

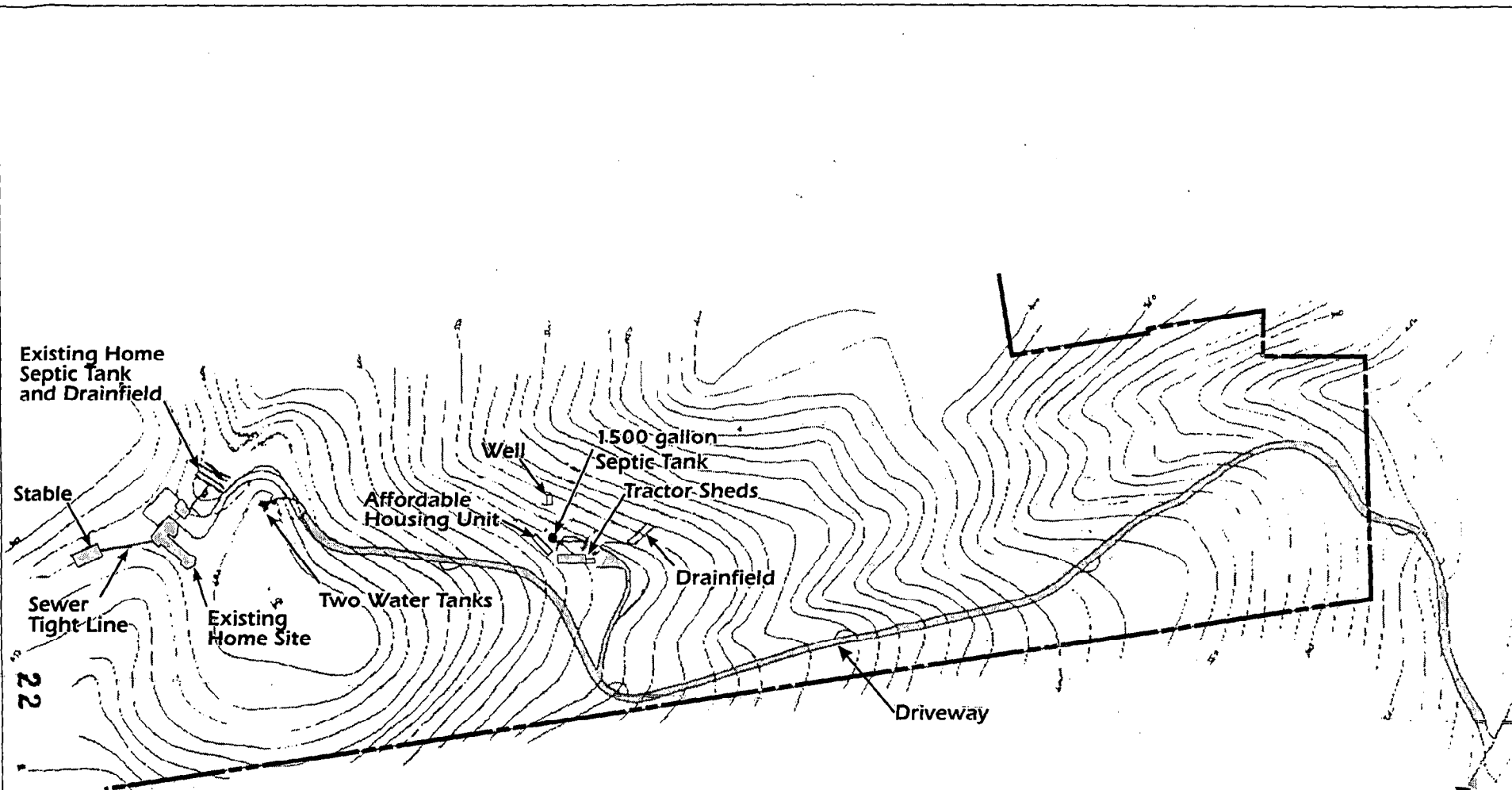
San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: B

File Numbers: PLN 1999-00079





*NOTE: CULTIVATED AREAS - NOT INCLUDING RIGHTS WAY TO BUILDINGS
 ENTIRE PROPERTY IS PLANTED
 MULTIPLE PASTURE & GRASS

Site Plan

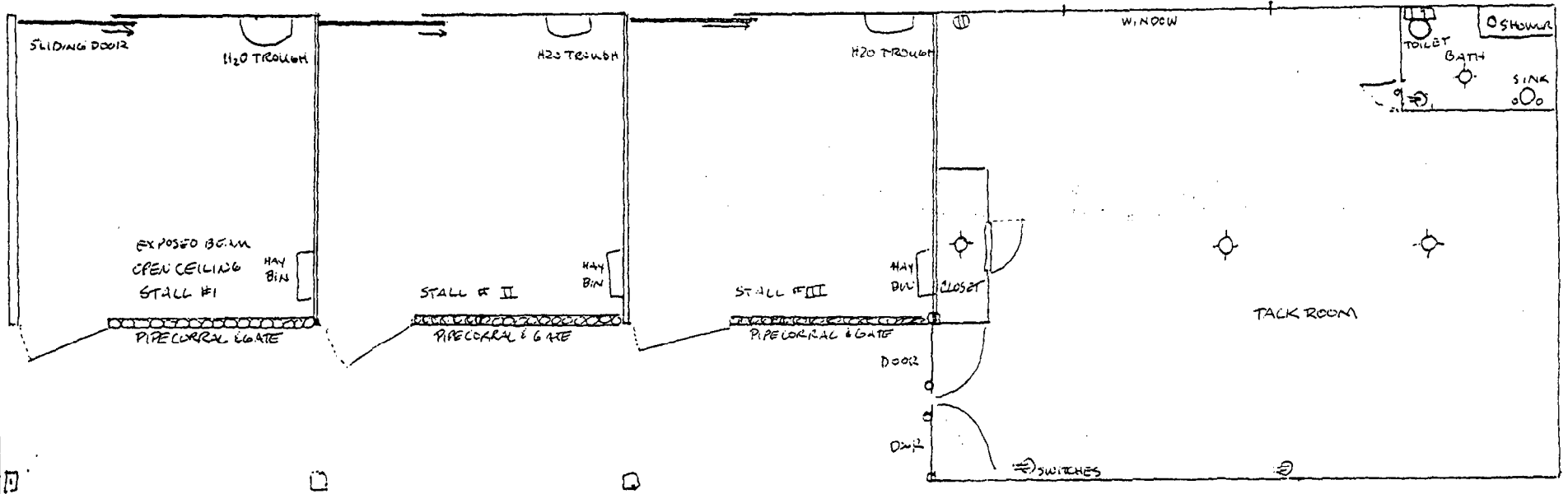
San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: **C**

File Numbers: PLN 1999-00079





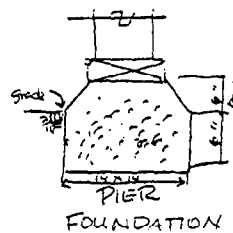
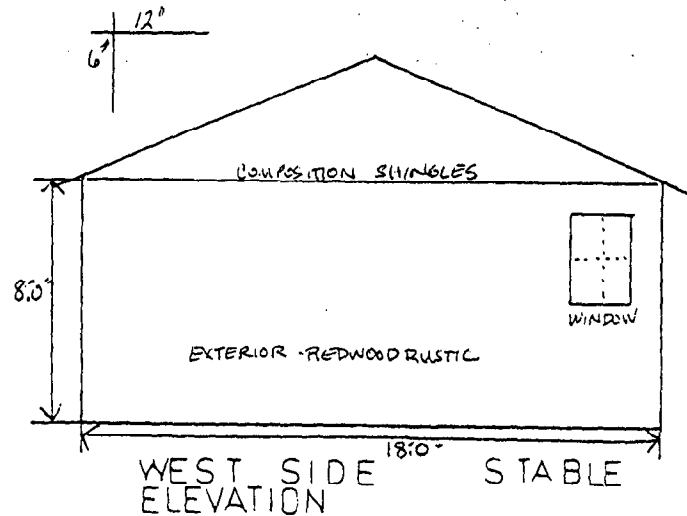
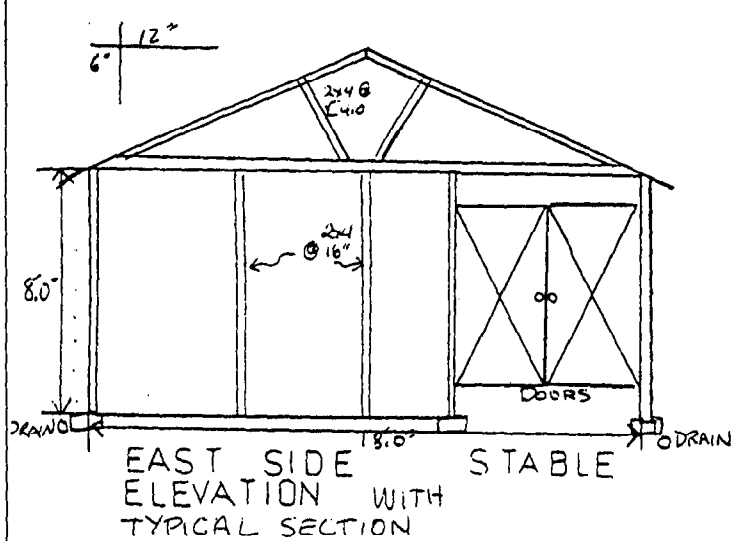
Stable: Floor Plan

San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: **D (i)**

File Numbers: PLN 1999-00079



DETAILS:
 STICK CONSTRUCTION
 COMPOSITION ROOF
 FOUNDATION ON PERIMETER
 DIRT FLOOR IN STALLS
 CEMENT SLAB IN TACK ROOM

MR. + MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA
 APN #064-370-130

STABLE: EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000
 SCALE 1/4" = 1 FT

