope.

12. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
<p>Discussion: Some level of noise is expected as dog barking will occur on occasion during hiking. It is not expected to exceed noise levels of the County Noise Ordinance given the infrequency of the dog barking as experienced by staff during a site inspection. The nearest receiving land use (residence) is approximately 1,100 feet south from the loafing shed. The distance between the two uses is separated by steep topography and a eucalyptus grove. To date, the County has not received any noise complaints regarding the hiking service.</p> <p>Source: Project Location, San Mateo County Noise Ordinance.</p>				
b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>				
c. A significant permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p>Discussion: Refer to Section 12.a above.</p> <p>Source: Project Scope.</p>				
d. A significant temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p>Discussion: Refer to Section 12.a above.</p> <p>Source: Project Scope.</p>				

e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: Not located in such an area. Half Moon Bay airport is approximately 18 miles north of the project site.</p> <p>Source: Planning Department GIS.</p>					
f.	For a project within the vicinity of a private airstrip, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: Not located in such an area.</p> <p>Source: Project Location.</p>					

13. POPULATION AND HOUSING. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Induce significant population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>					
b.	Displace existing housing (including low- or moderate-income housing), in an area that is substantially deficient in housing, necessitating the construction of replacement housing elsewhere?				X
<p>Discussion: No existing housing will be removed and no new housing is proposed.</p> <p>Source: Project Scope.</p>					

14. PUBLIC SERVICES. Would the project result in significant adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks?				X
e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X

Discussion: No significant adverse impacts are planned or anticipated with the project.
Source: Project Scope.

15. RECREATION. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?				X

Discussion: No. Proposed activity will occur on private property.
Source: Project Scope.

b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
--	--	--	--	---

Discussion: None proposed.
Source: Project Scope.

16. TRANSPORTATION/TRAFFIC. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
<p>Discussion: No significant impact is expected given the low number of passenger vans used for this type of use nor will the project conflict with applicable plans.</p> <p>Source: Project Scope.</p>				
b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?			X	
<p>Discussion: No significant impact is expected given the low number of passenger vans that will conflict with an applicable congestion management program. Also, it is not feasible for this type of business to utilize mass transit.</p> <p>Source: Project Scope, San Mateo County Congestion Management Program 2013.</p>				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in significant safety risks?				X
<p>Discussion: No impact.</p> <p>Source: Project Scope.</p>				
d. Significantly increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X

Discussion: None proposed.				
Source: Project Scope.				
e.	Result in inadequate emergency access?			X
Discussion: No. The existing road/driveway accessed from Stage Road is adequate to serve as an emergency access.				
Source: Project Scope.				
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X
Discussion: No. The project is proposed in a rural agricultural area; access is by motor vehicle on rural roads.				
Source: Project Scope.				
g.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?			X
Discussion: No. The project is in a rural agricultural area; access is by motor vehicle on rural roads.				
Source: Project Scope.				
h.	Result in inadequate parking capacity?			X
Discussion: Van parking is accommodated within the parcel.				
Source: Project Scope, Project Plans.				

17. UTILITIES AND SERVICE SYSTEMS. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
Discussion: No impact. No wastewater treatment facilities available in this rural area.					
Source: Project Scope.					

b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
<p>Discussion: No wastewater treatment service utilized by the project.</p> <p>Source: Project Scope.</p>					
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>					
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
<p>Discussion: On-site water is adequate to serve the existing agricultural and domestic uses in addition to the hiking service.</p> <p>Source: Project Scope.</p>					
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
<p>Discussion: Not served by a wastewater treatment provider.</p> <p>Source: Project Scope, Project Location.</p>					
f.	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
<p>Discussion: Solid waste is disposed off-site at the licensed kennel facility.</p> <p>Source: Project Scope.</p>					
g.	Comply with Federal, State, and local statutes and regulations related to solid waste?				X

<p>Discussion: Solid waste is disposed off-site at the licensed kennel facility which is served by Recology.</p> <p>Source: Project Scope.</p>					
h.	Be sited, oriented, and/or designed to minimize energy consumption, including transportation energy; incorporate water conservation and solid waste reduction measures; and incorporate solar or other alternative energy sources?				X
<p>Discussion: The hiking service does not require electricity to operate, utilizes passenger vans to capacity for transportation, uses minimal water (50 gallons/day), and transports solid waste off-site to the licensed kennel facility.</p> <p>Source: Project Scope.</p>					
i.	Generate any demands that will cause a public facility or utility to reach or exceed its capacity?				X
<p>Discussion: None proposed.</p> <p>Source: Project Scope.</p>					

18. MANDATORY FINDINGS OF SIGNIFICANCE.					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a.	Does the project have the potential to degrade the quality of the environment, significantly reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
<p>Discussion: As stated in the biological evaluation, California red-legged frog and San Francisco garter snake are not likely to occur in the pond areas along the hiking trail. No contact between the dogs and sensitive species will occur since the ponds are fenced. Further, all waste is removed from the project site thereby minimizing the potential for water degradation within the watershed. As mitigated the project will not significantly degrade the quality of fish or wildlife habit.</p> <p>Source: Project Scope.</p>					

<p>b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>				X
<p>Discussion: No other projects are anticipated on this parcel and the property has maintained the single-family use and agricultural uses concurrently with dog hiking. Transportation of the dogs in the six to eight passenger vans, typically four at one time, does not create significant cumulative impacts to traffic within the area.</p> <p>Source: Project Scope.</p>				
<p>c. Does the project have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly?</p>				X
<p>Discussion: As mitigated the project will not cause significant adverse effects on humans.</p> <p>Source: Project Scope.</p>				

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission	X		Appeals jurisdiction

AGENCY	YES	NO	TYPE OF APPROVAL
City		X	
Sewer/Water District:		X	
Other:		X	

<u>MITIGATION MEASURES</u>		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	
Other mitigation measures are needed.	X	
<p>The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:</p> <p><u>Mitigation Measure 1:</u> Pond fencing shall be checked at least once per month and maintained in good condition. Any replacement or repairs shall occur immediately. Dogs shall be prohibited from entering fenced pond areas or creeks within the property.</p> <p><u>Mitigation Measure 2:</u> In the event that should cultural, paleontological or archaeological resources be 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 archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording, protecting, or curating shall be borne solely by the project sponsor. The archaeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).</p> <p><u>Mitigation Measure 3:</u> Dog waste shall be collected from the holding pens by the end of the hiking day and from the hiking trail on a continual basis. Waste shall be disposed of at the San Carlos kennel. No dog waste shall be left on-site.</p>		

Attachment A
Site Plan



- LEGEND**
- ① ENCLOSED FDM
 - ② EXISTING PERIMETER FENCE
 - ③ WATER TANK
 - ④ FINDER PILES
 - ⑤ PARKING LAND
 - ⑥ WALKING TRAIL
 - ⑦ CONDITIONAL FENCING
 - ⑧ DOG WALKING TRAIL TYPE A
 - ⑨ DOG WALKING TRAIL TYPE B
 - ⑩ DOG WALKING TRAIL TYPE C

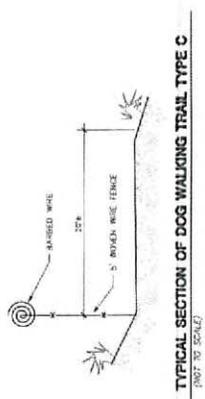
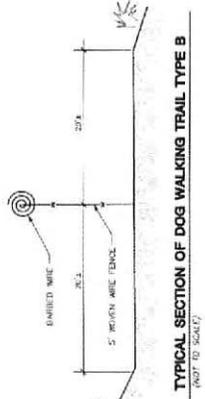
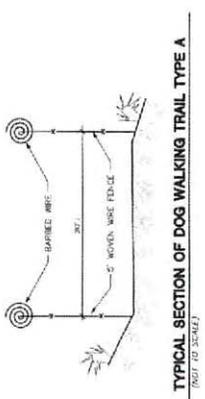
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 01/11/14
 City of San Mateo
 Planning & Community Development

Berry and Associates
 1733 Woodside Road, Suite 335
 Redwood City, CA 94061
 Phone: (650) 368-0750



SMILIN DOGS - PLN 2013-00481
 BASE MAP FOR DOG WALKING FACILITIES
 SAN MATEO COUNTY
 CALIFORNIA
 PESCADERO

DATE	10-17-13
SCALE	1"=200'
DRAWN BY	WJ
CHECKED BY	WJ
PROJECT NO.	13-000
PROJECT NAME	SMILIN DOGS
CLIENT	SMILIN DOGS
DATE	10-17-13
SCALE	1"=200'
DRAWN BY	WJ
CHECKED BY	WJ
PROJECT NO.	13-000
PROJECT NAME	SMILIN DOGS
CLIENT	SMILIN DOGS



DOG WALKING TRAIL AREAS:
 TRAIL TYPE A: 2.0 ACRES ±
 TRAIL TYPE B: 5.3 ACRES ±
 TRAIL TYPE C: 5.5 ACRES ±

NOTE:
 SITE BOUNDARY CORRELATION
 TO AERIAL PHOTOGRAPHY
 TO BE USED FOR CONSTRUCTION



Attachment B
Grazing Rotation Hiking Routes

Berry and Associates
 1733 Woodside Road, Suite 333
 Redwood City, CA 94061
 Phone (650) 358-0750



