



Planning & Building Department Planning Commission

Kumkum Gupta, 1st District
Frederick Hansson, 2nd District
Lisa Ketcham, 3rd District
Manuel Ramirez, Jr., 4th District
Mario Santacruz, 5th District

County Office Building
455 County Center
Redwood City, California 94063
650/363-1859

ACTION MINUTES

Draft

MEETING NO. 1694

Wednesday September 9, 2020

****BY VIDEO CONFERENCE ONLY****

Chair Hansson called the meeting to order at 9:00 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Janneth Lujan, Planning Commission Secretary.

Roll Call:

Commissioners Present:	Gupta, Ketcham, Hansson, Santacruz
Commissioners Absent:	Ramirez
Staff Present:	Monowitz, Fox, Montes

Legal notice published in the San Mateo County Times on August 29, 2020 and Half Moon Bay Review on September 2, 2020.

Oral Communications via written comment only via email:
None

Consideration of the Minutes of the Planning Commission meetings for August 26, 2020. Commissioner Ketcham moved, and Commissioner Santacruz seconded, that the minutes be approved as revised and submitted. **Motion Carried 4-0-0-1 (Commissioner Ramirez absent).**

REGULAR AGENDA

9:00 AM

- | | |
|-----------------------|--|
| Owner: | San Mateo County |
| Applicant: | Department of Public Works & County Parks |
| File Number: | PLN2020-00119 |
| Location: | Unincorporated Coastal Zone |
| Assessor's Parcel No: | Various, Unincorporated Coastal Zone |

Coastal Development Permit to authorize routine maintenance activities at County maintained parks and facilities over the course of a five-year period for the Department of Public Works Five-Year Master

Permit for the County's Routine Maintenance Program. Primary on-going activities include culvert, bridge, and other storm drainage maintenance; roadside ditch and swale maintenance; sediment removal; bank stabilization; vegetation management; and trail and road maintenance.

SPEAKERS:

None

COMMISSION ACTION

Commissioner Ketcham moved and Commissioner Gupta seconded the motion to close the public comment

Motion Carried 4-0-1-1 (Ramirez absent).

Commissioner Santacruz moved and Commissioner Hansson seconded the motion to approve the project **Motion Carried 4-0-1-1 (Commissioner Ramirez absent, Commissioner Ketcham abstained).**

FINDINGS

Based on information provided by staff and evidence presented at the hearing the Planning Commission approved the following:

Regarding the Environmental Review:

To Certify the Final Environmental Impact Report (EIR), Found:

- a. That Final (EIR is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County guidelines. A Notice of Preparation was prepared and distributed to the public and responsible agencies, the Draft EIR circulated for public review and comments, and the Final EIR distributed to all those individuals and individuals that commented on the Draft Environmental Impact Report.
- b. That the Final EIR was presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving the project. The Final EIR was presented to the Planning Commission at the September 9, 2020 hearing, at which time the Planning Commission reviewed and considered the information contained in the Final EIR and supporting documentation. The Planning Commission has determined that the Final EIR contains complete and accurate reporting of the environmental impacts and mitigation measures associated with the Routine Maintenance Program.
- c. That the Final EIR reflects the independent analysis and judgment of the County. The County has exercised independent judgement in accordance with Public Resources Code Section 21082.1(c)(3) in retaining its own environmental consultant, directing the consultant in preparation of the Final EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

Regarding Significant Impacts Found:

That the Planning Commission has considered the CEQA “Statement of Findings of Significant Impacts and Rejection of Alternatives” document included as Attachment C of this staff report and on the basis of the substantial evidence set forth therein, finds that the Routine Maintenance Program will not result in significant impacts because changes or alterations have been required in, or incorporated into, the program which avoid or substantially lessen the significant environmental effects as identified in the Final Environmental Impact Report.

Regarding Project Alternatives, Found:

That the Planning Commission has considered the CEQA “Findings Supporting Rejection of Alternatives” included in Attachment C of this staff report and on the basis of the substantial evidence set forth therein, finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly-trained workers, make infeasible the alternatives identified in the Environmental Impact Report.