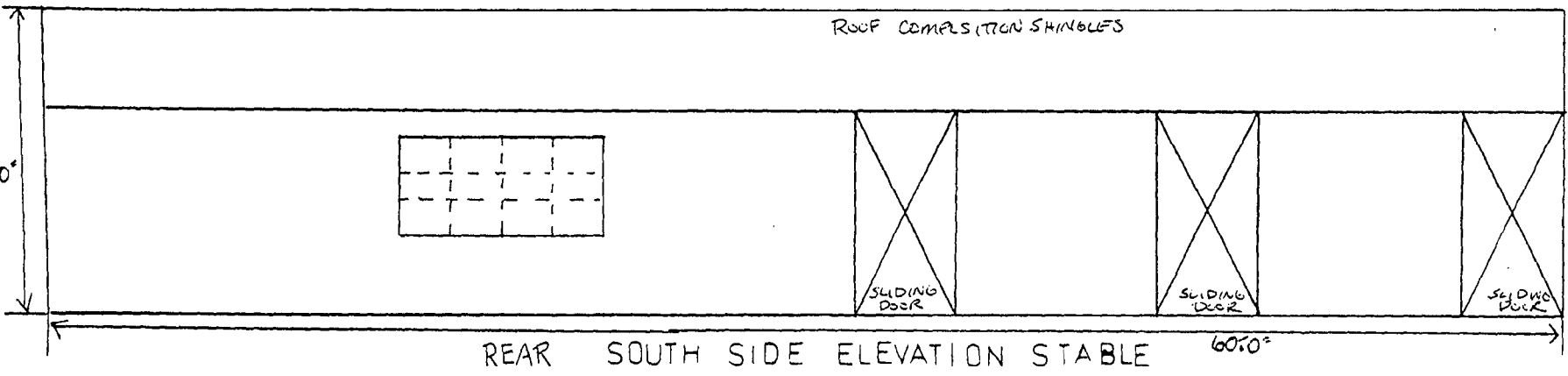
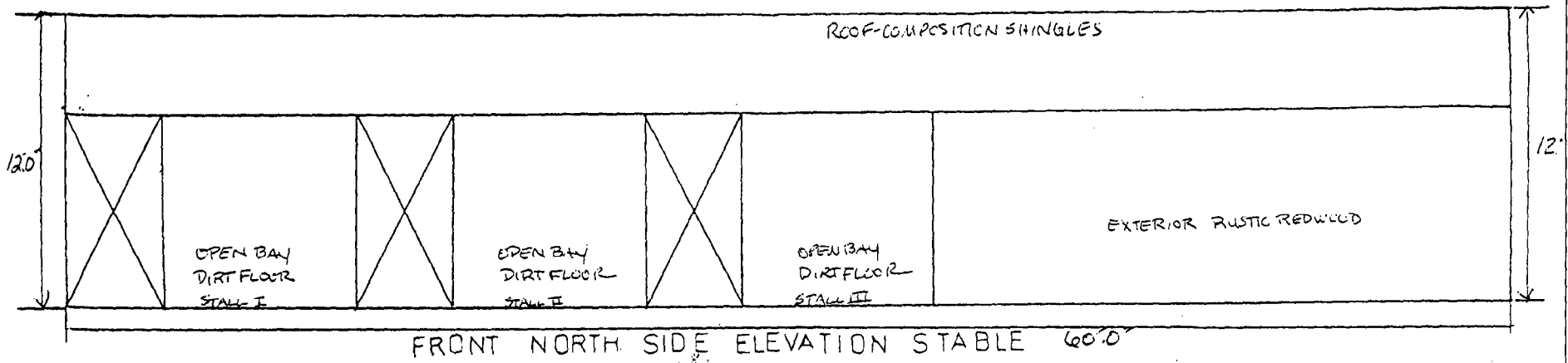
Stable: East & West Elevations

San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: **D (ii)**

File Numbers: PLN 1999-00079



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Stable: Front & Rear Elevations

MR. & MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA 94019
 APN #064-370-130

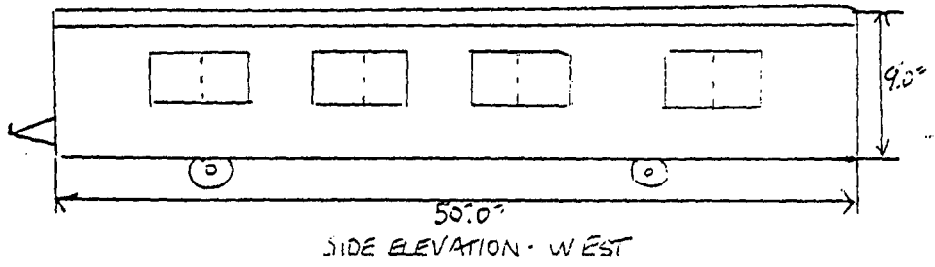
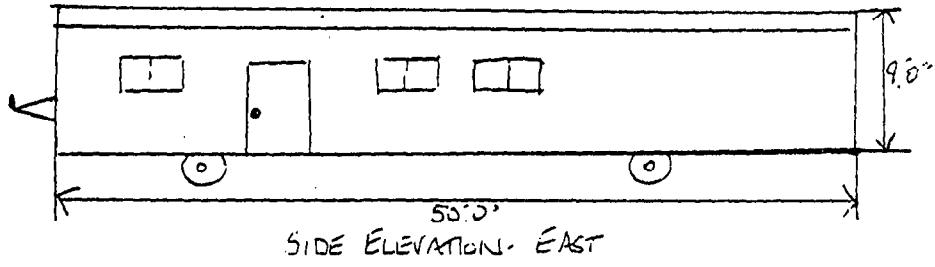
STABLE: EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000
 SCALE 1/4" = 1 FT

San Mateo County Board of Supervisors Meeting

Applicant: Braun

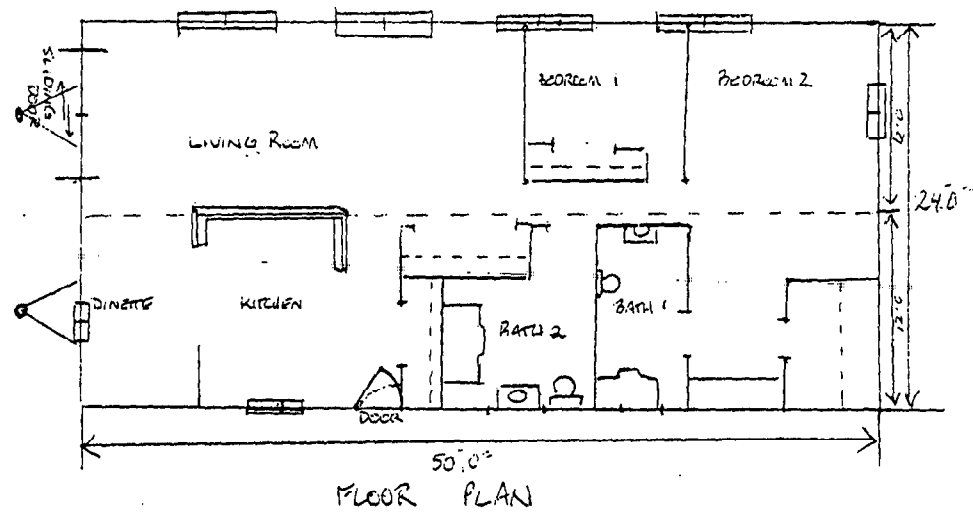
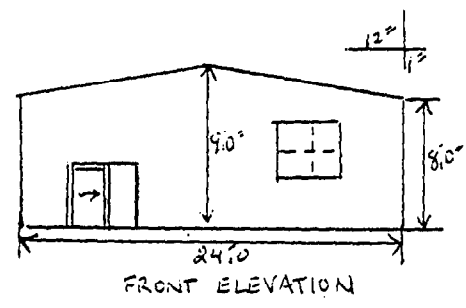
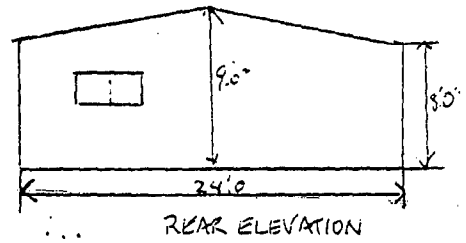
Attachment: **E**

File Numbers: PLN 1999-00079



Affordable Housing Unit Floor Plan & Elevations

DETAILS:
 EXTERIOR - ALUMINUM SIDING
 ROOF - MOBILE HOME METAL ROOFING
 TWIN AXLE
 TWO 12' X 50' TRAILERS JOINED

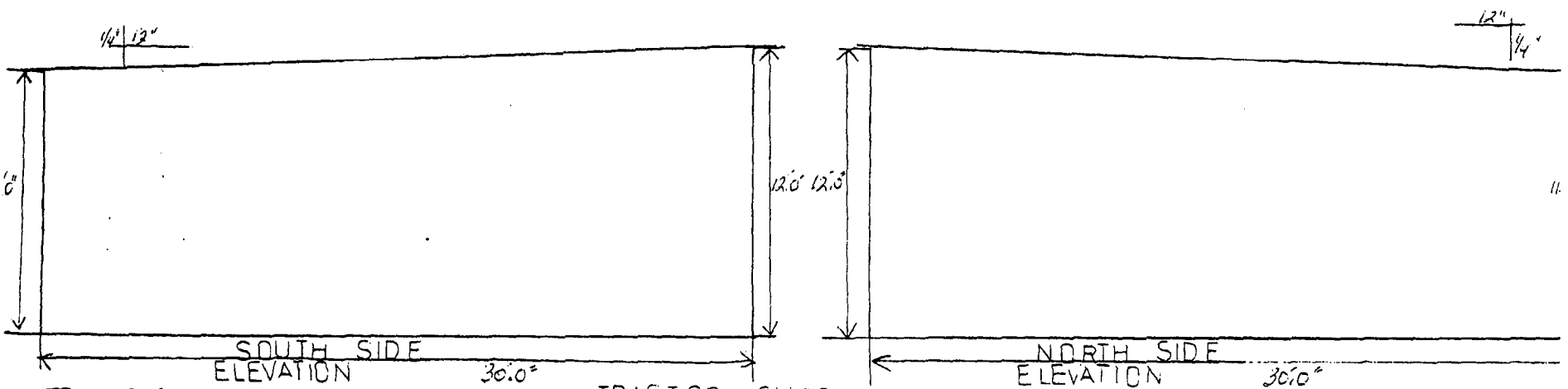
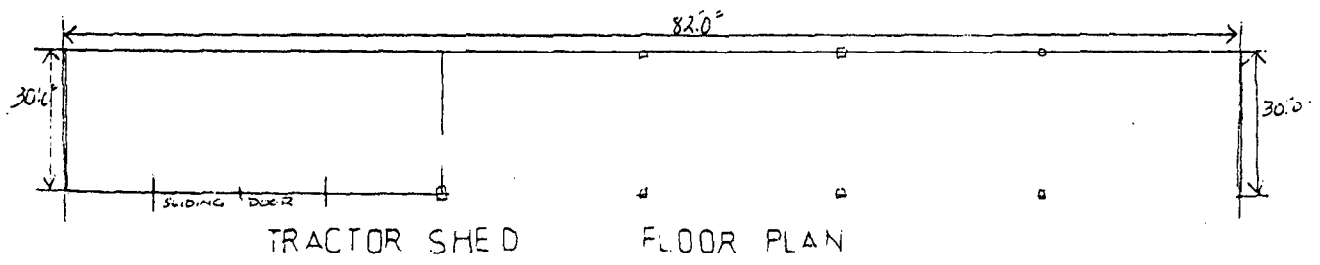