CALIFORNIA

**SMILIN DOGS - PLN 2013-00481
 BASE MAP FOR DOG WALKING FACILITIES**

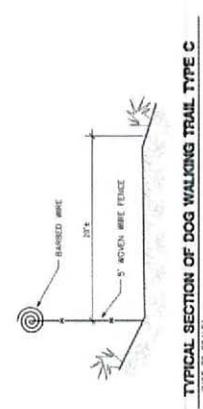
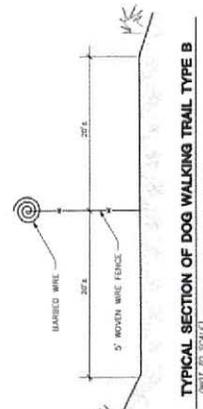
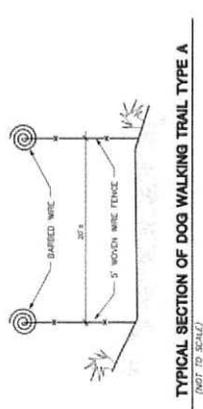
PESCADERO

SAN MATEO COUNTY

DATE	10-17-15	NO.	1
DRAWN	JANUARY		
CHECKED			
SCALE	1"=400'		
PROJECT			
CLIENT			
NO. OF SHEETS			
SHEET NO.	1		

- LEGEND**
- ① ENCLOSED POND
 - ② EXISTING PERIMETER FENCE
 - ③ WATER TANK
 - ④ FENCED POND
 - ⑤ FARMING LAND
 - ⑥ WALKING TRAIL
 - ⑦ CONDITIONAL FENCING
 - ⑧ DOG WALKING TRAIL TYPE A
 - ⑨ DOG WALKING TRAIL TYPE B
 - ⑩ DOG WALKING TRAIL TYPE C

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 Planning & Development



DOG WALKING TRAIL AREAS:

- TRAIL TYPE A: 2.5 ACRES ±
- TRAIL TYPE B: 5.3 ACRES ±
- TRAIL TYPE C: 0.5 ACRES ±

NOTE:
 SEE BOUNDARY COMPARISON
 DRAWING FOR ALL
 DIMENSIONS.



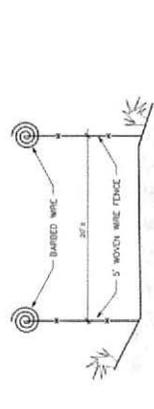
Berry and Associates
 1723 Woodside Road, Suite 135
 Redwood City, CA 94061
 Phone (650) 388-0750



SMILIN DOGS - PLN 2013-00481
 BASE MAP FOR DOG WALKING FACILITIES
 SAN MATEO COUNTY
 CALIFORNIA
 PESCADERO

Project No.	13-11-15
Project Name	SMILIN DOGS
Client	SM
Scale	AS SHOWN
Date	10/11/15

- LEGEND**
- 1 ENCLOSED PEN
 - 2 COSTING PERIMETER FENCE
 - 3 WATER TANK
 - 4 FENCED PONDS
 - 5 FARMING LAND
 - 6 WALKING TRAIL
 - 7 CONDITIONAL FENCING
 - 8 DOG WALKING TRAIL TYPE A
 - 9 DOG WALKING TRAIL TYPE B
 - 10 DOG WALKING TRAIL TYPE C



TYPICAL SECTION OF DOG WALKING TRAIL TYPE A
 (NOT TO SCALE)



TYPICAL SECTION OF DOG WALKING TRAIL TYPE B
 (NOT TO SCALE)



TYPICAL SECTION OF DOG WALKING TRAIL TYPE C
 (NOT TO SCALE)



DOG WALKING TRAIL AREAS:

- TRAIL TYPE A: 2.0 ACRES ±
- TRAIL TYPE B: 5.3 ACRES ±
- TRAIL TYPE C: 8.5 ACRES ±

NOTE:
 SITE BOUNDARY COMPARISON
 TO BE MADE AGAINST THE AERIAL
 PHOTOGRAPHIC RECORD.



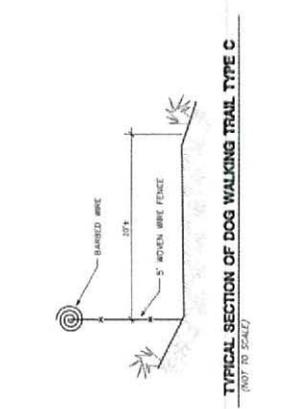
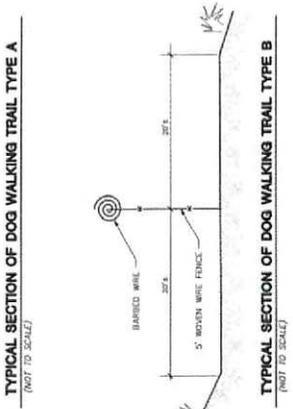
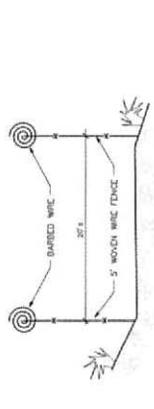
Berry and Associates
 1733 Woodside Road, Suite 335
 Redwood City, CA 94061
 Phone (650) 368-0250



SMLIN DOGS - PLN 2013-00481
 BASE MAP FOR DOG WALKING FACILITIES
 SAN MATEO COUNTY
 PESCADERO

DATE	10-12-15	NO.	1
SCALE	1"=200'		
DRAWN	JOB		
CHECKED	JOB		
APPROVED	JOB		
DATE	10-12-15	NO.	1

- LEGEND**
- 1 ENCLOSED PEN
 - 2 EXISTING PERIMETER FENCE
 - 3 WATER TANK
 - 4 FENCED POND
 - 5 FARMING LAND
 - 6 WALKING TRAIL
 - 7 CONDITIONAL FENCING
 - 8 DOG WALKING TRAIL TYPE A
 - 9 DOG WALKING TRAIL TYPE B
 - 10 DOG WALKING TRAIL TYPE C
- RECEIVED**
 OCT 14 2015
 SAN MATEO COUNTY
 PLANNING AND ZONING DEPARTMENT



DOG WALKING TRAIL AREAS:
 TRAIL TYPE A: 2.5 ACRES ±
 TRAIL TYPE B: 5.5 ACRES ±
 TRAIL TYPE C: 5.5 ACRES ±

NOTE:
 SITE BOUNDARY CORRELATION
 WITH THE AERIAL
 PHOTOGRAPHIC FEATURES



Berry and Associates
 1733 Woodside Road, Suite 335
 Redwood City, CA 94061
 Phone: (650) 965-0750

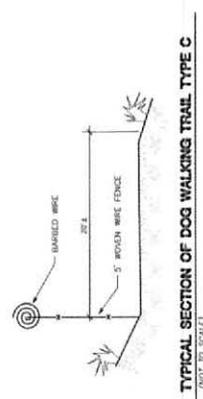
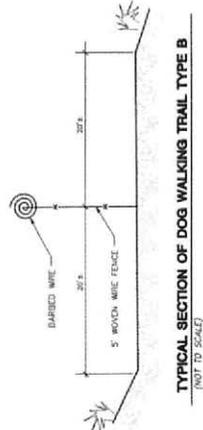
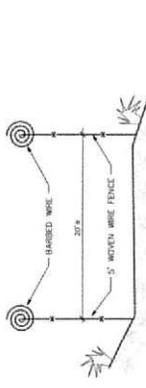


SMILIN DOGS - PLN 2013-00481
BASE MAP FOR DOG WALKING FACILITIES
 SAN MATEO COUNTY
 PESCADERO

DATE	10-17-13	BY	REVISION
SCALE	1"=500'		
PROJECT			
APPROVED			
DATE	08-15-13	BY	
PROJECT			
SCALE			
PROJECT			

- LEGEND**
- 1 ENCLOSED PEN
 - 2 EXISTING PERIMETER FENCE
 - 3 WATER TANK
 - 4 FENCED PONDS
 - 5 FARMING LAND
 - 6 WALKING TRAIL
 - 7 CONDITIONAL FENCING
 - 8 DOG WALKING TRAIL TYPE A
 - 9 DOG WALKING TRAIL TYPE B
 - 10 DOG WALKING TRAIL TYPE C

RECEIVED
 JUL 18 2013
 SAN MATEO COUNTY
 PLANNING DEPARTMENT



DOG WALKING TRAIL AREAS:
 TRAIL TYPE A: 2.5 ACRES ±
 TRAIL TYPE B: 5.1 ACRES ±
 TRAIL TYPE C: 5.5 ACRES ±

NOTE:
 SITE BOUNDARY CORRELATION
 TO CITY RECORD
 TOPOGRAPHIC FEATURES



Attachment C
Biological Evaluation

Date: January 12, 2016
Project No.: 16061
Prepared For: Mr. Konrad Thaler
Manager, Smilin Dogs/Wagly Inc.
251 Old County Road
San Carlos, California 94070
Phone: 650-592-3997
Email: konrad@smilindogs.com
Re: Biological Evaluation for California red-legged frog and San
Francisco garter snake, Smilin Dogs hiking operation, Pescadero
California

Dear Mr. Thaler:

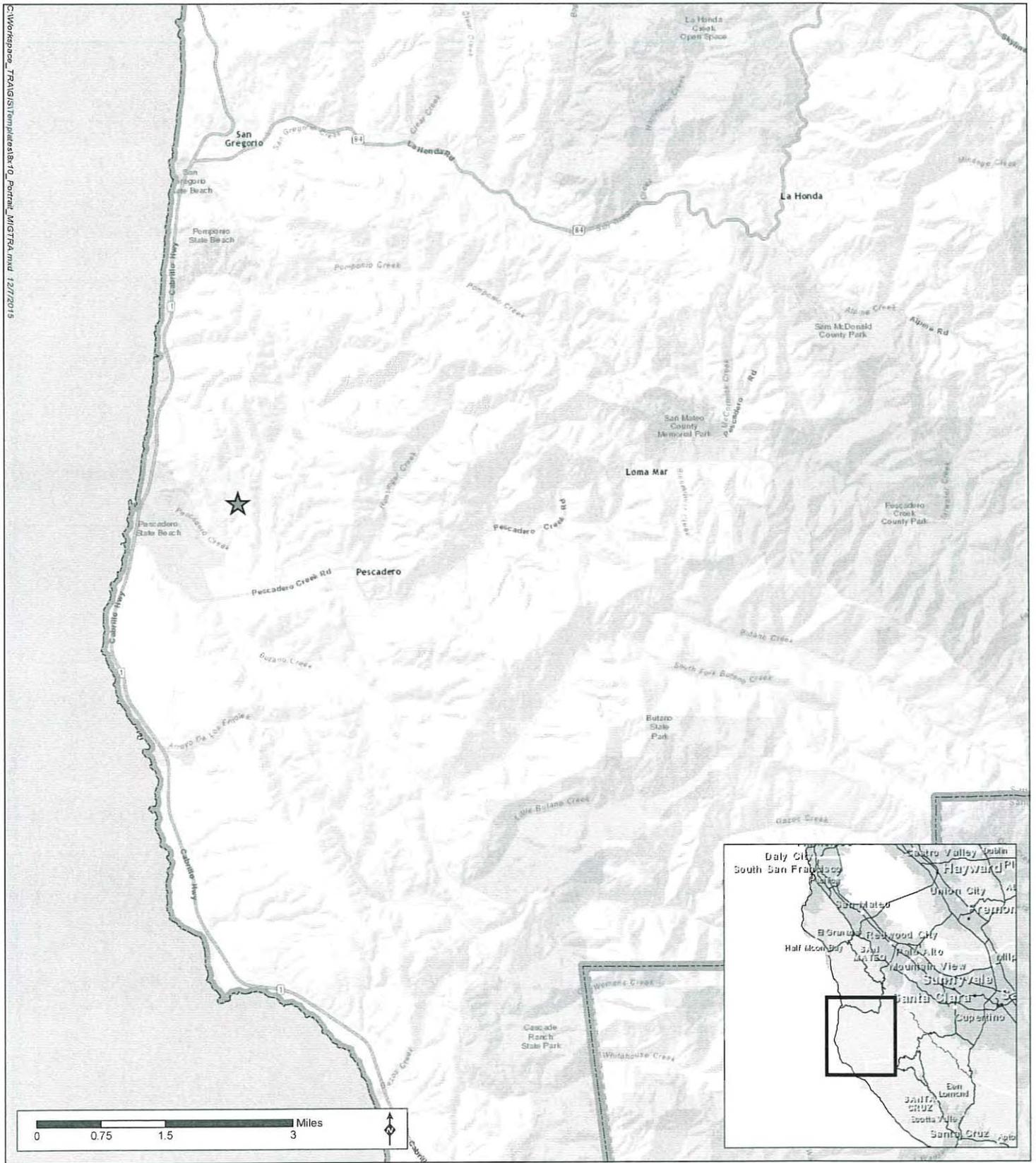
MIG|TRA Environmental Sciences (MIG|TRA) conducted a biological evaluation for California red-legged frog and San Francisco garter snake at the Smilin Dogs hiking operation in Pescadero, San Mateo County, California. This letter describes our findings.

Project Background

Smilin Dogs, a licensed dog daycare business with a kennel facility operating in San Carlos, maintains a dog hiking operation within 180 fenced acres on a 757-acre parcel located at 515 Stage Road in Pescadero, unincorporated San Mateo County (Figure 1). The remainder of the property not used by Smilin Dogs is farmed, with pumpkin and hay farming in areas of prime soils and the remaining land used for cattle grazing.

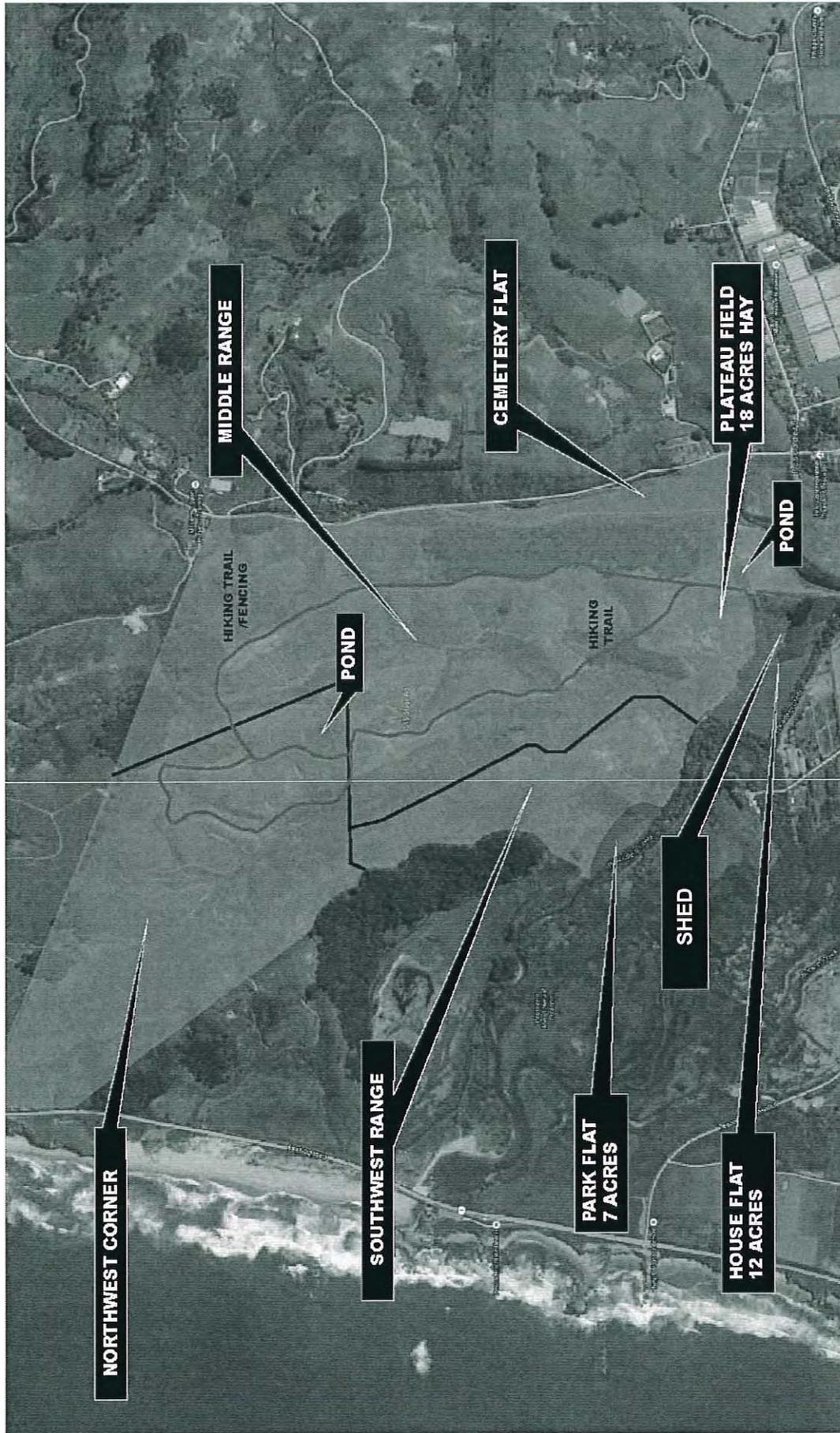
The hiking service operates Monday through Friday rain or shine and occasionally on weekends from 10:00 a.m. to 2:00 p.m. Each weekday, six to eight converted passenger vans, containing 10-14 medium to large dogs (in excess of 25 pounds), are transported by Smilin Dogs employees from the San Carlos daycare location and/or clients' residences to the project site for off-leash hiking. The business currently provides the service to 72 dogs and proposes a maximum of 90 dogs.

Site access is from an existing dirt road off of Stage Road. Vans are parked in an existing covered parking area/shed on the property, and dogs are unloaded into an enclosed pen where the dogs relieve themselves before hiking. One employee then walks the pack through a fenced area along an existing bare soil fire road. One pack of dogs is "hiked" along the fire road that circles the inner area of the fenced property (180 acres) for a distance of about 5 miles. Up to five groups of dogs hike the firebreak at one time, and they are spaced apart. The fence is 5 feet tall and composed of woven wire topped with barbed wire and is located along the outer edge of the fire road. Dog waste is collected from the enclosed pen and hiking route by the handlers each day and taken to the San Carlos office for disposal. Figures 2 and 3 provide an overview of site features and the fire road.



- ★ Project location
- ▭ County boundary

Figure 1 Project Vicinity



Source: San Mateo County 2015

Figure 2 Project Property Features
Smiirn Dogs Pescadero Biological Evaluation



Source: San Mateo County 2015

Figure 3 Project Access
Smilin Dogs Pescadero Biological Evaluation

A portion of Pescadero Creek runs along the southern parcel boundary over 300 feet from the van parking area. Bradley Creek runs within the parcel parallel to Stage Road in an area called Cemetery Flat. It is over 400 feet from the dog hiking road and is separated from the road by steep topography. Two fenced stock ponds are also located within the property. The lower fenced pond (approximately 13,700 sq. ft. surface area) is 20 feet from the dog hiking road and the upper fenced pond (approximately 21,500 sq. ft. surface area) is 150 feet away from the dog hiking road. California red-legged frog (*Rana draytonii* (CRF), federally listed as Threatened), and San Francisco garter snake (*Thamnophis sirtalis tetrataenia* (SFGS), federally listed as Endangered, and state listed as Endangered and Fully Protected) are both known from the region and can be found in pond habitat.

Methodology

Prior to the site visit, the California Natural Diversity Database was searched for records of CRF and SFGS occurrences in the region, as well as occurrences of other special-status species. Aerial photos and topographical maps were reviewed to get an overview of water features on site and in the vicinity of the property. On November 23, 2015, Senior Biologist Autumn Meisel met Smilin Dogs owner Konrad Thaler on the property. The dog hiking operation was described and the 180-acre enclosed facility was toured by truck. Both ponds were visited and explored on foot. Photos of the site and ponds are provided at the end of this letter.