Regarding the Mitigation Monitoring and Reporting Program Found:

That the mitigation measures identified in the Final EIR, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the Final Environmental Impact Report.

Regarding the Coastal Development Permit, Found:

2. 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 (LCP). The proposed project is consistent with all applicable LCP policies as contained in the Locating and Planning New Development, Public Works, Sensitive Habitats, Visual Resources, Hazards, Recreation/Visitor-serving Facilities, and Public Access, components of the Local Coastal Program.
3. Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh, that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code).and Chapter 3 of the Coastal Act of 1976. The County’s Routine Maintenance Program will ensure that recreational facilities, particularly at County Parks located in the Coastal Zone, are safe and available for public access, consistent with the Local Coastal Program.
4. The Planning Commission has reviewed the plans and materials and determined the Routine Maintenance Program (project), as proposed and conditioned, will not result in adverse impacts on Coastal Resources, and complies with the policies for Locating and Planning New Development, Public Works, and for the protection of Sensitive Habitats, Visual Resources, Shoreline Access, Recreation/Visitor-serving Resources, and Hazards. The Routine Maintenance Program incorporates comprehensive Mitigation Measures and Best Management Practices for the protection of natural resources.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on September 9, 2020. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. Biological Resources - Implement the following mitigation measures identified in the DEIR for the protection of:

- a. Special-Status Plant or Animal Species:

- (1) **Mitigation Measure BIO-1: Provide Compensatory Mitigation for Special Status Plant Species.** San Mateo County will provide compensatory mitigation for unavoidable impacts on special-status plant populations, where impacts on a special-status species' population is unavoidable and above the specified threshold (i.e., 5 percent for state or federally-listed species, 10 percent for California Rare Plant Ranks (CRPR) List 1B and 2 species, and 20 percent for CRPR List 3 or 4 species – see impact discussions BIO-1B and BIO-1C in the Draft Environmental Impact Report).

Compensation for unavoidable impacts on populations of special- status species plants will be provided by a combination of preservation and enhancement of those species' populations outside of program work sites. For impacts on populations (including partial populations) of a specific special-status species, compensatory mitigation will include preservation, enhancement, and management of lands that (a) already support equal or greater numbers (and health) of individuals of that species and (b) contain sufficient unoccupied habitat to allow for an increase in populations, the increase being at least equivalent to the number impacted, through habitat enhancement and management. For determining the number of individuals impacted, the highest number of individuals known to be present within the impact area within the prior ten years (if the impact area has undergone multiple surveys in recent years) will be used to determine the magnitude of the impact to the entire population of the species.

For populations to be preserved, the County will develop a Habitat Mitigation and Management Plan (HMMP), describing the measures that will be taken to enhance and manage the mitigation lands and to monitor the effects of management on special-status plant species. The HMMP will include, at a minimum, the following:

- a summary of impacts on special-status plant populations;
- a description of the location and boundaries of the mitigation site and description of existing conditions;
- a description of the funding mechanism to ensure the long-term maintenance and monitoring of the mitigation lands;
- a description of measures to be undertaken, if necessary, to enhance (e.g., through focused management) the mitigation site for the focal special-status plant species;

- a description of measures to transplant individual plants or seeds from the impact area to the mitigation site, if determined by a qualified botanist to be appropriate and to have a high likelihood of success;
- proposed management activities, such as managed grazing and management of invasive plants, to maintain high-quality habitat conditions for the focal special-status plant species.
- a description of species monitoring measures on the mitigation site including specific, objective goals and objectives, performance indicators, success criteria, monitoring methods, data analysis, reporting requirements, and monitoring schedule. Determining specific performance/success criteria requires information regarding the specific mitigation site, its conditions, the biological resources present on the site, the specific plant species for which mitigation is being provided, and the specific enhancement and management measures tailored to the mitigation site and its conditions. The mitigation will be tied to number of individuals or area of occupied habitat that is directly impacted, and final success criteria will include a timeframe in which the population will be expected to be recovered (e.g., after five years, the mitigation population will support at least as many individuals as were impacted). In addition, the success criteria will be tied to a nearby reference population to control for regional and temporal variation that will take into account events such as drought and climate fluctuations. Specific criteria will be defined in the Habitat Mitigation and Management Plan. The HMMP performance/success criteria will guide mitigation to manage and protect high-quality habitat for, and populations of, the impacted species; and
- a description of the management plan's adaptive component, including potential contingency measures for mitigation elements that do not meet performance criteria.