San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: **E**

File Numbers: PLN 1999-00079



TRACTOR SHED DETAILS
 EXTERIOR 3/4" PLYWOOD
 ROOF STEEL DECKING
 FRAMING TUBULAR STEEL
 ENTIRE STRUCTURE WELDED TOGETHER
 SITTING ON GROUND - DIRT FLOOR
 NO FOUNDATION
 NO WATER
 FLUORESCENT LIGHTING THROUGHOUT

TRACTOR SHED
 MR. & MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA
 APN #064-370-130

TRACTOR SHEDS: EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000
 SCALE 1/4" = 1 FT

Tractor Shed: Floor Plan & Elevations

San Mateo County Board of Supervisors Meeting

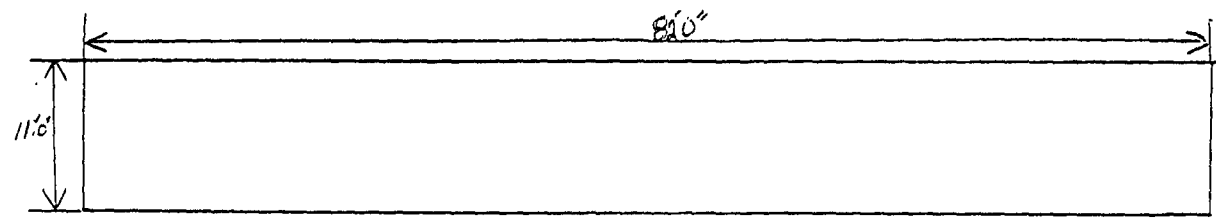
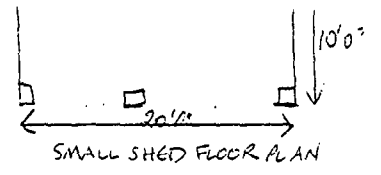
Applicant: Braun

Attachment: **F (i)**

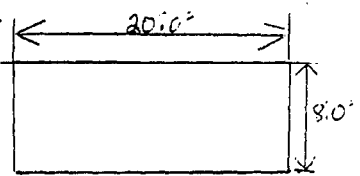
File Numbers: PLN 1999-00079

Barn/Shed Floor Plan & Elevations

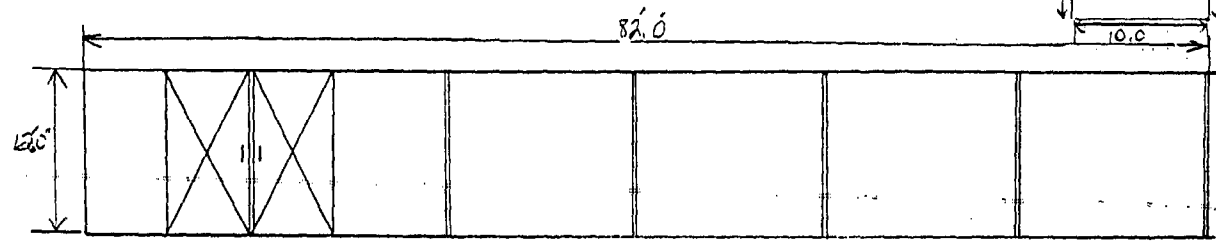
Tractor Shed East and West Elevations



WEST SIDE ELEVATION TRACTOR SHED - REAR ELEVATION



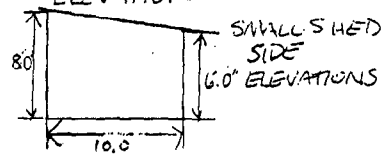
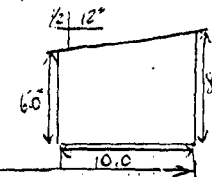
SMALL SHED WEST-REAR ELEVATION



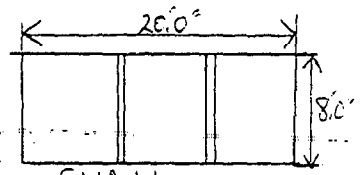
EAST SIDE

TRACTOR SHED

FRONT ELEVATION



SMALL SHED SIDE ELEVATIONS



SMALL SHED EAST-FRONT ELEVATION

SMALL SHED DETAILS
 EXTERIOR 6 POLE CONSTRUCTION
 2 FT. WIDE GALVANIZED
 STEEL SIDING AND ROOF
 DIRT FLOOR
 NO PLUMBING
 NO WATER
 FLUORESCENT LIGHT

MR. & MRS. OSCAR BRAUN
 1589 HIGGINS CANYON RD
 HALF MOON BAY, CA
 APN # 064-370-130

TRACTOR SHEDS: EXTERIOR ELEVATIONS
 MARCH 1999
 REVISED AUGUST 2000

San Mateo County Board of Supervisors Meeting

Applicant: Braun

Attachment: **F (ii)**

File Numbers: PLN 1999-00079

ATTACHMENT G

Initial Study and Negative Declaration

COUNTY OF SAN MATEO, PLANNING DIVISION

NEGATIVE DECLARATION

122445

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Braun Property, when implemented will not have a significant impact on the environment.

FILE NO.: PLN 1999-00079

FILED ENDORSED
IN THE OFFICE OF THE
COUNTY CLERK RECORDER OF
SAN MATEO COUNTY CALIF

OWNER: Oscar Braun

OCT 02 2001

APPLICANT: Oscar Braun

WARREN SLOCUM, County Clerk

ASSESSOR'S PARCEL NO.: 064-370-130

By ~~MARIA D PEREZ~~
DEPUTY CLERK

PROJECT DESCRIPTION AND LOCATION

This project involves legalization of a 3-horse stable, tractor shed, agricultural barn, relocation of two water tanks, and a mobilehome as an affordable housing unit.

The project property is located approximately 1 1/2 miles east from Highway 1 on Higgins Canyon Road and consists of gently rolling hills. The vegetation consists primarily of shrub and few trees. There are no prime soils or water bodies on the property. The property is developed with a single-family residence, in addition to the structures proposed to be legalized. Access to the property is via a 50-foot wide easement running from Higgins Canyon Road through Parcel Number 064-370-160.

The project is located at 1589 Higgins Canyon Road and is within the Higgins-Purisima County Scenic Corridor.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Planning Division 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: Prior to the issuance of a building permit, the applicant shall legalize the existing septic system serving the affordable unit. The legalization will require a soil percolation test in the immediate area of the septic system. The applicant will need to submit a plan showing the design of the septic system, location of the percolation test pits, location of the affordable unit and its driveway. The septic system shall meet current setback requirements such as 100 feet from any wells.

Applicant's response to mitigation measure is attached.

RESPONSIBLE AGENCY CONSULTATION

None

INITIAL STUDY


The San Mateo County Planning Division 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 October 2, 2001 to October 22, 2001

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning Division, 455 County Center, Second Floor, Redwood City, no later than 7:00 p.m., October 22, 2001.

CONTACT PERSON

Miroo Brewer
Project Planner, 650/363-1853



Miroo Brewer, Project Planner

County of San Mateo
Planning and Building Division

INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Planning Division)

I. **BACKGROUND**

Project Title: Braun Property

File No.: PLN 1999-00079

Project Location: 1589 Higgins Canyon Road, Half Moon Bay

Assessor's Parcel No.: 064-370-130

Applicant/Owner: Oscar Braun

Date Environmental Information Form Submitted:

PROJECT DESCRIPTION

This project involves legalization of a 3-horse stable, tractor shed, agricultural barn, relocation of two water tanks, and a mobilehome as an affordable housing unit.

The project property is located approximately 1 1/2 miles east from Highway 1 on Higgins Canyon Road and consists of gently rolling hills. The vegetation consists primarily of shrub and few trees. There are no prime soils or water bodies on the property. The property is developed with a single-family residence, in addition to the structures proposed to be legalized. Access to the property is via a 50-foot wide easement running from Higgins Canyon Road through Parcel Number 064-370-160.

The project is located at 1589 Higgins Canyon Road and is within the Higgins-Purisima County Scenic Corridor.

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 11 and 12.