Life History- California Red-legged Frog

California red-legged frog is endemic to California and Baja California, Mexico, at elevations ranging from sea level to approximately 5,000 feet. California red-legged frog occupies a fairly distinct habitat, combining both specific aquatic and riparian components. Adults need dense, shrubby or emergent riparian vegetation closely associated with deep (greater than 2 1/3-foot deep) still or slow moving water. The largest densities of CRF are associated with deepwater pools with dense stands of overhanging willows and an intermixed fringe of cattails. Well-vegetated terrestrial areas within the riparian corridor may provide important sheltering habitat during winter. California red-legged frogs may estivate (enter a dormant state during summer or dry weather) in small mammal burrows and moist leaf litter.

California red-legged frogs breed from November through March. The diet of CRF is highly variable. Larvae probably eat algae. Invertebrates are the most common food items of adult frogs. Vertebrates, such as Pacific tree frogs and California mice, are frequently eaten by larger frogs. Juvenile frogs are active both during the day and at night, whereas adult frogs are largely nocturnal. Feeding activity occurs along the shoreline and on the surface of the water.

Life History- San Francisco Garter Snake

Historically, San Francisco garter snakes occurred in scattered wetland areas on the San Francisco Peninsula and along the coast south to Año Nuevo Point, San Mateo County, and Waddell Creek, Santa Cruz County. Currently, although the geographical distribution may remain the same, reliable information regarding specific locations and population status is not available. Many locations that previously had healthy populations of garter snakes are now in decline.

The snakes' preferred habitat 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, bulrushes and spike rushes 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. The snakes also use floating algal or rush mats, if available. San Francisco garter snakes are primarily active during the day. The snakes are extremely shy, difficult to locate and capture, and quick to flee to water or cover when disturbed. Adult SFGS feed primarily on CRF. They may also feed on juvenile bullfrogs, and newborn and juvenile SFGS depend heavily upon Pacific tree frogs as prey. Adult snakes sometimes estivate in rodent burrows during summer months when ponds dry. On the coast, snakes hibernate during the winter, but further inland, if the weather is suitable, snakes may be active year-round.

Findings- Biological Setting

Vegetation on the 180-acre study site is dominated by a mix of annual grassland and coastal scrub, with some pockets of eucalyptus forest. The fire road where the dogs are hiked is earthen and supports no vegetation. The fence around the site was found to be sturdy and intact and clearly prevents dogs from going through, under, or over. Dogs were observed to defecate immediately upon exiting the vans and employees were seen collecting the waste and placing in a garbage receptacle. The dogs were also observed on their hike and stay as a pack along the fire road route and with their handler.

Although there are no records of California red-legged frog in Pescadero Creek in the CNDDDB, the species has been observed in Honsinger Creek, a tributary to Pescadero Creek as well as a pond located off of Cloverdale Road near Pescadero Creek (CNDDDB 2015). Suitable habitat is found within Pescadero Creek, and the species has potential to occur here and in nearby ponds with suitable habitat. San Francisco garter snake has been recorded in Pescadero Creek and has potential to occur in streams and ponds in the region that support suitable habitat (CNDDDB 2015). In addition, there is a record of foothill yellow-legged frog (*Rana boylei*, a California Species of Special Concern) from Pescadero Creek observed in 1999. Foothill yellow-legged frog is a stream species and does not breed or forage in ponds.

The upper fenced pond was found to be dry during the site visit (see photos at the end of this letter). The lower pond was holding water, and Mr. Thaler described that he adds water to this pond from a nearby well to keep it wet for wildlife. This pond has been observed by staff to go dry in the summer. The pond was at maximum about one foot in depth during the site visit. Rushes are established in shallow locations within the pond, and coastal scrub is found at the pond margins. No amphibians or reptiles were observed at either pond.

Both the upper and lower pond support low to moderately suitable habitat for CRF. Depending on the depth these ponds reach and maintain during the rainy season, they may support moderate foraging and breeding habitat. However if the ponds are less than three feet deep at maximum capacity, then they are unlikely to support breeding CRF. Neither pond provides optimal habitat for SFGS due to the lack of cover. SFGS prefer ponds that are densely vegetated, often with cattail and/or bulrush. Both ponds are primarily open and sparsely vegetated. CRF has a low to moderate likelihood of occurrence, and SFGS has a low to very low likelihood of occurrence.

Findings- Potential Impacts to Protected Species

The purpose of the biological evaluation is to determine potential impacts and identify measures (if needed) to ensure that the proposed continued use of the parcel by Smilin Dogs would not result in adverse impacts to these protected species. The current dog hiking operation prevents the dogs from coming into contact with the ponds. Dogs are hiked only during daylight hours, and van transport only occurs from mid morning to early afternoon. As CRF is primarily a nocturnal species, and as the dogs and handlers do not have access to the ponds, no adverse impact to CRF is anticipated from the Smilin Dogs' operation. SFGS is not likely to occur in the ponds, however, if the species were in the ponds, no adverse impact from dog hiking is expected, again due to the fenced enclosure of the ponds.

As frogs and snakes move overland, they chose pathways that provide cover when possible. CRF tends to make movements at night, with a higher frequency of movement during rain events. SFGS moves in the day, but is very elusive and takes cover in burrows or under logs or debris when startled. The dogs are walked only during daylight hours and tend to stay on the road, running together back and forth around the handler. They exhibit pack behavior, moving together and with the handler acting as the pack leader. They are large dogs that sometimes bark and can be heard as they hike. As CRF is primarily restricted to nighttime movements, and as SFGS selects movement pathways with cover and take refuge quickly when they sense disturbance, no significant impact to CRF or SFGS that may be dispersing to or from ponds is expected from the dog hiking operation.

The dog hiking route does not take the dogs into contact with any streams, and therefore no impact to aquatic species that may reside in the streams is expected. All dog waste is collected and disposed of offsite.

It is recommended that the fence continue to be routinely monitored for damage to ensure that the dogs remain excluded from the pond habitat.

Please do not hesitate to contact me if there are any questions regarding this report.

Sincerely,



Autumn Meisel
Senior Biologist

Photos taken November 2015



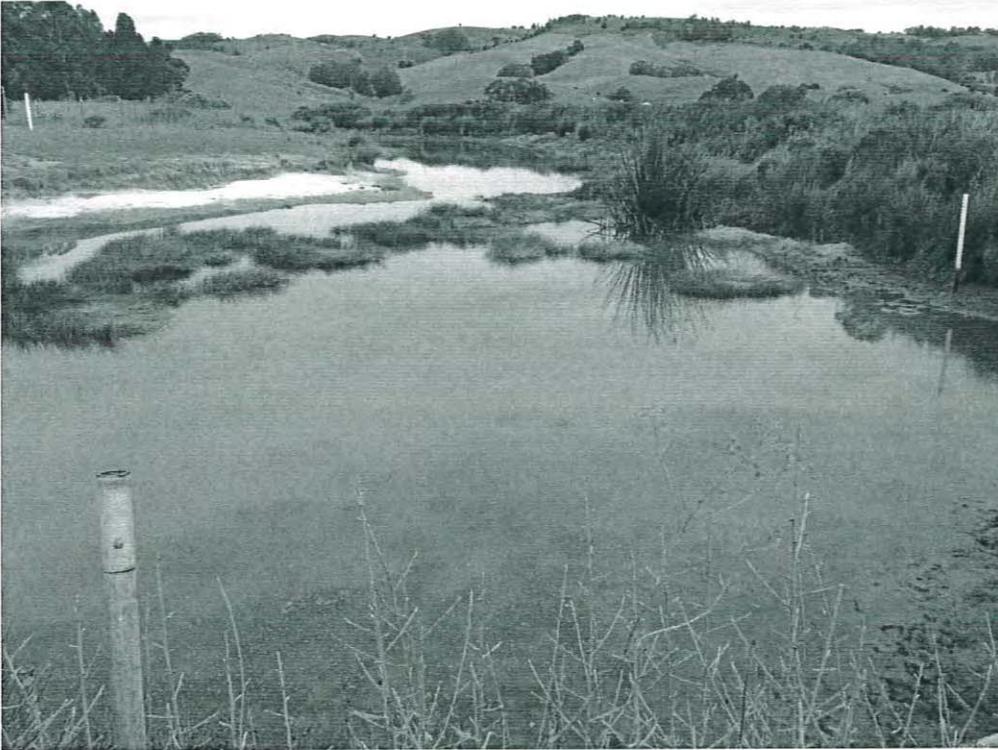
Pen where dogs are released from the van. Dogs defecate here and then handler starts them on the fire road, seen in the background.



Photo taken from just above the fire road looking down on van parking shed and release pen.



Fire road vehicle entrance. The fence on the right was constructed by Smilin Dogs and encircles the hiking operation.