After mitigation has been provided for impacts on special-status plant populations in a specific area from a specific year's activities, future (i.e., repetitive) impacts on that area will not require additional mitigation.

If compensatory mitigation is provided for federally-listed plant species, the HMMP will be provided to the USFWS for review. It is possible that this mitigation measure may be refined during the Section 7 Consultation with USFWS (e.g., in the Biological Opinion covering Program effects on federally-listed plant species), in which case the refinements required by USFWS will be implemented. If compensatory mitigation is provided for state-listed plant species, the HMMP will be provided to CDFW for review. It is possible that this mitigation measure may be refined during the consultation process with CDFW, in which case the refinements required by the CDFW will be implemented.

- (2) **Mitigation Measure BIO-2: Establish Tree Protection Zones for Ground-disturbing Activities Near Butano Ridge Cypress.** If ground-disturbing activities are proposed and unavoidable within 50 feet of an individual Butano Ridge cypress to be avoided, a tree protection zone (TPZ) will be established to protect those populations. In order to minimize the impacts on Butano Ridge cypress at a maintenance work area, the County will implement the following tree protection measure: Butano Ridge cypress trees that are

within 50 feet of proposed program activities will be clearly marked for avoidance.

Fenced enclosures for individual trees or groups of trees to be protected will be erected at the driplines of trees, where possible, or as established by the County biologist or another qualified biologist. Soil disturbance within this protection zone will not be permitted.

(3) **Mitigation Measure BIO-3: Monitor Temporary Impact from Vegetation Management Activities on “Disturbance-Tolerant” Special-Status Plant Species.** If vegetation management activities

that could provide a long-term benefit to special-status plant species (e.g., grazing for thatch removal, invasive plant species removal, shrub and tree removal for fuel reduction, etc.) are proposed and impacts on special-status plant species are unavoidable and greater than a certain threshold (i.e., 10% for CRPR List 1 and 2 species and 20% for CRPR List 3 and 4 species [see Impact BIO-1C below]), the following measures will be implemented.

- If the vegetation management activity is likely to result in any amount of ground disturbance, then prior to implementation of the maintenance activity, the County shall salvage plant material prior to disturbance. This could include removing and retaining the topsoil prior to the implementation of maintenance activities to salvage the seed bank and/or propagules, such as bulbs, corms, etc.
- Success criteria will be developed to evaluate the progress of the population following the maintenance activity. As with the development of the Habitat Mitigation and Management Plan (HMMP) described under Mitigation Measure BIO-1 the specific performance/success criteria for this monitoring will depend on information regarding the specific site, its conditions, the biological resources present on the site, and the specific plant species. The success criteria will be tied to number of individuals or area of occupied habitat that is directly impacted, and final success criteria will clearly state a timeframe in which the population will be expected to be recovered (e.g. after five years, the population will still support at least as many individuals as were impacted). In addition, the success criteria will be tied to a nearby reference population to control for regional and temporal variation that would take into account events such as drought and climate fluctuations.
- The population must show evidence that it is recovering in the initial year following the maintenance activity. This requirement will be modified accordingly if the reference population is also in decline indicating that regionally the species is in decline for a reason other than the maintenance activity (e.g., drought).
- If plants are not observed to be recovering from the maintenance activity and the reference population is not in decline, then the County will work with a qualified botanist to develop a restoration plan for the impacted population, either using the salvaged plant material or plant material from the same watershed. The restoration plan will generally follow the format of the HMMP described in Mitigation Measure BIO-1, describing the measures that will be taken to enhance and manage the mitigation population and to monitor the development of the population towards specific success criteria. The County will monitor the impacted population for three years. By year three, the population needs to show an increasing trend toward improvement. If the population is not showing improvement, then the County will provide compensatory mitigation for the loss of that portion of the population as described in Mitigation Measure BIO-1.