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
1. LAND SUITABILITY AND GEOLOGY						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?	X					B,F,O
b. Involve construction on slope of 15% or greater?	X					E,I
c. Be located in area of soil instability (subsidence, landslide or severe erosion)?	X					Bc,D
d. Be located on, or adjacent to a known earthquake fault?	X					Bc,D
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?	X					M
f. Cause erosion or siltation?		X				M,I
g. Result in damage to soil capability or loss of agricultural land?	X					A,M
h. Be located within a flood hazard area?	X					G
i. Be located in an area where a high water table may adversely affect land use?	X					D
j. Affect a natural drainage channel or streambed, or watercourse?	X					E

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	IMPACT					SOURCE
	NO	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
2. <u>VEGETATION AND WILDLIFE</u>						
Will (or could) this project:						
a. Affect federal or state listed rare or endangered species of plant life in the project area?	X					F
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	X					I,A
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?	X					F
d. Significantly affect fish, wildlife, reptiles, or plant life?	X					I
e. Be located inside or within 200 feet of a marine or wildlife reserve?	X					E,F,O
f. Infringe on any sensitive habitats?	X					F
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?	X					I,F,Bb
3. <u>PHYSICAL RESOURCES</u>						
Will (or could) this project:						
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or top soil)?	X					I

	IMPACT				SOURCE
	NO	Not Significant	Significant Unless Mitigated	YES Significant Cumulative	
b. Involve grading in excess of 150 cubic yards?	X				I
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?	X				I
d. Affect any existing or potential agricultural uses?	X				A,K,M
4. <u>AIR QUALITY, WATER QUALITY, SONIC</u> Will (or could) this project:					
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area?	X				I,N,R
b. Involve the burning of any material, including brush, trees and construction materials?	X				I
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?	X				Ba,I
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	X				I
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	X				A,Ba,Bc
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?	X				I

	IMPACT					SOURCE
	NO.	YES				
		No. Significant	Significant Unless Mitigated	Significant	Cumulative	
g. Generate polluted or increased surface water runoff or affect groundwater resources?	X					I
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?			X			S
5. <u>TRANSPORTATION</u>						
Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.?	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?	X					I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
e. Result in or increase traffic hazards?	X					S
f. Provide for alternative transportation amenities such as bike racks?	X					I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?	X					S

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
6. LAND USE AND GENERAL PLANS						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis?	X					I
b. Result in the introduction of activities not currently found within the community?	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X					I
d. Result in any changes in land use, either on or off the project site?	X					I
e. 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					I,Q,S
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	X					I,S
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?	X					I,S
h. Be adjacent to or within 500 feet of an existing or planned public facility?	X					A

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	IMPACT					SOURCE
	NO.	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
i. Create significant amounts of solid waste or litter?	X					I
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	X					I
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	X					B
l. Involve a change of zoning?	X					C
m. Require the relocation of people or businesses?	X					I
n. Reduce the supply of low-income housing?	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	X					S
p. Result in creation of or exposure to a potential health hazard?	X					S
7. <u>AESTHETIC, CULTURAL AND HISTORIC</u>						
Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?		X				A,Bb
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?	X					A,I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	X					I

	IMPACT					SOURCE
	NO	YES				
		No Significant	Significant Unless Mitigated	Significant	Cumulative	
d. Directly or indirectly affect historical or archaeological resources on or near the site?	X					H
m. Visually intrude into an area having natural scenic qualities?	X					A,I

III. **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	
City		X	
Sewer/Water District:		X	
Other:		X	

IV. **MITIGATION MEASURES**

Yes

No

Mitigation measures have been proposed in project application.

 X

Other mitigation measures are needed.

 X

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall legalize the existing septic system serving the affordable unit. The legalization will require a soil percolation test in the immediate area of the septic system. The applicant will need to submit a plan showing the design of the septic system, location of the percolation test pits, location of the affordable unit and its driveway. The septic system shall meet current setback requirements such as 100 feet from any wells.

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V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially 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, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?		X
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?		X

On the basis of this initial evaluation:

_____ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Division.

X _____ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

_____ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Mirco Brewer
 (Sign) Mirco Brewer

August 30, 2001
 Date

Project Planner
 (Title)

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VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-El Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Año Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937

- L. Williamson Act Maps
- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps – Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:
 - Federal
 - Review Procedures for CDBG Programs 24 CFR Part 58
 - NEPA 24 CFR 1500-1508
 - Protection of Historic and Cultural Properties 36 CFR Part 800
 - National Register of Historic Places
 - Floodplain Management Executive Order 11988
 - Protection of Wetlands Executive Order 11990
 - Endangered and Threatened Species
 - Noise Abatement and Control 24 CFR Part 51B
 - Explosive and Flammable Operations 24 CFR 51C
 - Toxic Chemicals/Radioactive Materials HUD 79-33
 - Airport Clear Zones and APZ 24 CFR 51D
 - State
 - Ambient Air Quality Standards Article 4, Section 1092
 - Noise Insulation Standards
- S. Consultation with Departments and Agencies:
 - a. County Health Department
 - b. City Fire Department
 - c. California Department of Forestry
 - d. Department of Public Works
 - e. Disaster Preparedness Office
 - f. Other

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 (08/22/01)

COUNTY OF SAN MATEO
Environmental Services Agency
Planning and Building Division

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 1999-00079
Braun Property

PROJECT DESCRIPTION

This project involves legalization of a 3-horse stable, tractor shed, agricultural barn, relocation of two water tanks, and a mobilehome as an affordable housing unit.

The project property is located approximately 1 1/2 miles east from Highway 1 on Higgins Canyon Road and consists of gently rolling hills. The vegetation consists primarily of shrub and few trees. There are no prime soils or water bodies on the property. The property is developed with a single-family residence, in addition to the structures proposed to be legalized. Access to the property is via a 50-foot wide easement running from Higgins Canyon Road through Parcel Number 064-370-160.

The project is located at 1589 Higgins Canyon Road and is within the Higgins-Purisima County Scenic Corridor.

ANSWERS TO QUESTIONS

1. **LAND SUITABILITY AND GEOLOGY**

f. **Will or could this project involve erosion or siltation?**

No: This project involves legalization of existing structures. No new construction or grading is proposed.

4. **AIR QUALITY, WATER QUALITY, SONIC**

h. **Will or could this project require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?**

Yes, Significant Unless Mitigated: The proposed project will include legalization of a modular unit which includes legalization of the septic system installed to serve the unit. In order to ensure that the existing septic system meets the County Environmental Health Division standards, the following mitigation measure is recommended.

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall legalize the existing septic system serving the affordable unit. The legalization will require a soil percolation test in the immediate area of the septic system. The applicant will need to submit a plan showing the design of the septic system, location of the percolation test pits, location of the affordable unit and its driveway. The septic system shall meet current setback requirements such as 100 feet from any wells.

7. **AESTHETIC, CULTURAL AND HISTORIC**

- a. **Will or could this project be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?**

Yes, Not Significant: The project is located within the County Scenic Corridor of Higgins-Purisima Road. The mobile unit, tractor shed and agricultural barn are not visible from the scenic corridor. The two 5,000-gallon water tanks are also not visible from the scenic corridor. These two water tanks will replace an existing 8,000-gallon tank that will be removed. The stable structure is partially visible for approximately 0.7 miles on Higgins Canyon Road. However, given the distance, the visual impacts of the stable are not significant.


MB:fc – MBDL2394_WFH.DOC

TO: County of San Mateo
Planning and Building Division
455 County Center
Redwood City, CA 94063

Project Name: LEGALIZE STRUCTURES
Case No.: PRJ1215
Project Planner: LILY TOY

I have read and accepted the mitigation measures suggested as necessary to avoid or mitigate effects to a point where no significant effects would occur.

I agree to carry out this project in accordance with the suggested mitigation measures stated in your letter dated, 9/6/2001, and will modify my project plans or proposals accordingly.


Applicant

9-13-2001
Date

Applicant does not concur with the Mitigation Measures for Case # PLN 1999-0079, a project to legalize Moon Acres agricultural structures. San Mateo County Environmental Services Agency has conducted a four year campaign of unlawful punitive retaliation against the Braun family in response to their "lawful whistle blowing" complaints brought by the applicants against the County. Environmental Services has coerced and unlawfully compelled Oscar and Andrea Braun to sign this document. The applicants have suffered significant financial damages from the actions of San Mateo County Environmental Services Agency and are not precluded from now giving their notice of intent (NOI) to file a criminal complaint with the U.S. Attorney for violations under the U.S. anti-racketeering and environmental protection statutes. .

ATTACHMENT H

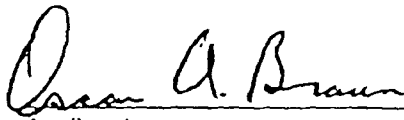
Applicant's response to request for concurrence to
mitigation measures

TO: County of San Mateo
Planning and Building Division
455 County Center
Redwood City, CA 94063

Project Name: LEGALIZE STRUCTURES
Case No.: PRJ1215
Project Planner: LILY TOY

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ATTACHMENT I

Comments received on the Initial Study



October 22, 2001

By FAX 363-4849

Miroo Brewer, Project Planner
San Mateo County Planning Division
455 County Center, Second Floor
Redwood City, CA 94063

**Re: Initial Study and Negative Declaration for File # PLN 1999-00079,
Owner and Applicant: Oscar Braun, 1589 Higgins Canyon Road,
Half Moon Bay, APN 064-370-130**

Dear Miroo,

Thank you for referring the above-referenced Negative Declaration to the Committee for Green Foothills. We appreciate the opportunity to comment.

We believe the project description is incomplete, and therefore the Initial Study needs to be revised to include all elements of development that were not part of the Coastal Development Permit issued in 1991. These unpermitted elements include the following items that were enumerated in a Press Release sent to various newspapers on April 19, 2001 by Mr. Braun. Comparing the April, 2001 Press Release with the 1991 Coastal Development Permit (CDP), we note the following discrepancies:

	<u>April, 2001 Press Release</u>	<u>1991 CDP</u>
Residence	10,000 sq. ft.	7,500 sq.ft. (including 979 sq.ft. garage)
Access Road	two miles	3,400 feet
Security Gate	included	not part of permit
Sprint PCS Site	included	not part of permit
Tractor/Storage Shed	included	not part of permit
Farm Labor Housing Unit	included*	not part of permit
Horse Stable/Full Bathroom	included	not part of permit
Horse Arena	included	not part of permit
Helicopter pad	included	not part of permit
10,000 gal. Water Tank	included	not part of permit

* We note that what was described in April as a Farm Labor Housing Unit is now being characterized as an Affordable Housing Unit. In any event, it was built without proper permits.

The answer to question 7.a. of the Initial Study states: "The mobile unit, tractor shed and agricultural barn are not visible from the scenic corridor." This is not correct. The barn is not only visible from the scenic corridor, it also breaks the ridgeline as seen from Highway One, in violation of LCP Policy 8.7. The reference in the next sentence regarding the two 5,000 gallon

water tanks states that they are not visible from the scenic corridor. Are these tanks already installed, or are they proposed? If they are not built, this sentence needs to be revised to state that the tanks," as proposed, would not be visible..." Other elements of the project, such as the Security Gate and fence along Higgins Purisima Road, are also within the Scenic Corridor and should be evaluated in the Initial Study.

The Initial Study should include a map of the site, to scale, showing the location of all the existing (legal and illegal) elements of the project, and also showing the proposed locations of those elements that will need to be relocated. The map should also show the location of the existing water supply wells and the septic systems. The Initial Study should evaluate the project's compliance with clustering requirements of the LCP.

We note that the April 2001 Press Release states that the Horse Stable/Tack Room/Horse Wash Station also includes a Full Bathroom. What septic system exists for the waste from the Bathroom and the Horse Wash Station?