Lower pond



Fence at lower pond

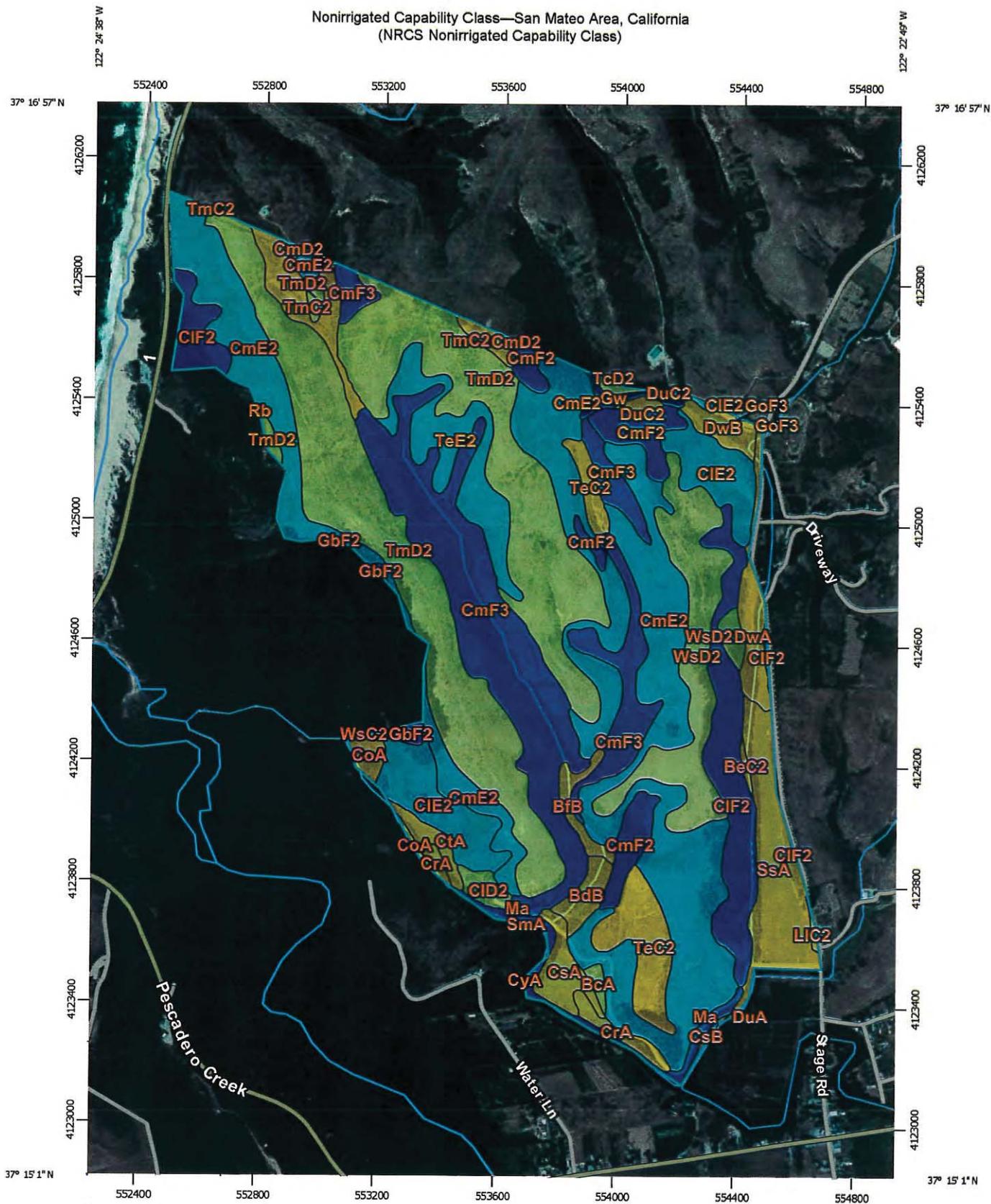
Mr. Konrad Thaler.
January 12, 2016



Upper pond

Attachment D
Land Capability Classification and
Storie Index

Nonirrigated Capability Class—San Mateo Area, California
(NRCS Nonirrigated Capability Class)



Map Scale: 1:17,300 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

6/10/2016
Page 1 of 5

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: <http://websoilsurvey.nrcs.usda.gov>
 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 9, Sep 3, 2015

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

Date(s) aerial images were photographed: Oct 26, 2010—Sep 17, 2011

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.

Nonirrigated Capability Class

Nonirrigated Capability Class— Summary by Map Unit — San Mateo Area, California (CA637)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
BcA	Botella clay loam, 0 to 2 percent slopes, MLRA 14	4	1.5	0.2%
BdB	Botella loam, gently sloping, imperfectly drained	3	5.8	0.7%
BeC2	Botella loam, sloping, eroded	3	0.8	0.1%
BfB	Botella loam, nearly level and gently sloping, poorly drained variant	3	4.8	0.6%
CID2	Colma loam, moderately steep, eroded	4	4.1	0.5%
CIE2	Colma loam, steep, eroded	6	35.5	4.5%
CIF2	Colma loam, very steep, eroded	7	43.8	5.6%
CmD2	Colma sandy loam, moderately steep, eroded	4	0.1	0.0%
CmE2	Colma sandy loam, steep, eroded	6	182.7	23.3%
CmF2	Colma sandy loam, very steep, eroded	7	22.2	2.8%
CmF3	Colma sandy loam, steep and very steep, severely eroded	7	106.9	13.6%
CoA	Coquille loam, nearly level, saline	3	4.3	0.5%
CrA	Corralitos loamy sand, nearly level, imperfectly drained	3	5.5	0.7%
CsA	Corralitos sandy loam, nearly level	3	8.6	1.1%
CsB	Corralitos sandy loam, gently sloping	3	0.7	0.1%
CtA	Corralitos sandy loam, nearly level, imperfectly drained	3	4.5	0.6%
CyA	Corralitos sandy loam, over clay, nearly level, imperfectly drained	3	0.0	0.0%
DuA	Dublin clay, nearly level	3	0.1	0.0%

Nonirrigated Capability Class— Summary by Map Unit — San Mateo Area, California (CA637)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DuC2	Dublin clay, sloping, eroded	3	1.3	0.2%
DwA	Dublin clay, nearly level, imperfectly drained	3	10.6	1.3%
DwB	Dublin clay, gently sloping, imperfectly drained	3	5.9	0.7%
GbF2	Gazos loam, very steep, eroded	7	2.1	0.3%
GoF3	Gazos and Lobitos soils, steep and very steep, severely eroded	7	0.0	0.0%
Gw	Gullied land (tierra and watsonville soil materials)	8	3.5	0.4%
LIC2	Lobitos loam, sloping, eroded	3	0.6	0.1%
Ma	Mixed alluvial land	7	8.1	1.0%
Rb	Rough broken land	8	0.0	0.0%
SmA	Soquel loam, nearly level, imperfectly drained	3	0.0	0.0%
SsA	Soquel loam, over clay, nearly level, imperfectly drained	3	29.9	3.8%
TcD2	Tierra clay loam, moderately steep, eroded	4	0.9	0.1%
TeC2	Tierra loam, sloping, eroded	3	22.5	2.9%
TeE2	Tierra loam, steep, eroded	6	26.8	3.4%
TmC2	Tierra sandy loam, sloping, eroded	3	17.1	2.2%
TmD2	Tierra sandy loam, moderately steep, eroded	4	180.1	22.9%
WsC2	Watsonville sandy loam, sloping, eroded	3	0.2	0.0%
WsD2	Watsonville sandy loam, moderately steep, eroded	4	43.3	5.5%
Totals for Area of Interest			784.7	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.

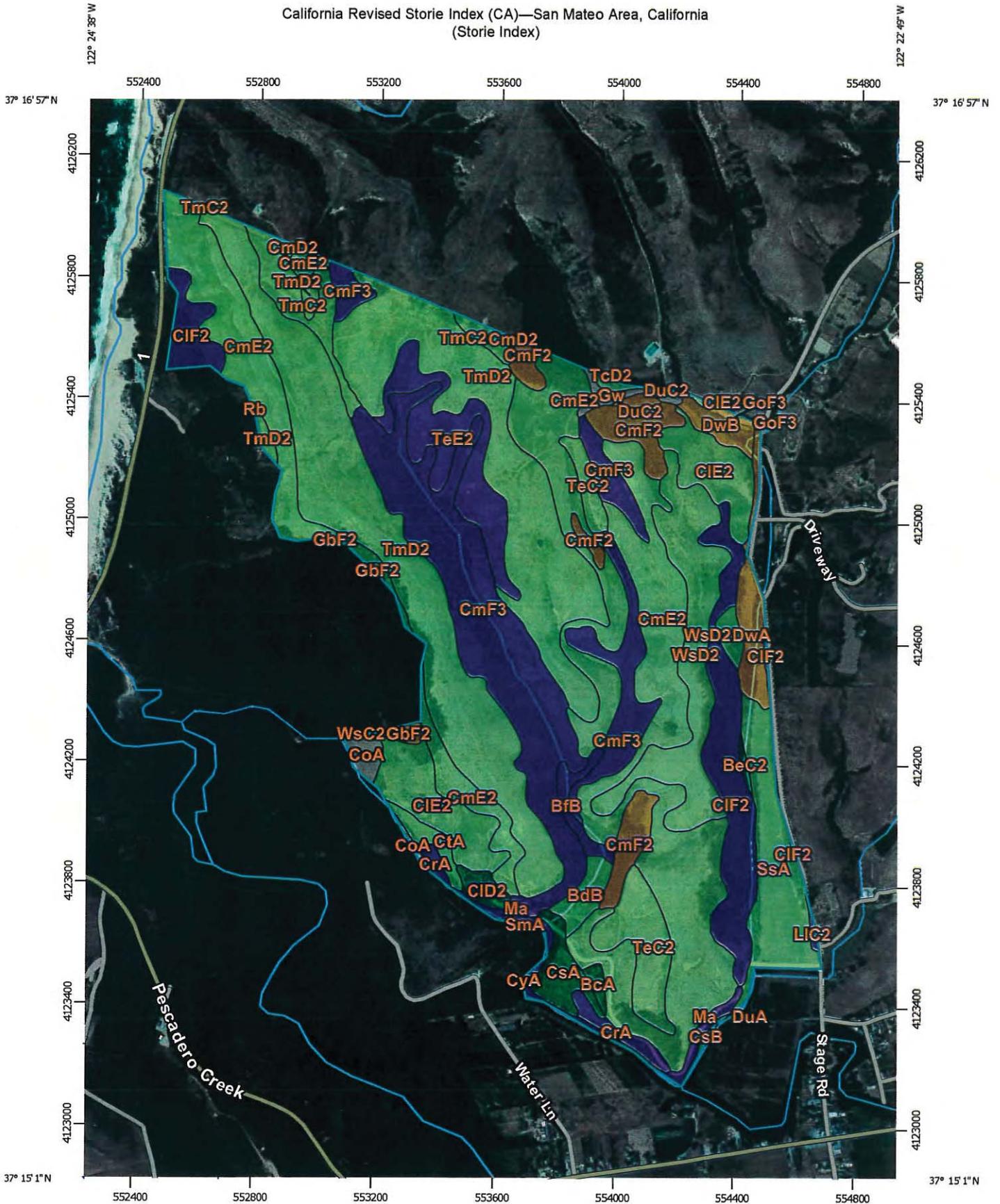
Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