(4) **Mitigation Measure BIO-4: Provide Compensatory Mitigation for the California Red-Legged Frog and California Tiger Salamander.** The County shall compensate for the long-term loss of habitat for the California red-legged frog and/or California tiger salamander via the restoration, enhancement, and/or management of suitable habitat on County lands (either existing lands or lands that are acquired); financial contribution to local County based watershed, stewardship, or non-profit organizations that lead or coordinate habitat restoration or watershed improvement projects; or purchase of credits in a U. S. Fish and Wildlife Service (USFWS)-approved conservation bank. Compensatory mitigation for permanent loss of breeding habitat shall be provided at a ratio of up to 3:1 (mitigation: impact). Compensatory mitigation for long-term loss of upland dispersal or refugial habitat shall be provided at a ratio of up to 2:1 (mitigation: impact), on an acreage basis. The required mitigation ratio shall be negotiated annually with the USFWS and California Department of Fish and Wildlife (CDFW) for impacts on the California tiger salamander) based on the types and quality of habitat impacted during each year's maintenance activities. For any mitigation efforts, the County shall ensure adequate monitoring to document that the mitigation is operational and successfully providing the functions and value needed to offset potential program impacts. The County shall prepare an HMMP describing the measures that shall be taken to manage the property and to monitor the effects of management on the California red-legged frog and California tiger salamander; the HMMP shall include, at a minimum, the following:

- A summary of impacts on red-legged frog and/or tiger salamander habitat and populations, and the proposed mitigation;
- A description of the location and boundaries of the mitigation site and description of existing site conditions;
- A description of measures to be undertaken, if necessary, to enhance (e.g., through focused management) the mitigation site for red-legged frogs and/or tiger salamander;
- Proposed management activities, such as managed grazing, management of invasive plants, measures targeted at sustaining populations of burrowing mammals, or other measures to maintain high-quality habitat for red-legged frogs and/or tiger salamanders:
- A description of species monitoring measures on the mitigation site, including specific goals and objectives, performance indicators, success criteria, monitoring methods, data analysis, reporting requirements, and monitoring schedule. Determining specific performance/success criteria requires information regarding the specific mitigation site, its conditions, and the specific enhancement and management measures tailored to the mitigation site and its conditions.
- A description of the management plan's adaptive component, including potential contingency measures for mitigation elements that do not meet performance criteria; and
- A description of the funding mechanism for the long-term maintenance and monitoring of the mitigation lands.

- (5) **Mitigation Measure BIO-5: Provide Compensatory Mitigation for the San Francisco Garter Snake.** The County shall compensate for the long-term loss of habitat for the San Francisco garter snake via the restoration, enhancement, and/or management of suitable habitat on County lands (either existing lands or lands that are acquired); financial contribution to local County based watershed, stewardship, or non-profit organizations that lead or coordinate habitat restoration or watershed improvement projects; or purchase of credits in a USFWS-approved conservation bank. Compensatory mitigation for permanent loss of breeding habitat shall be provided at a ratio of up to 3:1 (mitigation: impact), and compensatory mitigation for long-term loss of upland dispersal or refugial habitat shall be provided at a ratio of up to 2:1 (mitigation: impact), on an acreage basis. The required mitigation ratio shall be negotiated annually with the USFWS and California CDFW, based on the types and quality of habitat impacted during each year's maintenance activities.

For any mitigation efforts, the County shall ensure adequate monitoring to document that the mitigation is operational and successfully providing the functions and valued needed to offset potential Maintenance Program impacts. The County shall develop an HMMP, which shall include components similar to those described for the California red-legged frog and California tiger salamander in Mitigation Measure BIO-4.

For County-led on-site and off-site mitigation projects, the County shall be responsible to monitor such projects for a period of 3 to 5 years depending upon the type of mitigation project. For watershed partnering mitigation projects in which the County serves as a partner funding the mitigation through an agency such as the San Mateo Resource Conservation District (RCD), it is anticipated that the local partner (RCD) shall monitor and provide reporting on the site for a period of 3 to 5 years. While it is the watershed partner's responsibility to monitor site conditions, it shall be the County's responsibility to communicate monitoring results annually as part of the County Maintenance Program's reporting process.