We are further concerned that the septic systems may be located too close to the domestic water supply well(s) on the property. Therefore it is essential that the Initial Study include the location of the wells, and the location of the septic tanks and drain fields for the septic systems. Do the two wells have sufficient production and adequate water quality to serve the proposed uses?

The Applicant has stated in an addendum to the document that he does not concur with the Mitigation Measures in the Negative Declaration. Given the Applicant's track record of building numerous structures without permit, what assurances does the County have that the Applicant will (a) verify accurately the location of the septic system serving the affordable unit, and (b) perform the required soil percolation tests as required by Mitigation Measure #1?

Finally, since the Applicant originally received the CDP for a single family residence, served by a 3,400 foot long narrow driveway, a second house, served in part by this driveway has been built on an adjacent parcel owned by the Applicant's brother. With the current application for a third (affordable) residential unit, are there additional requirements for fire access, such as wider paved area, turnouts, or emergency vehicle access routes?

Thank you again for the opportunity to comment.

Sincerely,

Lennie Roberts

Lennie Roberts, Legislative Advocate
Committee for Green Foothills

CYNTHIA J. GIOVANNONI

1780 Higgins Canyon Road
Half Moon Bay, Ca. 94019
(650) 726-3588
(650) 726-3582

October 19, 2001

**County of San Mateo
Planning Division
455 County Center, Second Floor
Redwood City, Ca. 94063**

Attention; Miroo Brewer

**Re; Negative Declaration, File No. PLN 1999-00079
Owner; Oscar Braun**

I am writing to voice my objection to the initial study. It appears incomplete in that it fails to address the following considerations:

- 1) Are wells adequate in quality and quantity to support proposed uses?**
- 2) How much water storage is separately required for fire suppression?**
- 3) Has there been an adequate environmental health inspection and tests to assure septic system safety for both the proposed affordable housing unit and proposed 3- horse stable?**
- 4) Have C D P clustering provisions, been followed?**
- 5) The 3-horse stable is clearly visible from Scenic Highway 1, could there have been a better location on the property? Visual resource criteria of LCP Sections 8.5 and 8.7 should be analyzed.**
- 6) Does the driveway have the proper width and required turn outs for the proposed structure legalization?**
- 7) What violations and enforcement actions have previously been associated with Mr. Braun, his property, and elements of this request and initial study?**

8) What justifies Mr. Braun's structure as an affordable unit, and what assurance mechanism is in place to confirm an annual review or audit so it will not quietly become market rate?

9) Does the existing C D P provide for the improvements on the property such as the 10,000 square foot residence, helicopter landing pad, entry gate as claimed in his own press release? (copy enclosed)

10) Does the C D P allow for the many clubs and organizations Mr. Braun headquarters and operates on site?

Until the initial study fully evaluates the above, I encourage the County to continue Mr. Braun's applications. Further I request the above issues be adequately addressed in a revised and recirculated initial study.

Sincerely,

Cynthia J. Giovanni

April 29, 2001

Lily Toy, Planning Division
County Government Center
Redwood City, CA 94063

Re: "offering" by Oscar Braun

Dear Lily,

The attached document was recently distributed to the press. This week's *Half Moon Bay Review* wrote about it.

In reviewing the list of features on the property owned by Oscar Braun at 1589 Higgins Canyon Road, I find quite a few that have not received County permits. I understand that you are processing an application by Mr. Braun to legalize his unpermitted development. However, you may not have a complete list of what he has done.

The only permits I am aware of were for his house, which under his CDP Permit in 1991 was for a total of 7500 square feet, including 979 square feet of garage (4 cars). Note that this offering states the house is 10,000 square feet.

Other development that may not have received permits include:

- * Two miles of all-weather paved access road (his CDP states the access road and driveway would be 3,400 feet).
- * Security gate with telephone access system.
- * Sprint PCS Site
- * Tractor/Storage Shed.
- * Farm Labor Housing unit.
- * Horse stable/tack room/horse wash station/full bathroom.
- * Horse Arena/Helicopter landing pad.
- * Ten thousand gallon storage tank.

Could you please check this list that he is using to advertise his property, and advise as to which items still need a CDP or other permits? And what is the progress on correcting his violations? Thank you for your attention to this.

Sincerely,

Lennie Roberts, Legislative Advocate
Committee for Green Foothills
339 La Cuesta
Portola Valley, Ca 94028

COPY

Half Moon Bay
Review

EDITORIAL

DEBRA GODSHALL
 Editor and Publisher
 OVERALL RESPONSIBILITY FOR ALL NEWSPAPER DEPARTMENTS

DEIRDRE HOLBROOK
 City Editor
 RESPONSIBLE FOR NEWS COVERAGE AND OPINION PAGES

GEORGE FULLER
 Community Editor
 RESPONSIBLE FOR COMMUNITY, ENTERTAINMENT AND SPORTS

SALLY COLE
 Copy Editor

MARK FOYER
 Sports Writer

NICOLE ACHS FREELING
 News Writer

BEN SCHNAYERSON
 News Writer

STACY TREVENON
 Community/Entertainment Writer

BEN OPARDJA-ASHE
 Photographer

ADMINISTRATIVE

KIM RITNER
 Business Manager

REGINA ORCHARD
 Administrative Assistant

ADVERTISING

PHYLLIS STANDAERT
 Classified Sales Manager

LINDA PETTENGILL
 Advertising Director

ANTHONY ASPILLERA

ADAM UNDERWOOD

TALK OF THE TOWN

And the award goes to ...

Weird science: *Rachel Kennedy*, a seventh-grader at Cunha Intermediate School in Half Moon Bay, was one of 46 young scientists in San Mateo County to win top honors in the Bay Area Science Fair held in San Francisco. Kennedy was one of six second place-winners. *Greta Mayfield*, who helped organize the science fair, said all the students who submitted projects grew from the experience.

"When I see kids competing in these science fairs, the biggest benefit I see is a broadening of their perspectives — they're talking to professors in fields they're interested in — and the interchange that goes on between the students is phenomenal," Mayfield said.

Kennedy, whose project on wetlands was the grand prize winner of Cunha's science fair in January, said of her project, "I learned maybe people need to be more concerned about where they are building." Out of the mouths of babes ...

Lion on the mountain: On an early Tuesday morning hike on Montara Mountain, Mary and her daughter Molly, both of Half Moon Bay say they spotted an unlikely creature — a mountain lion cruising along the hillside. The two were walking with their dogs when Mary said she spotted the beautiful and rarely seen creature a mere 200 feet away. Mary, who requested the Review not use her last name, said it was the size of a yellow lab and had a "nice long tail."

"I looked at it, it looked at me, and I started yelling 'there's a cougar there's a cougar,' and it dashed up the side of the mountain," she said. "I was amazing to see it."

Moon Acres Ranch hits the market: Save Our Bay founder and avid Montara Mountain tunnel opponent *Oscar Braun* is seeking a buyer for his 75-acre ranch, which extends from Skyline Boulevard to Main Street in downtown Half Moon Bay. The property borders the historic Johnston Ranch and Burleigh Murray State Park.

But Braun states in a media packet distributed last week that he is primarily interested in selling the property, which includes a 10,000-square-foot house, farm labor housing, horse stables, and a helicopter landing area, to an open space trust.

"The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreation areas," Braun states in the packet.

When Braun proposed the estate, the environmental community on the coast opposed the project because of its placement on the ridgeline. Now over a decade after it was built, he is giving his opponents an unusual opportunity to reclaim the land, albeit changed. Any takers?

COPY

Protecting California's Future

EnviroBank: Moon Acres Ranch



*"Change is inevitable...
Survival is not."*

The Half Moon Bay Coastside Foundation dba Save Our Bay is proud to announce the availability of Moon Acres Ranch through their EnviroBank Program. The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas extending from Skyline Boulevard to Main Street, Half Moon Bay. The Moon Acres Ranch infrastructure will provide the highest level of on-site natural heritage stewardship that is required for large protected tracts of privately held Peninsula watershed lands.

Moon Acres Ranch

The parcel that comprises Moon Acres Ranch occupies the upland boundary of the historic Johnston Ranch to the West, and the Burleigh Murray Ranch State Park to the East and North. It is approximately seventy-five to one hundred acres in size and has been historically significant as it has provided valuable agricultural lands as well as an important wildlife habitat tucked amongst its grassy, chaparral hills. The Moon Acres Ranch is in Trust and is owned by Oscar A. Braun, founder of Save Our Bay Foundation and serves as its headquarters. (See Mission and EnviroBank enclosures.) Moon Acres Ranch was acquired in 1988 and was fully developed for its highest and best use and contains all the necessary infrastructure required to provide the utmost level of stewardship services for privately held lands. Moon Acres assets and infrastructure includes but is not limited to the following:

- Approximately two miles of all weather paved access road.
- Security Gate with telephone access system - solar powered.
- All underground utilities and ten telephone lines.
- Two Water wells - one agricultural, one residential with ten thousand gallon storage capacity, and one hundred foot ice plant perimeter for fire abatement.
- Sprint PCS Site, RF coverage from Hwy 1 & Hwy 92 to the South End City of Half Moon Bay
- Tractor and Agricultural Equipment Storage Shed and heavy equipment repair shop.
- Farm Labor Housing-One two bedroom, two bath unit located near repair shop for labor.
- Horse Stable with three paddocks/ tack room/horse wash station,/ full bathroom
- Horse training Arena interchangeable helicopter landing area.

Hacienda "El Nido"

- Spanish Mission style architecture, approximately ten thousand square foot structure, clay tile roof and natural color stucco exterior with well established landscaping and fountain courtyard.
- Multi-faceted patio and balcony areas for accessing scenic corridor vistas.
- Two-two car garages.
- Master bedroom suite with integrated full bath and fireplace.
- Two private guest suites with fireplaces and handicapped accessible bathrooms.
- Full size residential elevator
- Private family room, adjoining foyer, formal dining room and private kitchen nook.
- Spacious commercially equipped kitchen with walk-in pantries and full wet bar.
- Naturally skylighted library and two business offices with DSS, DSL and LAN with wireless telecommunication capability.
- Fully equipped exercise gym.
- Rooftop observatory and garden space.
- Kennel and animal grooming room.