California Revised Storie Index (CA)—San Mateo Area, California
(Storie Index)



Map Scale: 1:17,300 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

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MAP LEGEND

 Area of Interest (AOI)	 Grade 5 - Very Poor
Soils	 Grade 6 - Nonagricultural
Soil Rating Polygons	 Not rated
 Grade 1 - Excellent	 Not rated or not available
 Grade 2 - Good	Water Features
 Grade 3 - Fair	 Streams and Canals
 Grade 4 - Poor	Transportation
 Grade 5 - Very Poor	 Rails
 Grade 6 - Nonagricultural	 Interstate Highways
 Not rated	 US Routes
 Not rated or not available	 Major Roads
Soil Rating Lines	 Local Roads
 Grade 1 - Excellent	Background
 Grade 2 - Good	 Aerial Photography
 Grade 3 - Fair	
 Grade 4 - Poor	
 Grade 5 - Very Poor	
 Grade 6 - Nonagricultural	
 Not rated	
 Not rated or not available	
Soil Rating Points	
 Grade 1 - Excellent	
 Grade 2 - Good	
 Grade 3 - Fair	
 Grade 4 - Poor	

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: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

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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 9, Sep 3, 2015

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

Date(s) aerial images were photographed: Oct 26, 2010—Sep 17, 2011

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.

California Revised Storie Index (CA)

California Revised Storie Index (CA)— Summary by Map Unit — San Mateo Area, California (CA637)					
Map unit symbol	Map unit name	Rating	Component name (percent)	Acres in AOI	Percent of AOI
BcA	Botella clay loam, 0 to 2 percent slopes, MLRA 14	Grade 1 - Excellent	Botella (85%)	1.5	0.2%
BdB	Botella loam, gently sloping, imperfectly drained	Grade 2 - Good	Botella (85%)	5.8	0.7%
BeC2	Botella loam, sloping, eroded	Grade 1 - Excellent	Botella (85%)	0.8	0.1%
BfB	Botella loam, nearly level and gently sloping, poorly drained variant	Grade 3 - Fair	Botella variant (85%)	4.8	0.6%
CID2	Colma loam, moderately steep, eroded	Grade 1 - Excellent	Colma (85%)	4.1	0.5%
CIE2	Colma loam, steep, eroded	Grade 2 - Good	Colma (85%)	35.5	4.5%
CIF2	Colma loam, very steep, eroded	Grade 3 - Fair	Colma (85%)	43.8	5.6%
CmD2	Colma sandy loam, moderately steep, eroded	Grade 2 - Good	Colma (85%)	0.1	0.0%
CmE2	Colma sandy loam, steep, eroded	Grade 2 - Good	Colma (85%)	182.7	23.3%
CmF2	Colma sandy loam, very steep, eroded	Grade 4 - Poor	Colma (85%)	22.2	2.8%
CmF3	Colma sandy loam, steep and very steep, severely eroded	Grade 3 - Fair	Colma (85%)	106.9	13.6%
CoA	Coquille loam, nearly level, saline	Grade 5 - Very Poor	Coquille (85%)	4.3	0.5%
CrA	Corralitos loamy sand, nearly level, imperfectly drained	Grade 3 - Fair	Corralitos (85%)	5.5	0.7%
CsA	Corralitos sandy loam, nearly level	Grade 1 - Excellent	Corralitos (85%)	8.6	1.1%
CsB	Corralitos sandy loam, gently sloping	Grade 2 - Good	Corralitos (85%)	0.7	0.1%

California Revised Storie Index (CA)— Summary by Map Unit — San Mateo Area, California (CA637)					
Map unit symbol	Map unit name	Rating	Component name (percent)	Acres in AOI	Percent of AOI
CtA	Corralitos sandy loam, nearly level, imperfectly drained	Grade 2 - Good	Corralitos (85%)	4.5	0.6%
CyA	Corralitos sandy loam, over clay, nearly level, imperfectly drained	Grade 2 - Good	Corralitos (85%)	0.0	0.0%
DuA	Dublin clay, nearly level	Grade 3 - Fair	Dublin (85%)	0.1	0.0%
DuC2	Dublin clay, sloping, eroded	Grade 4 - Poor	Dublin (85%)	1.3	0.2%
DwA	Dublin clay, nearly level, imperfectly drained	Grade 4 - Poor	Dublin (85%)	10.6	1.3%
DwB	Dublin clay, gently sloping, imperfectly drained	Grade 4 - Poor	Dublin (85%)	5.9	0.7%
GbF2	Gazos loam, very steep, eroded	Grade 4 - Poor	Gazos (85%)	2.1	0.3%
GoF3	Gazos and Lobitos soils, steep and very steep, severely eroded	Grade 4 - Poor	Lobitos (40%)	0.0	0.0%
Gw	Gullied land (tierra and watsonville soil materials)	Not Applicable for Storie Index	Gullied land, (tierra) (85%)	3.5	0.4%
			Unnamed (5%)		
			Watsonville (5%)		
			Tierra (5%)		
LIC2	Lobitos loam, sloping, eroded	Grade 3 - Fair	Lobitos (85%)	0.6	0.1%
Ma	Mixed alluvial land	Grade 3 - Fair	Mixed alluvial land (90%)	8.1	1.0%
Rb	Rough broken land	Not Applicable for Storie Index	Rough broken land (50%)	0.0	0.0%
			Lithic Xerorthents (35%)		
			Gazos (10%)		
			Lobitos (5%)		
SmA	Soquel loam, nearly level, imperfectly drained	Grade 2 - Good	Soquel (85%)	0.0	0.0%
SsA	Soquel loam, over clay, nearly level, imperfectly drained	Grade 2 - Good	Soquel (85%)	29.9	3.8%

California Revised Storie Index (CA)— Summary by Map Unit — San Mateo Area, California (CA637)					
Map unit symbol	Map unit name	Rating	Component name (percent)	Acres in AOI	Percent of AOI
TcD2	Tierra clay loam, moderately steep, eroded	Grade 2 - Good	Tierra (85%)	0.9	0.1%
TeC2	Tierra loam, sloping, eroded	Grade 2 - Good	Tierra (85%)	22.5	2.9%
TeE2	Tierra loam, steep, eroded	Grade 3 - Fair	Tierra (85%)	26.8	3.4%
TmC2	Tierra sandy loam, sloping, eroded	Grade 2 - Good	Tierra (85%)	17.1	2.2%
TmD2	Tierra sandy loam, moderately steep, eroded	Grade 2 - Good	Tierra (85%)	180.1	22.9%
WsC2	Watsonville sandy loam, sloping, eroded	Grade 2 - Good	Watsonville (85%)	0.2	0.0%
WsD2	Watsonville sandy loam, moderately steep, eroded	Grade 2 - Good	Watsonville (85%)	43.3	5.5%
Totals for Area of Interest				784.7	100.0%

Description

The Storie Index is a soil rating based on soil properties that govern a soil's potential for cultivated agriculture in California.

The Storie Index assesses the productivity of a soil from the following four characteristics: Factor A, degree of soil profile development; factor B, texture of the surface layer; factor C, slope; and factor X, manageable features, including drainage, microrelief, fertility, acidity, erosion, and salt content. A score ranging from 0 to 100 is determined for each factor, and the scores are then multiplied together to derive an index rating.

For simplification, Storie Index ratings have been combined into six grade classes as follows: Grade 1 (excellent), 81 to 100; grade 2 (good), 61 to 80; grade 3 (fair), 41 to 60; grade 4 (poor), 21 to 40; grade 5 (very poor), 11 to 20; and grade 6 (nonagricultural), 10 or less.

The components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as the one shown for the map unit. The percent composition of each component in a particular map unit is given to help the user better understand the extent to which the rating applies to the map unit.

Other components with different ratings may occur in each map unit. The ratings for all components, regardless the aggregated rating of the map unit, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Attachment E
Landowner Documents

CRAIG CONOLLY

PO Box 1080 • St. Helena, CA 94574 • Phone: 310-428-4447 • e-mail: craig.conolly@gmail.com

Date: March 29, 2015

Melissa Ross

San Mateo County Planning Department
55 County Center, Redwood City, California, 94063

Dear Melissa.

Per our recent telephone conversation, please find below a description of 515 Stage Road in Pescadero, and clarification pertaining to its use and devotion to operation as an agricultural property.

DESCRIPTION:

The Property consists of 757.95 acres of agricultural land, which is now, as it has always been, a farming and cattle operation. The following two (2) tenants have leased the property in its entirety for several years and intend to continue doing so, and both tenants are engaged in the production of agricultural commodities for commercial purposes:

Mr. Tom Pachecko P.O. Box 3192, Half Moon Bay, CA 94019.

1) Grazing Lease in two parts:

- a) 30 Acres of naturally sub-irrigated pasture know as the Cemetery Flat.
- b) 688.95 Acres of seasonal hill pastures; the Southwest, Northwest Corner, and Middle Range.

Mr. BJ Burns PO Box 250, Pescadero CA 94060.