- (6) **Mitigation Measure BIO-6: Burrowing Owl Pre-Activity Survey and Avoidance.** Prior to ground-disturbing program activities in high-quality burrowing owl habitat (i.e., extensive grasslands with abundant ground squirrel burrows, and possibly other habitats such as ruderal habitat or open scrub if determined by a qualified biologist to provide suitable burrowing owl roosting habitat), a focused pre-activity survey shall be conducted for burrows occupied by migrant or overwintering burrowing owls. Surveys shall be conducted by a qualified biologist (i.e., one who is familiar with burrowing owl ecology and experienced in performing surveys for them) no more than 14 days prior to commencement of ground-disturbing activities. These surveys shall be conducted in accordance with the CDFW's 2012 Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 2012) or any more current equivalent should new guidelines be released before the activity is initiated. Although burrowing owls are not expected to breed in the program area, pre-activity surveys shall be conducted year-round due to the potential for dispersing juveniles or failed breeders from South Bay breeding populations (in addition to migrants and wintering birds present during the nonbreeding season). During the initial site visit, which shall be conducted no more than 14 days prior to the start of construction, a qualified biologist shall survey the activity area and (to the extent that access allows) habitat within 250 feet of the site for burrowing owls and suitable burrowing owl habitat (i.e., ground squirrel burrows). If no burrows suitable for use by burrowing owls are present, no additional surveys shall be required. However, if

suitable burrows are determined to be present, the qualified biologist shall visit the site one additional time to investigate each burrow for signs of owl use and to determine whether owls are present in areas where they could be affected by the proposed activities. This site visit shall take place no more than 24 hours prior to the start of ground disturbing activities. If an occupied burrow(s) is found, impacts on the burrow shall be avoided by the implementation of a construction-free buffer around the occupied burrow. The size of the buffer shall be determined by the qualified biologist but shall be sufficient to ensure the occupied burrow is not damaged. No ground-disturbing program activities shall commence within the buffer area until a qualified biologist confirms that the burrow is no longer occupied. If impacts on occupied burrows are unavoidable, passive relocation techniques shall be used to evict owls from burrows within the work area prior to initiation of ground disturbing activities. No owls shall be evicted during the breeding season (February 1 through August 31) unless a biologist can determine that owls are not actively nesting.

- (7) **Mitigation Measure BIO-7: Provide Alternative Bat Roost Habitat.** If a tree containing a pallid or Townsend's big-eared bat maternity roost, or a large non-maternity roost (i.e., ≥ 10 individuals), is to be removed by proposed program activities, a qualified bat biologist will design and determine an appropriate location for an alternative roost structure. If a tree containing a pallid or Townsend's big-eared bat maternity roost or large non-maternity roost is not removed, but program-related disturbance causes the abandonment of the roost site (even during the non-breeding season), then the County shall either monitor the roost site to determine whether the affected species returns to the roost or construct an alternative roost. If the County elects to monitor the roost and bats do not return within one year, an alternative roost shall be constructed.

A qualified bat biologist will determine the appropriate location for the alternative roost structure, based on the location of the original roost and habitat conditions in the vicinity, and oversee installation of a new roost structure. The roost structure either will be built to specifications determined by a qualified bat biologist or will be purchased from an appropriate vendor (though a qualified bat biologist should approve the type of structure purchased). The structure will be placed as close to the affected roost site as feasible. The County shall monitor the roost for up to three years (or until occupancy is determined, whichever occurs first) to determine use by bats. If, by year 3, pallid bats or Townsend's big-eared bats are not using the structure, a qualified bat biologist, in consultation with CDFW, will identify alternative roost designs or locations for placement of the roost, place the new roost at the agreed upon location, and monitor the new roost for an additional three years (or until occupancy has been verified).

- b. Riparian Habitat or Other Sensitive Natural Communities: As identified in local or regional plans, policies, regulations or by California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, or National Marine Fisheries Service.