SAVEOURBAY.ORG 1589 HIGGINS CANYON RD. HALF MOON BAY, CA 94019 PH 650-599-1954 FAX 650-726-2799

Steven M Karlin
1794 Higgins Canyon Road
Half Moon Bay Ca 94019

10/22/01

Miroo Brewer
County of San Mateo
Planning Division
455 County Center, Second Floor
Redwood City, Ca, 94063

Dear Miroo,

This letter is in reference to the Negative Declaration, file# PLN 1999-00079
Owner: Oscar Brawn

The initial study seems to be incomplete, as it does not address the following items:

- 1) Does Mr. Braun have the required legal access across the neighbor's property for the additional "affordable housing" residence?
- 2) Does the current road meet proper fire standards for the additional residence and barn?
- 3) Is there proper well water to service two residents and a horse barn?
- 4) Is there proper required water storage for fire suppression?
- 5) Are there other affordable units in the rural areas of San Mateo County?
- 6) What is the assurance that these units remain "affordable"?
- 7) The illegal horse barn can be seen from Rt 1, the costal bluffs and Higgins Canyon Road.
- 8) The illegal horse barn which was built without any regard to county and state regulations, is in violation of the LCP, and greatly degrades the aesthetic quality of the area.

Thank you for your time in answering these important questions.

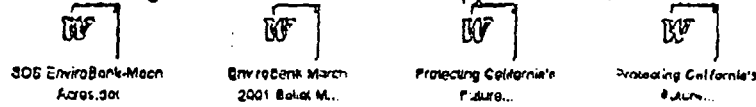
Sincerely,



Steven Karlin

Sent: Thursday, April 19, 2001 1:39 PM
 To: preang@sjmercury.com; mmaccabe@schronicle.com; msimon@schronicle.com;
 lindem@sngnewspapers.com; nicole@hmbreview.com; editorial@palooatodaynews.com;
 anastasiaburke@mindspring.com
 Cc: Zia Chishti; Ted J. Hannig; Steve Law; Sagrid White; RSBronco@aol.com; Sdcolln@aol.com;
 Richard Gordon; Michael Murphy; Mark Delaplaine; Marcia Raines; Larry DeYoung;
 KEJ@globewireless.com; Kandace Bender; Jamie Cuzik;
 Subject: Glenna@Halfmoonbayohamber.Org; Erice Rice; Envirohubs@aol.com; charise McHuge
 Today's \$100 Million Coastal Open Space Story

Media,
 Please find attached current listings from EnviroBank that supports the efforts of POST and other Peninsula Land



Trust organizations.

EnviroBank: Moon Acres Ranch

The Half Moon Bay Coastside Foundation dba Save Our Bay is proud to announce the availability of Moon Acres Ranch through their EnviroBank Program. The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas extending from Skyline Boulevard to Main Street, Half Moon Bay. The Moon Acres Ranch infrastructure will provide the highest level of on-site natural heritage stewardship that is required for large protected tracts of privately held Peninsula watershed lands.

For further information on the EnviroBank, Mission, Current Projects and Moon Acres see attachments.

Contact Information:
 Oscar Braun, Executive Director
 Voice: 650-726-3307
 Fax: 650-726-2789
 Email: oscar@saveourbay.org

ATTACHMENT J

LCP Checklist

County of San Mateo
Environmental Services Agency
Planning and Building Division

COASTAL DEVELOPMENT POLICY CHECKLIST

Based on Local Coastal Program as Adopted by
Board of Supervisors December 2, 1980
and as Last Amended in August 1992

GENERAL INFORMATION

1. File No.: PLN 1999-00079 Planner: MIRUD DESAI BREWER
2. Owner: OSCAR BRAUN Applicant: SAME
3. Project Description: LEGALIZATION OF STABLE, TWO BARNS & A MOBILE HOME AS AFFORDABLE HOUSING UNIT.
4. Project Address: 1589 Higgins Canyon Road, Half Moon Bay
5. APN(s): 064-370-240
6. General Plan: General Open Space Zoning: RM-CZ/CD
7. Plan Checklist is completed and attached (initial) MDB

LCP POLICIES (Answer Each Item – References are to LCP Policy Numbers).

	Not Applicable	Project Complies	Does Not Comply	Condition Required
PLANNING AND LOCATING DEVELOPMENT				
1.2 Does this project meet the definition of development?		✓		
1.9 If this is a land division in an area with a General Plan designation of Open Space, will dedication of a conservation/open space easement be required?	✓			
1.22 If this is a residential development in a Mid-Coast area without Phase 1 sewer and new water facilities, does it exceed the 125 building permit limit in one calendar year?	✓	✗		
1.23 If this is a residential development in a South Coast area without Phase 1 sewer and new water facilities, does it exceed the 125 building permit limit in one calendar year?	✗	✓		

	Not Applicable	Project Complies	Does Not Comply	Condition Required
1.24 Is this development in an area which may contain sensitive archaeological/paleontological resources as noted on the County Sensitivity Maps?	✓			
1.24 Will this project trigger an archaeological/paleontological mitigation plan?	✓			
1.27 Does this development warrant a Certificate of Compliance to confirm the legal existence of parcels?	✓			
1.29 Does this development meet the standards of review for legalizing parcels?	✓			
PUBLIC WORKS				
2.1 If this development involves a Public Works project, does it meet the criteria of the Public Works Component of the LCP? (See Appendix Sheet for Public Works Projects)	✓			
HOUSING				
3.13 Will this development involve demolition of structures providing affordable housing?	✓			
3.17 If this development proposes affordable housing, is it compatible with the community character?		✓		
3.19 Will this development involve construction in designated affordable housing sites?	✓			
3.20 If this development is in a designated affordable housing site, does it exceed the 60 building permit limit in one calendar year?	✓			
3.22 If this development involves placement of a mobile home on the site, does it meet all of the criteria for the appropriate zone?	✓			
3.23 If this development involves the placement of multi-family residential units in the R-3 and C-1 zoning districts, are 20% of the units reserved for low or moderate income households?	✓			
3.24 If this project involves placement of a second unit in the Mid-Coast R-1 District, does it meet the building permit limits and square footage limits as noted in the LCP?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
3.25 Is the applicant seeking a 33% density bonus in R-1/S-17 Mid-Coast area after meeting all of the criteria in this Section?	✓			
3.26 If this project involves land divisions in rural areas of the South Coast, are 20% of the lots being optioned to the County for affordable housing?	✓			
3.27 Does this development meet the criteria for qualifying for the option of 40 additional dwelling units in the rural area of the South Coast?	✓			
3.28 Does the affordable housing developer accept the income, rent and cost controls of the County?		✓		✓
3.29 Does the affordable housing developer accept the conditions to guarantee the continued availability of affordable housing units?		✓		✓
ENERGY				
If this project involves energy facilities (oil and gas wells, onshore facilities for offshore oil, pipelines, transmission lines), complete and attach a separate analysis of compliance with LCP Energy Component and enter results here.	✓			
AGRICULTURE				
5.1 These policies are addressed by Planned Agricultural District. A Planned Agricultural Permit (is)/(is not) required.	✓			
5.18 Is any soil dependent floriculture located on prime soils while non-soil dependent floriculture is located on non-prime soils?	✓			
5.19 Does this development meet these floricultural development standards?	✓			
5.20 Does this development meet the Agricultural Management Policies?	✓			
5.21 Does this development avoid endangering sensitive habitats?	✓			
5.25 If an on-stream dam is proposed, does it meet all of this Chapter criteria?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
5.27	Is the allocation of future Mid-Coast water supplies to floriculture in accordance with the policies of the Public Works Component?	✓			
5.29	Does this development require a grading permit for water impoundments according to County Ordinance?	✓			
5.30	If this development involves land under Williamson Act contract, has conforming with zoning, the General Plan and the LCP been established?	✓			
5.30	Have Williamson Act Notices of Non-Renewal been filed for those properties not in conformance with State Code and County Policies?	✓			
5.33	Has the State explored the option of leasing prime agricultural land as a Condition of Permit Approval?	✓			
AQUACULTURE					
6.1	If this development involves aquaculture as defined in LCP Policy 6.1, complete and attach a separate analysis of compliance with LCP Aquaculture Component and enter here.	✓			
SENSITIVE HABITATS					
7.5	A biological report has been prepared in accordance with LCP Policies. Applicability of various Sensitive Habitats Policies was determined on the basis of: _____ Coastal Development Permit Application. _____ Environmental Information Form. _____ LCP Sensitive Habitats Component Text. _____ LCP Sensitive Habitat Maps. _____ Site inspection.	✓			
7.5	Will the restoration of damaged habitat be a condition of approval for this project?	✓			
7.10	Does this development minimize removal of vegetation and/or minimize construction/protect vegetation during or after construction?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
7.10	Does this project use only native or non-invasive plant species when replanting?	✓			
7.10	Does this project adhere to State Department of Fish and Game provisions for fish passage?	✓			
7.10	Does this project minimize adverse effects of wastewater discharge?	✓			
7.10	Does this project prevent depletion of groundwater supplies and waterflows and encourage wastewater reclamation?	✓			
7.10	Does this project maintain natural vegetation buffer areas that protect habitats and minimize alteration of natural streams?	✓			
7.11	Are appropriate buffer zones established along sensitive habitats?	✓			
7.17	Will this project be required to construct catwalks so as not to impede movement of water?	✓			
7.17	Will all construction take place during daylight hours, utilize a minimum amount of lighting and use low decibel motorized machinery?	✓			
7.17	Will any construction-induced alteration to the wetlands require replanting of vegetation or the natural re-establishment of vegetation?	✓			
7.17	Does this project avoid utilizing herbicides unless approved by the Agriculture Commissioner and the Fish and Game Department?	✓			
7.17	Was this project reviewed by the State Department of Fish and Game and the State Water Quality Control Board?	✓			
7.20	If this project is in the Pillar Point Marsh, will groundwater extraction from an aquifer occur?	✓			
7.21	If this project is in the Pescadero Marsh, will a State Parks and Recreation management plan be required or will this project involve development or dredging of the marsh?	✓			