2) Farming Lease in three parts:

- a) 7 Acres - Park Flat - Pumpkins
- b) 12 acres - House Flat - Hay
- c) 18 acres - Plateau Field - Hay

A homestead, consisting of a residence and loafing sheds, accounts for one (1) acre, which is reserved by the owners, and not leased at present.

The above represents the property in its entirety, totaling 756.95 acres leased for agricultural use.

GRAZING USE:

The prescribed number of head and grazing rotation plan was formulated with the NRCS as part of a comprehensive Farm Plan, designed to optimize land use while recognizing conditions such as annual rainfall and forage capacity. Below are excerpts from the grazing lease currently in force, which reflect these prescriptions.

GRAZING LEASE

Carpy Conolly Properties (Lessor), a California general partnership, whose address is [REDACTED], hereby leases to Tom Pacheco (Lessee), a California resident [REDACTED], whose address is P.O. Box 3192, Half Moon Bay, CA 94019, the real property, herein called "Premises," in the County of San Mateo, State of California, constituting a portion of San Mateo County Assessor's Parcel No. 086-241-050 (the "Real Property") as depicted on Exhibit A attached hereto and made a part hereof with a street address of 515 Stage Road, Pescadero, California 94606, subject to the terms and conditions set forth below. The Premises include the areas referred to as Cemetery Flat, West Range, Middle Range and Northwest Corner, which are depicted on Exhibit A. This Lease is subject to (i) all existing easements, servitudes, licenses, and rights-of-way for roads, highways, telephone, and electric power lines, railroads, pipelines, and other purposes, whether recorded or not; and (ii) the rights of other lessees under any existing or future oil, gas, and mineral lease or timber leases from Lessor affecting the entire or any portion of the Premises, whether recorded or not.

Term of Lease:

The term of this lease shall be for a period of one year, commencing on November 1, 2011, and ending on February 28th, 2014 (the "Initial Term"). At the expiration of the Initial Term, this lease, including all the terms and conditions set forth herein, shall be automatically renewed for an additional period of one year, and thereafter shall be automatically renewed for succeeding and consecutive one-year periods until either Lessor or Lessee gives written notice to the other, at least sixty (60) days prior to expiration of the then current one year term, of the termination of the lease at the end of the current one year term. Under no circumstances, however, shall the Initial Term and subsequent renewal terms extend beyond a total lease term of thirty-four years. The notice required by this paragraph shall be given in the manner prescribed in Paragraph 26 of this lease.

Rent:

A. As rental for the Cemetery Flat portion of the Premises, Lessee hereby agrees to pay to Lessor a total rent of \$ [REDACTED] per month payable in lawful currency of the United States of America, without deduction or offset. Payment shall be made on the first day of each month commencing November 1, 2011 at [REDACTED], or any other place that may be designated by Lessor in a written notice to Lessee given in the manner prescribed in Paragraph 26 of this lease.

B. As rental for the West Range, Middle Range and Northwest Corner Range portions of the Premises, Lessee hereby agrees to pay to Lessor the total rent of \$ [REDACTED] per month per head of cattle grazed on such portions of the Premises payable in arrears commencing thirty (30) days after the first day cattle are grazed thereon. Rental payment shall be made at [REDACTED] or other any other place that may be designated by Lessor in a written notice to Lessee given in the manner prescribed in Paragraph 26 of this lease.

Use of Premises:

The Premises are demised to Lessee for the purpose of feeding, maintenance, grazing, and production of cattle consistent with the terms of this lease, good animal husbandry and the provisions of that certain Land Conservation Agreement with respect to the Real Property entered into between Charles A. Carpy and Mathilde Carpy Conolly and the County of San Mateo on March 6, 1967. The total number of cattle shall not exceed forty (40) and grazing on the West Range, Middle Range and Northwest Corner shall be limited to periods when grass is adequate and foraging will cease when forage reaches approximately sixty percent (60%). No other use shall be permitted without the prior written consent of Lessor which consent Lessor may withhold in its sole and absolute discretion. Lessee acknowledges that Lessor reserves the right to allow (i) dog walking and/or (ii) activities on the Premises that are not inconsistent with limitations on use of the Real Property under the Land Conservation Agreement referred to herein.

Operations on Premises:

A. Lessee shall carry on all of Lessee's activities specified under Paragraph 3 in accordance with good husbandry and the best practices of the farming community in which the Premises are situated. Should Lessee fail to take any action required by the best course of husbandry practiced in the farming community surrounding the Premises, or should Lessee fail to conduct any operation undertaken by Lessee on the Premises in accordance with the best course of husbandry practiced in the farming community surrounding the Premises, Lessor may, after serving ten (10) days written

notice of the failure on Lessee in the manner prescribed in Paragraph 26 of this lease, enter the Premises and take any reasonable action Lessor may deem necessary to protect Lessor's interest in this lease and the Premises. Lessee agrees to reimburse Lessor on demand for the cost of any reasonable actions taken by Lessor pursuant to the provisions of this paragraph;

B. Lessee shall, at Lessee's cost and expense, comply with any and all present or future laws, ordinances, rules, regulations, requirements, and orders of federal, state, county, or municipal governments that may apply in any way to the use, maintenance, operations, or production of livestock on the Premises, or the sale or disposition of that livestock;

C. Lessee agrees not to apply pesticides, insecticides, fungicides, herbicides, or other chemical treatments upon the Premises that may have a residual effect on the Premises, except with the prior written consent of Lessor, which Lessor may withhold in its sole and absolute discretion.

FARMING USE:

LEASE AGREEMENT

This Lease Agreement (the "Lease") dated as of June 21st, 2012 is hereby entered into by and between Carpy Conolly Properties, a California general partnership ("Landlord"), whose address is [REDACTED], and B.J Burns of Bianchi Flowers ("Tenant"), whose address is PO Box 243 Pescadero CA 94060 who agree as follows:

RECITALS

WHEREAS, Landlord is the owner of that certain real property commonly known as San Mateo County Assessor Parcel No. 086-241-050 and improvements located on the real property (the "Property").

WHEREAS, Tenant desires to lease from Landlord and Landlord desires to lease to Tenant two portions of the Property known as the "House Flat" and "The Park Flat", more particularly described in Exhibit "A", attached hereto (the "Premises"), on the terms and conditions in this Lease.

* A third Portion of the property was been added to the above referenced lease in the last year and is referred to as the "Plateau Field in an addendum to the lease and in Exhibit "A".

SECONDARY SUBSERVIAENT USE:

Secondary and subservient to the above lease agreements, a non-exclusive license agreement exists between Smilin' Dogs and Carpy Conolly Properties. Said license may be terminated at any time without cause. Both Farmer and Cattle operator recognize the existence of Smilin' Dogs, but are in now way subject to it. Nor are they averse to its not-incompatible use of the premises. It is clearly understood by all parties involved that agricultural operations take precedents over any other activity on the premises.

Please do not hesitate to contact me should you require further information or clarification.

Not one more calf, one more bail of hay or even one more pumpkin could be produced on these premises, were dog walking to be absent.

Sincerely,



Craig Conolly
Owner-Manager
515 Stage Road, Pescadero, CA 94060

Additionally, please find attached:

- 1) Exhibit "A" reflecting the acreage leased on the parcel.
- 2) A soils map.
- 3) A companion to soils map listing and rating soil-types found on the parcel.

From: Craig Conolly
To: Steve Monowitz, Deputy Director,
SMonowitz@co.sanmateo.ca.us
Supervisor Don Horsley,
DHorsley@smcgov.org
John Nibbelin, Chief Deputy Counsel, JNibbelin@smcgov.org

DECLARATION OF CRAIG CONOLLY

I, Craig Conolly, declare:

1. I am a co-owner and manager of 515 Stage Road in Pescadero, California. I have personal knowledge of the matters stated herein, and if called as a witness, could competently testify as to said matters.
2. Over the last decade I initiated, conducted and satisfactorily completed a comprehensive EQIP (Environmental Quality Incentive Program) contract with the NRCS (Natural Resources Conservation Service), which has at its center a prescribed rotational grazing program for cattle. This prescription determines the maximum animal unit capacity of the property based upon available forage, water and area. This contract is continually monitored by the NRCS to insure compliance. Additionally, I have worked closely with the NRCS to develop and improve fencing, watering facilities for cattle, stream corridor exclusion areas, pasture clearing and reseeded, as well as extensive erosion control plantings and water quality improvement practices. All of these contracts and practices are of primary importance, prioritized to maximize and optimize agricultural capacity while improving water quality and soil conservation. No precedence was given to Smilin' dogs when creating the

said conservation contracts with NRCS. Upon request, I will grant permission to review these confidential contracts and all appurtenant technical aspects of them with Mr. James Howard of the NRCS to verify this statement.

3. Presently the property is under lease with two tenants: Tom Pacheco for cattle grazing (who's lease language mirrors the prescriptions set forth in the previously sited EQIP contract) and BJ Burns for hay and pumpkin production. Previous tenants include Reno Dinelli of Dinelli Cattle, and Merritt Moore of Moore Cattle Company.
4. None of the above sited tenants have had any difficulty or complaints pertaining to Smilin' Dogs. Their use of the property for the production of agricultural commodities is and has always been the highest priority, and has in no way been supplanted by the time-use upon the premises they share with Smilin' Dogs. By respecting the prescribed rotational grazing schedule and using ground while it is not scheduled to be grazed, Smilin' Dogs utilizes space and time that would otherwise remain unoccupied – empty - unproductive.
5. Subsidiary to the above stated agricultural ground leases, a license agreement exists with Smilin Dogs which stipulates:

QuickTime™ and a
decompressor
are needed to see this picture.

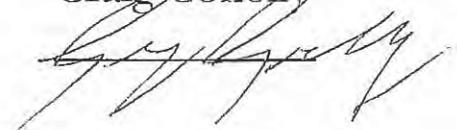
These self imposed prohibitions were memorialized to insure recognition of the Williamson Act to insure the primary

agricultural use of this property by its lessees is uninterrupted by the licensee.