- (1) **Mitigation Measure BIO-8: Provide Compensatory Mitigation for Woody Riparian Vegetation.** By April 30 of each year, the County shall notify the relevant regulatory agencies of the year's planned maintenance projects. The relevant regulatory agencies shall be provided with information describing proposed maintenance project activities, locations, natural resource conditions, and any other key resource issues. The notification package shall describe which ground-disturbing maintenance activities will result in impacts on

temporary and permanent impacts on riparian habitat. Notification shall describe in detail the County's proposal for providing compensatory mitigation for those impacts and may include one or more options described in Chapter 2, Section 2.7.3 of the DEIR and summarized below:

For regular maintenance activities that have potential to remove some riparian habitat, the preferred mitigation approach is on-site mitigation. The general on-site mitigation approach is to restore the type of habitat that is impacted by maintenance activities in the same project vicinity or stream reach where the disturbance has occurred. The County will seek to implement biotechnical solutions, as conditions allow, to avoid or minimize the potential hardening of creek banks. For many program activities, this will occur as part of implementing one of the biotechnical Erosion Control BMPs (e.g., BMPs EC-1 through EC-14). For example, implementing EC-1: Brush Layering, EC-2: Brush Packing, EC-3: Live Staking, or EC-4: Live Pole Drain, would involve using willow stakes (and other woody native material that can re-sprout) as a biotechnical repair technique would result in the re-establishment of woody riparian habitat in-place following maintenance activities.

For on-site, in-kind mitigation, the County shall restore, preserve, and manage riparian habitats, or substantially improve the quality of highly degraded riparian habitats at a ratio of 1.5:1, meaning 1.5 acres of riparian habitat shall be restored/created for every 1 acre of riparian habitat impacted by proposed program activities.

For off-site, where on-site is not possible in-kind mitigation for riparian habitat, the County shall acquire, preserve, enhance, and manage lands that provide similar ecological functions and values to the riparian habitat impacted by program maintenance activities. The acquisition and reservation/enhancement of these higher quality lands will occur at a ratio of 3:1, meaning 3 acres of riparian shall be acquired, preserved, and enhanced for every 1 acre of riparian habitat impacted by proposed program activities. Enhancement may include modification of existing management, limited planting, or invasive plant removal, or other activities to enhance riparian/aquatic habitat functions and values.

Other options for compensatory mitigation include establishing conservation easements or deed restrictions, partnering with local San Mateo County based watershed, stewardship, or non-profit organizations that lead or coordinate habitat restoration or watershed improvement projects.

- c. Wetlands: Federally Protected Wetlands as defined by Section 404 of the Clean Water Act; Wetlands as defined by the California Coastal Act.
 - (1) **Mitigation Measure BIO-9: Provide Compensatory Mitigation for Impacts on Wetlands and other Waters.** By April 30 of each year, the County shall notify the relevant regulatory agencies of the year's planned maintenance projects. The relevant regulatory agencies shall be provided with information describing proposed maintenance project activities, locations, natural resource conditions, and any other key resource issues. The notification package shall describe which ground-disturbing maintenance activities will result in temporary and permanent impacts on wetlands or waters of the U.S. and state. Notification shall also describe in detail the County's proposal for providing

compensatory mitigation for those impacts and may include one or more options described in Chapter 2, Section 2.7.3 of the DEIR and summarized below.

For routine maintenance activities located outside of tidal wetland/other waters habitat within the USACE jurisdiction, the preferred mitigation approach is on-site mitigation. The general on-site mitigation approach is to restore the type of habitat that is impacted by maintenance activities in the same project vicinity or stream reach where the disturbance has occurred. The County will seek to implement biotechnical solutions, as conditions allow, to avoid or minimize the potential hardening of creek banks.

For on-site, in-kind mitigation, the County shall restore, preserve, and manage wetlands and aquatic habitats, or substantially improve the quality of highly degraded wetlands and aquatic habitats at a ratio of 1.5:1, meaning 1.5 acres of wetlands or other waters shall be restored/created for every 1 acre of wetlands and other waters permanently impacted by program activities.