		Not Applicable	Project Complies	Does Not Comply	Condition Required
7.22	Is this project a permitted use in a marine and/or estuarine habitat? (Fitzgerald Marine Reserve, San Gregorio Estuary, Pescadero Marsh, Pigeon Point, Franklin Point, Año Nuevo Island)	✓			
7.25- 7.31	Does this project comply with use and development standards for sand dunes and sea cliffs?	✓			
7.32	Will this project impact habitats of rare or endangered animal species as noted on the County Sensitive Habitat Maps or will a special biological report be required?	✓			
7.42	Will this project permit development within 50 feet of rare plant habitats as noted on County Sensitive Habitat Maps?	✓			
7.43	Will this project impact habitats of unique species, such as the Elephant Seal, Monterey Pine, California Wild Strawberry, etc., or will a special biological report be required?	✓			
7.51	Will this project involve removal or nursery sales of Pampas Grass or the eradication of Weedy Thistle?	✓			
VISUAL RESOURCES					
8.2	Does this project avoid development on beaches, sand dunes, ocean cliffs, bluffs and blufftops?		✓		
8.5	If this project is in a coastal terrace, is clustering encouraged along with limitation of structures in open fields and grasslands?	✓			
8.6	Does this project avoid development and meet setbacks for streams, wetlands and estuaries?	✓			
8.7	Does this project avoid development on ridgetops and removal of ridgeline trees?		✓		
8.7	Does this project avoid land divisions which encourage building on a ridgeline?	✓			
8.7	Does this project comply with the limitations on structure height below the ridgeline?		✓		
8.9	Is this project designed to minimize tree removal or will this project require replacement of removed vegetation?		✓		

	Not Applicable	Project Complies	Does Not Comply	Condition Required
8.12- 8.15 If this project is in an urban area, will it meet Design Review Criteria including special guidelines for coastal communities and the protection of ocean views?	✓			
8.16 Will this project meet landscaping requirements for rural areas?	✓			
8.17 Will this project protect natural landforms in rural areas?		✓		
8.18 Is this project designed to minimize visual disruption through the use of colors that blend in with surroundings, properly scaled structures, and non-reflective surfaces?		✓		
8.21 Does this project meet the criteria for the placement of signs?	✓			
8.22 Does this project include underground utilities in State and County Scenic Corridors?		✓		✓
8.24 If this project involves large agricultural structures, is their visual impact limited by the use of blending colors or landscaping screening?	✓			
8.25 If this project is listed as an Official County or State Historical Landmark, are the regulations of the Historical/Cultural Preservation Ordinance being followed?	✓			
8.28 If this project is in a State/County Scenic Road Corridor, does it meet development regulations such as setback requirements, limits on timber harvesting and exemptions?		✓		
8.33 Is this project exempt from Planning Commission architectural and site review because any structures would not be visible from the roadway?	✓			
8.34 If this project is in a designated Historic Structure/District, is the project a permitted use?	✓			
HAZARDS				
9.3 If this project is in a Geologic Hazard Area as shown in the LCP, does it meet development regulations or requirements for a geotechnical report?	✓			
9.6 If this project is in a High Fire Risk area, does it meet development criteria?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
9.8 If this project involves blufftop development, does it meet design, geotechnical, setback and land division requirements?	✓			
9.9 If this area is subject to flooding as noted in the LCP Hazards Maps, will the project meet development regulations for flood-prone areas?	✓			
9.11 Does this project limit development to where beach erosion hazards are minimal?	✓			
9.12 Will this development allow the construction of shoreline structures only for the protection of existing roadways or structures?	✓			
9.13 Will this project avoid the need for future protective devices which could impact sand movement?	✓			
9.18 If this site has a slope of 30% or greater, does it meet the slope development regulations?	✓			
SHORELINE ACCESS				
NOTE: Use Coastal Access Checklist as a supplement to this Policy Checklist when determining access requirements.	✓			
10.1 Does this project meet the requirements for provisions of shoreline access or in-lieu fees as a condition for development?	✓			
10.8 Does this project meet Public Safety Locational Criteria?	✓			
10.10 Does this project meet Sensitive Habitat Locational Criteria?	✓			
10.11 Does this project meet Agricultural Area Locational Criteria?	✓			
10.12 Does this project meet Residential Area Locational Criteria?	✓			
10.13 Does this project meet Commercial/Industrial Locational Criteria?	✓			
10.16 Does this project provide appropriate vertical/lateral access to the shoreline?	✓			
10.17 Does this project meet development standards for blufftop/non-blufftop lateral access?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
10.19 Will this project provide for maintenance and posting for public access areas?	✓			
10.21 Where topography permits, does this project provide handicapped access to the shore?	✓			
10.22 Does this project meet all parking regulations for coastal access?	✓			
10.23- Does this project meet development standards for 10.29 protecting public safety, fragile resources and adjacent land uses?	✓			
RECREATION/VISITOR SERVING FACILITIES				
11.4 Does this project meet General Locational Criteria?	✓			
11.7 Does this project meet Urban Area Locational Criteria?	✓			
11.8 Does this project meet Rural Area Locational Criteria?	✓			
11.9 Does this project meet Oceanfront Area Locational Criteria?	✓			
11.10 Does this project meet Upland Area Locational Criteria?	✓			
11.11 Does this project meet Agricultural Area Locational Criteria?	✓			
11.12 Does this project meet Sensitive Habitat Locational Criteria?	✓			
11.14 Does this project meet development standards for public recreation facilities?	✓			
11.15 Does this project meet development standards for private recreation facilities?	✓			
11.16 Are directional/informational signs required as a condition of approval for recreational facilities and/or road projects?	✓			
11.17 Does this project meet all parking development standards?	✓			
11.18 Does this project meet development standards for protection of sensitive habitats?	✓			

	Not Applicable	Project Complies	Does Not Comply	Condition Required
11.19 Does this project meet development standards for protection of agricultural lands?	✓			
11.20 Does this project meet development standards for sewer/water connections, access and public conveniences?	✓			
11.22 Does this project meet recreational vehicle parking restrictions?	✓			
11.25 Has the State Department of Parks and Recreation submitted a long-range plan for any park unit proposed for improvement?	✓			
11.26 Does this project require trail dedication or in-lieu fees as a condition of public agency projects or any land division?	✓			
COMMERCIAL FISHING/RECREATIONAL BOATING				
If project involves facilities for commercial fishing or recreational boating, complete and attach a separate analysis of compliance with LCP Commercial Fishing/Recreational Boating Component and enter results here.	✓			

RECOMMENDATION

1. Recommended Findings (see Zoning Ordinance 6328.15):

✓ That this project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, ✓ does _____ does not conform with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.

nlr (Where the project is located between the nearest public road and the sea, or the shoreline of Pescadero Marsh.) That this project _____ does _____ does not conform 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).

_____ That this project ✓ does _____ does not conform to specific findings required by Policies _____ of the San Mateo County Local Coastal Program. Specific findings recommended are:

RECOMMENDATION (continued)

 N/A (Where the project involves construction of new residences other than affordable housing.) That the number of building permits for construction of new residences other than for affordable housing issued in the current calendar year _____ does _____ does not exceed the limitations of LCP Policies 1.22 and 1.23.

2. Recommended Action:

- Approve
- Approve with Conditions
- Deny

3. Recommended Conditions or Reasons for Denial (attach on separate sheet if more convenient):

<u>Policy</u>	<u>Recommended Condition/Reason for Denial</u>

PROCESSING

1. Is Project Appealable to Coastal Commission (see Section 6328.3(r) and appeal jurisdiction maps)?

Yes No

2. Approving Authority (see Section 6328.9):

Planning Director (staff)

Zoning Hearing Officer

Planning Commission

Board of Supervisors

3. Public Hearing Required (see Section 6328.10)? Yes No

4. Notice Requirements (see Section 6318.11.1 and 6318.11.2):

Pre-Hearing (Newspaper) Owners: 100' 300' 500'

Pre-Hearing (Mailed) Residents: 100'

Pre-Decision (Mailed)

Decision (Mailed)

REVIEW

Checklist Prepared By:

Amir Desai Bener
Signature

Date

Checklist Reviewed By:

Signature

Date

ATTACHMENT K

Copies of Letters of Appeal

APPEAL BY COMMITTEE FOR GREEN FOOTHILLS

File Number PLN 1999-00079 (Oscar Braun) for an after-the-fact permit to legalize: (1) a 1440 square foot stable building with tack room and full bathroom, a 1200 square foot mobile home, a 2,460 square foot tractor shed, a 200 square foot shed, a septic system to serve the mobile home, a proposed connection to the existing house septic system to serve the bathroom in the stable building (which requires uphill pumping), expansion of use of one or more wells, and an off-site security gate. Also included is the removal of an illegal 8,000 gallon water storage tank, and the after-the-fact approval of two 5,000 gallon storage tanks.

BACKGROUND:

The Planning Commission considered this project on November 14, and approved the above-referenced project. There were many issues that had to be considered, the most important being the Applicant's refusal to agree to the mitigation measure in the Negative Declaration. After a long (over two hours) process before the Planning Commission, the Applicant agreed to remove his objection to the Mitigation Measure. We remain concerned that, given the history of this project, and the difficulty the County has had in getting the basic information to process the after-the-fact permit, that several items are needed to be addressed prior to granting the Coastal Development Permit.

BASIS FOR APPEAL:

1. The County has allowed this Applicant to defer payment of the Violation/Investigation fees until the Building Permit Application stage. **The CDP should not be granted until the outstanding Application Violation/Investigation fees are paid.**
2. The project plans do not show the entire site, nor do they show all elements of the project, whether on-site or off-site. For example the road to serve the adjacent property, owned by Mr. Braun's brother, and used by him to access his property, is not indicated on the Site Plan. The security gate, located adjacent to Higgins Canyon Road, but off Mr. Braun's property, is not shown on the Site Plan. Without an accurate and complete Site Plan, neither the County nor the Applicant has a good basis for understanding, evaluating, and agreeing on the elements of the proposal. **A revised Site Plan, indicating all elements of the project, to scale, should be required to be submitted for the County's review and in-field confirmation.**
3. The project plans and description do not include all elements of the project, as described in a Press Release sent by Mr. Braun to various newspapers announcing the sale of the property (see attached). There are

serious discrepancies between the house and driveway project approved by San Mateo County in 1991, and the current description by the Applicant as to the size of the house, in particular. The 1991 CDP approved a 7,500 square foot house, including 979 square feet of garage. Mr. Braun's Press Release indicated that the house was "approximately ten thousand square feet structure". Mr. Braun refused to answer a question from the Planning commission as to whether the house was built according to the plans approved by the County. **The CDP should not be granted until the County can verify that the house, as approved by the County in 1991, was built according to the approved plans.**