6. The Smilin Dogs operation is a compatible, secondary use under the Williamson Act, not un-like hunting or recreation. Dog walking benefits agriculture on this particular property by helping to underwrite improvements vital to cattle production and environmental conservation practices - items previously not financially feasible without this supplemental income. Not one head of livestock is displaced by Smilin' Dogs, nor one bail of hay, not a single pumpkin less is produced because Smilin' Dogs is present.
7. As there is no displacement or competition with agriculture - only benefit - I believe San Mateo County should craft and grant a conditional use permit for the Smilin' Dogs operation, allowing it to continue as a secondary use compatible with the Williamson Act.
8. Smilin' Dogs should also be allowed to continue operating unabated during the present period of county consideration, for many reasons: a dozen or more hard working employees and their families would unfairly have their livelihoods abruptly taken away from them. A father and mother of two small children could loose their business. Even a temporary halt to this business could destroy it, and of what benefit would this be to agriculture?

I declare, under penalty of perjury, that the above is true and correct to the best of my knowledge.

Dated: 7/12/12

Craig Conolly


Attachment F
Regional Water Quality Control Board
Correspondence

Melissa Ross - PLN2013-00481 - SMILIN DOGS

From: "Lichten, Keith@Waterboards" <Keith.Lichten@waterboards.ca.gov>
To: "mross@smcgov.org" <mross@smcgov.org>
Date: 1/21/2014 5:15 PM
Subject: PLN2013-00481 - SMILIN DOGS
CC: "Frucht, Setenay@Waterboards" <Setenay.Frucht@waterboards.ca.gov>, "Ghod..."

Dear Ms. Ross:

Thank you for the opportunity to comment on Smilin Dogs' permit application to walk up to 90 dogs per day on property at 515 Stage Road in Pescadero.

The project should include appropriate measures to avoid and minimize pathogen contamination from dog waste to waters of the State, including on-site ponds and creeks. Typically, they would be comprised of (1) measures to prevent dog access to State waters, and (2) removal (i.e., pickup) and disposal of dog waste after it is deposited by the dogs, such that it will not discharge to State waters. This is important because the property is immediately upstream of Pescadero Creek and Pescadero State Beach, both of which have beneficial uses including water contact recreation. Water contact recreation includes activities that can result in ingestion of water, such as swimming, wading, and surfing. Also, the property contains a pond and creeks tributary to Pescadero Creek and beach. Pathogens in dog waste can present a threat to public health in the creek and at the beach.

Please include in permits for the project appropriate measures to address items (1) and (2) above. The information we received has a map that indicates there is existing or planned "dog-proof fencing" on part of the property. However, it was unclear where the fencing is located relative to creeks and the pond, and it was also unclear where the dogs would be walked/allowed to run. The information did not include measures to dispose of dog waste such that it would not contaminate State waters. Rather, it referenced measures taken for the site's livestock use.

We recently completed a regulatory action addressing pathogen contamination in a nearby catchment--for San Pedro Creek and Pacifica State Beach in Pacifica. The TMDL's staff report includes a brief discussion of potential impacts from dog waste and found that dog waste discharges from impervious surfaces were likely a significant source of bacterial pollution. More information can be found at:

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/pacificabacteriatmdl.shtml

In this case, we recognize dogs would be walked on agricultural land (i.e., unpaved land). However, the large number of dogs—up to 90 per day—means that the potential impacts from dog waste should be appropriately addressed.

Please contact me with any questions.

Regards,

Keith H. Lichten, P.E.
Senior Water Resource Control Engineer
SF Bay Regional Water Quality Control Board
1515 Clay St., Suite 1400

Oakland, CA 94612

Tel. 510.622.2380

Fax 510.622.2460

klichten@waterboards.ca.gov



County of San Mateo - Planning and Building Department

ATTACHMENT K

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



December 14, 2016

Melissa Ross, Senior Planner
County of San Mateo – Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063-1665

RE: County File No. PLN2013-00481 (Thaler and Ungersma) – Notice of Intent to Adopt Mitigated Negative Declaration 515 Stage Road, Pescadero

Dear Ms. Ross:

We received the County's Notice of Intent to Adopt a Mitigated Negative Declaration (NOI/MND) on November 30, 2016. The public review is from November 23 to December 13, 2016 and we appreciate the opportunity to provide you with comments. The NOI/MND is for the proposed "*Kenel (dog hiking service)*" project located at 515 Stage Road in Pescadero. The applicants' request legalization of an unpermitted commercial kennel operation (specifically, a dog hiking service) for a maximum of 90 medium to large dogs on a 756.93-acre, legal parcel (APN 086-241-050). The proposed project also includes installation of cattle fencing, and legalization of a loafing shed used for covered parking.

We previously commented on the proposed project in response to the County's project referral received in January 2014; a copy of our written comments (transmitted via e-mail 1/28/2014) is attached. Consistent with our earlier comments, the applicant must apply for a Planned Agricultural Permit for the proposed dog walking operation as required by the San Mateo County Local Coastal Program (LCP). This proposed use must meet the criteria for permitted uses as required by LCP Zoning Regulation Sections 6352 and 6353.

The LCP provides for the protection of sensitive habitat. LCP Policy 7.1 defines sensitive habitat as any area in which plant or animal life or their habitats are either rare or especially valuable and any area that contains or supports rare and endangered species (as defined by the California Department of Fish and Wildlife), including wetlands and riparian corridors. Portions of the project, based upon our review of the site plan for the proposed operation, are located within 100 feet of wetland or a stream; the dog-proof fencing and the walking path appear to be partially located within the Coastal Commission's geographic appeal jurisdiction. The NOI/MND discussion of impacts to biological resources indicates that the two ponds on the property support low to moderately suitable habitat for California red legged frog (CRLF). The findings with respect to San Francisco garter snake (SFGS) are that neither pond provides optimal habitat for SFGS and that this species has a low to very low likelihood of occurrence in

Melissa Ross
PLN2013-00481
(Thaler and Ungersma)
December 14, 2016

the area. Mitigation measures are provided in order to address any potential for adverse impacts to SFGS and CRLF. Measures include fencing off the ponds to prohibit the dogs from accessing the area. The upper pond, proposed for fencing, was found to be dry during the biological survey (which was conducted on November 23, 2015). The breeding season for CRLF is November through March. We previously recommended that a biological survey be conducted to evaluate the project's potential to adversely affect CRLF and SFGS and we greatly appreciate that such a survey was conducted. However, due to the survey being conducted in a particularly dry year in November, it may not have captured the extent of potential habitat used by these species. As such, we recommend that the applicant conduct a survey of the site later in the season, when conditions are likely wetter to ensure the extent of potential habitat used by these species is properly delineated and sufficient mitigation measures are included to protect sensitive habitats and species on the site consistent with LCP requirements.

Please feel free to contact me via e-mail at renee.ananda@coastal.ca.gov or call me at 415-904-5292 if you have questions regarding our comments.

Sincerely,

A handwritten signature in cursive script that reads "Renee Ananda". The signature is written in black ink and is positioned above the typed name and title.

Renee Ananda, Coastal Program Analyst
Coastal Commission
North Central Coast District



County of San Mateo - Planning and Building Department

ATTACHMENT L

Melissa Ross

From: Ronald Sturgeon <ronsturgeon@aol.com>
Sent: Tuesday, December 13, 2016 7:29 AM
To: Melissa Ross
Subject: Comments regarding Mitigated Negative Declaration prepared for Smilin Dogs (PLN2013-0048)

December 13, 2016

Melissa Ross
Senior Planner, SMC Planning Dept.

Dear Ms Ross:

This *Negative Declaration* is inadequate in that it fails to assess the adverse impact that this dog romp project previously has had (and could potentially have) on surrounding agriculture. It's incorrect and misleading as it characterizes this activity as the equivalent of a dog kennel. It's incomplete in that the exhibits do not disclose how cattle will move between the new grazing areas within the "Middle Range" or how they will move back and forth from the "Northwest Corner & Southwest Ranges" to the "Middle Range".

The failure to mitigate against the repetition of dogs being able to escape the confines of the Conolly Ranch ("the Ranch") and harass cattle on the neighboring Ranch to the north is an obvious oversight. The parameter fence in this location ought to be required to be secured against such occurrences.

Smiling Dogs does not maintain/operate a kennel on the Ranch. The practice of transporting packs of dogs to the Ranch and then releasing them to romp (and harass cattle if not prevented) does not constitute a kennel; and the Applicants themselves, who one would think would know what constitutes a kennel, seem to find it as odd as I do that they are applying for a "kennel permit" at the County's instance! The dog recreation area that they are operating on the Ranch is no more a kennel than the vans that they transport them there in are. The use of 'kennel' creates the misimpression that this is a small confined activity when there is in fact considerable evidence that this operation has historically rendered some 650± of the Ranch's 750± acres impracticable for grazing and other ag uses.

The exhibits attached to the *Neg. Dec.* are wholly inadequate. They do not present in a discernible manner the location old trails or new trails, the necessary gates between pastures, etc. They are virtually unreadable when printed out or when viewed on a large display. The exhibits need to be augmented to clearly demonstrate how dogs and cattle will move on the Ranch from one area to another so as to be able to determine if/how they will remain separated, thus avoiding predictable (and conceivably mitigable) adverse impacts to the priority agricultural use.

The accompanying documents to the *Neg. Dec.* should also include the "license agreement" between Smilin Dogs and the Ranch owner. It's highly doubtful that this agreement allows the grazing tenet to determine if/when Smilin Dogs will have its anticipated access to the Ranch for its activities.

I urge that the above deficiencies be corrected, and the *Mitigate Negative Declaration* then recirculated.

Sincerely,

Ron Sturgeon
San Gregorio, CA