For off-site, in-kind mitigation, where on-site is not possible, the County will acquire, preserve, enhance, and manage lands that provide similar ecological functions and values to the wetlands and other waters impacted by Program maintenance activities. The acquisition and preservation/enhancement of these higher quality lands will occur at a ratio of 3:1, meaning 3 acres of wetlands or other waters shall be acquired, preserved, and enhanced for every 1 acre of wetlands and other waters impacted by Program activities. Enhancement may include modification of existing management, limited planting, or invasive plant removal, or other activities to enhance wetland/aquatic habitat functions and values.

Other options for compensatory mitigation include establishing conservation easements or deed restrictions, partnering with local San Mateo County based watershed, stewardship, or non-profit organizations that lead or coordinate habitat restoration or watershed improvement projects, or the purchase of mitigation credits from the San Francisco Bay Wetland Mitigation Bank. For the purchase of mitigation credits mitigation will occur at a ratio of 1:1.

3. Hazards - Implement the following mitigation measures identified in the DEIR:
 - a. **Mitigation Measure HAZ-1: Proper Handling and Disposal of Contaminated Soil, Sediment, and Groundwater.** Prior to initiating ground-disturbing activities, the County or its contractors will inspect the soil, sediment, or groundwater for the presence of possible contamination. If indicators of contamination (e.g., foul odor, staining or sheen, etc.) are found, the County or its contractors will then test the soil. If the lab results confirm contamination is present, the soil, sediment, or groundwater will be treated as hazardous and dispose of the material at an approved hazardous waste disposal facility. In removing potentially contaminated soil, sediment, or groundwater, workers will wear protective clothing and equipment to limit their exposure.
 - b. **Mitigation Measure HAZ-2: Review of Proximity to Existing Known Hazardous Materials Clean-up Sites and Implementation of Safety Precautions.** The County and/or its contractors will evaluate the proximity of proposed maintenance sites that involve ground-disturbing activities to existing known hazardous material clean-up sites. This review will include examination of the planned maintenance activity footprint in relation to records of hazardous

materials sites in the State Water Resources Control Board's GeoTracker database and the Department of Toxic Substances Control's EnviroStor database.

If the proposed maintenance activity is located on or within 100 feet of a documented hazardous material contamination site, for which clean-up activities have not been completed or been successful, the County and/or its contractors will commission a Phase I Environmental Site Assessment to more fully characterize the past land uses and potential for soil and/or groundwater contamination to occur at or in close proximity to the site.

If the Phase I Environmental Site Assessment demonstrates a reasonable likelihood that contamination remains within the proposed maintenance activity's area of disturbance, the County and/or its contractors will commission a Phase II Environmental Site Assessment, including soils testing, to characterize the extent of the contamination and develop ways to avoid the contaminated areas during maintenance activities. The County will follow all recommendations of the Phase II Environmental Site Assessment and conduct the proposed maintenance to avoid areas of contamination, to the extent feasible. In the event that it is not feasible to avoid all areas of contamination, the County and/or its contractors will follow all applicable laws regarding management of hazardous materials and wastes. This includes proper disposal of any contaminated soil in a hazardous waste landfill and ensuring that workers are provided with adequate personal protective equipment to prevent unsafe exposure.

4. Noise impacts – Implement the following mitigation measures identified in the DEIR:
 - a. **Mitigation Measure NOI-1: Employ Noise-Reducing Maintenance Practices.** The following measures will be implemented by the County to reduce adverse effects from maintenance activity noise in locations where noise-sensitive receptors could be adversely affected:
 - (1) Locate stationary equipment as far as practical from noise-sensitive land uses;
 - (2) Use electrified or otherwise quieter equipment when practical;
 - (3) Use sound-control devices on equipment that are more effective than devices originally provided on the equipment;
 - (4) Use noise-reducing enclosures around noise-generating equipment; and
 - (5) Install temporary barriers between noise sources and noise-sensitive land uses, or take advantage of existing barrier features (e.g., terrain and structures) to block sound transmission.
 - (6) When determining haul truck routes, consideration will be given to altering haul routes to avoid sensitive receptors when feasible.
 - b. **Mitigation Measure NOI-2: Advance Notification of Nearby Sensitive Receptors.** The County will notify sensitive receptors located within 400 feet of maintenance sites at least one week prior to performing maintenance work.
 - c. **Mitigation Measure NOI-3: Limit Nighttime Construction Noise**
When feasible, the County will ensure that no construction activities are conducted in close proximity (500 feet) to a residence outside the hours of 8:00 a.m.–5:30 p.m. on weekdays (or the

applicable specific hours permitted by the local jurisdiction if extended outside of this time period) unless a special exemption permit allowed by the local jurisdiction is obtained.

d. **Mitigation Measure NOI-4: Implement Vibration Reduction Measures.**

The County will implement the following vibration-reducing measures during construction activities which could generate substantial vibration to minimize impacts on nearby sensitive receptors:

- (1) Ensure proper tuning of vibration-causing equipment.
- (2) Use vibration damping devices to the extent feasible.
- (3) Limit use of vibratory equipment to the extent feasible and do not overlap use of vibratory equipment. Where possible, maintain a distance of 20+ feet from buildings.
- (4) Use electric stationary equipment (e.g., generators) where feasible.
- (5) Implement noise and/or vibration shields, such as sound aprons or temporary enclosures with sound-absorbing material, on or around construction equipment. For all maintenance activities involving the use of construction equipment or hauling trucks occurring within 75 feet of residences at any time of day, install a temporary noise and vibration barrier between the project site and the nearest sensitive receptors. Following the completion of maintenance activities within that distance, the barrier will be removed.

e. **Mitigation Measure NOI-5: Employee Best Management Practices at Airports.** The County will require that employees performing any maintenance activities within an airport are supplied with and wear personal protective equipment (i.e., noise reducing headphones or earplugs) to protect against excessive noise levels. Further, to the extent feasible, maintenance activities would be performed during periods of time when the frequency of plane landings/takeoffs is minimal.

f. **Mitigation Measure AQ-1: Locate Stockpiles of Odorous Materials and Pile Burning Activities at a Distance from Sensitive Receptors.** The County or its contractor(s) will be required to handle stockpiles of potentially odorous excavated or dredged material, or other potentially odorous materials, in a manner that avoids affecting residential areas or other sensitive receptors to the extent feasible. Stockpiles will be placed as far as possible from these receptors and will be covered if immediate off-site disposal is not feasible. Stockpiles for pile burning and pile burning activities will be located as far from sensitive receptors as possible.

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3. Correspondence and Other Matters

Story Polls on the Design Review District

4. Consideration of Study Session for Next Meeting

No Study Session is proposed for the next meeting and went over that are scheduled for the 9/23 hearing

5. **Director's Report**

Director Steve Monowitz informed the Commissioners of the items below:

- Fire response update, the County coordinated with various department around the Damage Assessment caused by the fires. Steve has been a part of the meetings that discussed the clean up and rebuilding stage.
 - ✚ Webpage available on the Planning and Building site for the public to gain access and information to resources.
- Connect the Coastside
 - ✚ Public Outreach
 - ✚ Consolidating comments
 - ✚ MCC will discuss these at tonight's MCC meeting
 - ✚ Planning and Building report will be released in appx. 2-3 weeks
- ADU going to the Board of Supervisors meeting for the second reading on the ADU regulations.
- Story Polls
 - ✚ Policy revision in May
 - ✚ CDRC feels like this is urgent but not sure how this decision will be made
 - ✚ MCC would like the opportunity to weigh in

6. **Commissioner Updates and Questions**

- Request from Commissioner Ketcham to please post video reporting online as soon as possible so that the public that could not attend then they can refer to the site for an update and not have to wait weeks out to do so. The department will work closely with ISD in order to get the posting uploaded in a faster way.
- Commissioner Santacruz reminded Janneth about including the District that each item falls on the future agendas.
- Commissioner Ketcham requested a study session on how revision are based on, and Commissioner Santacruz also agreed this would be helpful.

7. **Adjournment**

Meeting was adjourned at 10:43 AM.