4. The adequacy of the on-site water well to serve the affordable housing unit needs to be verified. In response to our questions as to the adequacy of the water well to serve the proposed new uses, the staff replied that "the Environmental Health Department has reviewed the application and is satisfied that the existing water source on the property is suitable to serve the need for the proposed uses". This response is unclear as to whether there has been any current verification of the domestic well's production (during dry summer months) and its water quality, or whether this statement was based upon the testing at the time the well was drilled. Many wells in the rural coastal zone exhibit reduced production over time, and we are aware that during one summer, Mr. Braun had to have water trucked in. Additionally, Mr. Braun's press release includes reference to an agricultural well on the property. Is this well being used for domestic purposes? If so, does it meet water quality standards? **The CDP should not be granted until the adequacy of the well(s) to serve the proposed affordable housing unit is determined.**

5. Due to the after-the-fact nature of this project, there is a significant issue as to whether the septic system for the affordable housing unit is properly constructed, whether it meets the soil percolation tests, and whether it is located 100 feet from the well. We have discovered in the file that the 6/11/01 County document entitled Conditions Associated with Case # PLN 1999-00079, states *"upon review of the submitted plans, it was noted that the setback requirement between the well and septic system did not meet the 100 ft. At the building application stage, the applicant will need to relocate the existing septic system to meet current standards. The existing septic system must be abandon (sic) with the required permits meeting Env. Health standards."* The 100 foot setback between a septic system and a domestic water well is a public health standard that does not allow for exceptions. The above findings of Environmental Health were not discussed in the Staff Report. Condition 15 of the CDP requires that legalization of the septic system shall occur prior to the issuance of the building permit, and that the septic system shall meet current setback requirements. **This condition should not be left to the building permit stage, but should be required prior to the issuance of the CDP.** Otherwise, the findings that the project meets all

policies of the General Plan and the LCP cannot be made. It is also unlikely, given his track record, that Mr. Braun will ever comply with the requirement in Condition 15, which carries out Mitigation Measure Number 1 in the environmental document. Only when the Planning Commission (and County Counsel) informed Mr. Braun that his objection to the Mitigation Measure would result in the County's being unable to approve the Negative Declaration, did he agree to remove his objections, while still claiming he was being "coerced".

6. In his Press Release dated April 19, 2001, and accompanying offering entitled "Protecting California's Future, Envirobank: Moon Acres Ranch, Mr. Braun states that his property includes a helicopter landing area. The proposed project does not include such an area. **We request that Condition 1 be amended to specifically state that no helicopter landing area is permitted.** Such a proposal would require extensive review as to the nature, frequency, and purpose of the helicopter use. A similar proposal for a helicopter pad as part of a residential use was denied by the Coastal Commission recently.

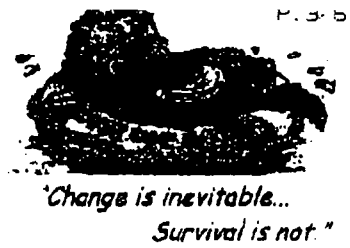
In summary, it has taken nearly four years and extraordinary efforts on the part of Building Inspection, Planning, Environmental Health, and County Counsel to get Mr. Braun to comply with the County requirements to legalize his buildings. The County has had to go to court to compel Mr. Braun to comply with the County's zoning and building regulations. He refused to state at the Planning Commission whether the house was constructed according to his CDP. He stated he was being "coerced" into agreeing to the Mitigation Measure. He has not paid his Violation/ Investigation fees. We respectfully request the Board to require the Applicant to comply with all of the above-referenced outstanding issues, prior to issuance of the CDP.

Conditions Associated with Case #: PLN1999-00079

Cond. Code	Title	Hold	Status	Stat. Changed	Changed By	Tag	Updated	Updated By
9999	HEALTH CUSTOM CONDITION	0	Met	03/23/199	SSL		03/23/1999	SXL
	At the building application stage, the applicant will need to submit a plot plan showing the location of the existing septic system serving the farm labor housing unit.							
9999	MITIGATION FEES (DPW)	0	Not Met				03/04/1999	LAT
	If applicable due to the legalization of structures prior to the issuance of the Building Permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed buildings per Ordinance #3277.							
9999	GRADING ORDINANCE (DPW)	0	Not Met				03/04/1999	LAT
	The provisions of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site.							
9999	DRIVEWAY PLAN (DPW)	0	Met	07/01/199	PSB		07/01/1999	PSB
	The applicant shall submit a driveway "plan and profile" to the Public Works Department, showing the driveway access to the farm labor housing unit complying with County standards for driveway slopes (not to exceed 20%). The driveway plan shall also include and show septic provisions and details for handling both the existing and the proposed drainage.							
9999	HEALTH CONDITIONS	0	Not Met		SSL		03/23/1999	SXL
	The applicant will need to legalize the septic system installed for the farm labor housing. The applicant will need to apply for the permit and submit data on the size of the septic system.							
9999	HEALTH CONDITION	0	Not Met		SSL		10/17/2000	SXL
	The source of water will need to be addressed for the farm labor housing unit. The applicant will need to demonstrate the quality and quantity of the water supply.							
9999	HEALTH CONDITIONS	1	Not Met		SSL		10/17/2000	SXL
	Upon review of the submitted plans, it was noted that the setback requirement between the well and septic system did not meet the 100ft. At the building application stage, the applicant will need to relocate the existing septic system to meet current standards. The existing septic system must be abandon with the required permits meeting Env. Health standards.							

Protecting California's Future

EnviroBank: Moon Acres Ranch



*Change is inevitable...
Survival is not."*

The Half Moon Bay Coastside Foundation dba Save Our Bay is proud to announce the availability of Moon Acres Ranch through their EnviroBank Program. The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas extending from Skyline Boulevard to Main Street, Half Moon Bay. The Moon Acres Ranch infrastructure will provide the highest level of on-site natural heritage stewardship that is required for large protected tracts of privately held Peninsula watershed lands.

Moon Acres Ranch

The parcel that comprises Moon Acres Ranch occupies the upland boundary of the historic Johnston Ranch to the West, and the Burleigh Murray Ranch State Park to the East and North. It is approximately seventy-five to one hundred acres in size and has been historically significant as it has provided valuable agricultural lands as well as an important wildlife habitat tucked amongst its grassy, chaparral hills. The Moon Acres Ranch is in Trust and is owned by Oscar A. Braun, founder of Save Our Bay Foundation and serves as its headquarters. (See Mission and EnviroBank enclosures.) Moon Acres Ranch was acquired in 1988 and was fully developed for its highest and best use and contains all the necessary infrastructure required to provide the utmost level of stewardship services for privately held lands. Moon Acres assets and infrastructure includes but is not limited to the following:

- Approximately two miles of all weather paved access road.
- Security Gate with telephone access system – solar powered.
- All underground utilities and ten telephone lines.
- Two Water wells – one agricultural, one residential with ten thousand gallon storage capacity, and one hundred foot ice plant perimeter for fire abatement.
- Sprint PCS Site, RF coverage from Hwy 1 & Hwy 92 to the South End City of Half Moon Bay
- Tractor and Agricultural Equipment Storage Shed and heavy equipment repair shop.
- Farm Labor Housing-One two bedroom, two bath unit located near repair shop for labor.
- Horse Stable with three paddocks/ tack room/horse wash station,/ full bathroom
- Horse training Arena interchangeable helicopter landing area.

Hacienda "El Nido"

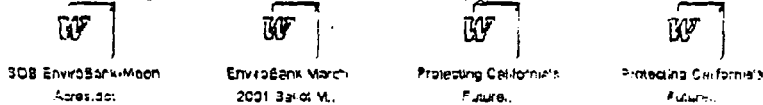
- Spanish Mission style architecture, approximately ten thousand square foot structure, clay tile roof and natural color stucco exterior with well established landscaping and fountain courtyard.
- Multi-faceted patio and balcony areas for accessing scenic corridor vistas.
- Two-two car garages.
- Master bedroom suite with integrated full bath and fireplace.
- Two private guest suites with fireplaces and handicapped accessible bathrooms.
- Full size residential elevator
- Private family room, adjoining foyer, formal dining room and private kitchen nook.
- Spacious commercially equipped kitchen with walk-in pantries and full wet bar.
- Naturally skylighted library and two business offices with DSS, DSL and LAN with wireless telecommunication capability.
- Fully equipped exercise gym.
- Rooftop observatory and garden space.
- Kennel and animal grooming room.

SAVEOURBAY.ORG 1589 HIGGINS CANYON RD. HALF MOON BAY, CA 94019 PH 650-599-1954 FAX 650-726-2799

From: Oscar Braun [oscar@oscarknows.com]
Sent: Thursday, April 19, 2001 1:39 PM
To: preang@sjmercury.com; mmaccabe@sfbchronicle.com; msimch@sfbchronicle.com;
linden@sangnewspapers.com; nicole@hmbreview.com; editorial@paloaltoailynews.com;
anastasiaburke@mindespring.com
Cc: Zia Chishti; Ted J. Hannig; Steve Law; Segrid White; RSBronco@aol.com; Sdcolin@aol.com;
Richard Gordon; Michael Murphy; Mark Delaplaine; Marcia Raines; Larry DeYoung;
KEJ@globewireless.com; Kandace Bender; Jamie Cuzik;
Gienna@Halfmoonbaychamber.org; Eric Rice; Envirochors@aol.com; charise McHuge
Subject: Today's \$100 Million Coastal Open Space Story

Media,

Please find attached current listings from EnviroBank that supports the efforts of POST and other Peninsula Land



Trust organizations.

EnviroBank: Moon Acres Ranch

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For further information on the EnviroBank, Mission, Current Projects and Moon Acres see attachments.

Contact Information:
Oscar Braun, Executive Director
Voice: 650-726-3307
Fax: 650-726-2789
Email: oscar@saveourbay.org

Planning and Building Division

County Government Center • 590 Hamilton St. • Redwood City CA 94063
Mail Drop PLN 122 • 415 • 363 • 4161

Application for Appeal

- To the Planning Commission
- To the Board of Supervisors

1. Appellant Information

Name: Cynthia J. Giovanni

Address:

1780 Higgins Canyon Road
Half Moon Bay, Ca. Zip: 94019-2522

Phone, W: 726-3588 H: 726-6926

2. Appeal Information

Permit Numbers involved:

PLN 1999-00079
BRAUN PROPERTY

I have read and understood the attached information regarding appeal process and alternatives.

- yes
- no

I hereby appeal the decision of the:

- Staff or Planning Director
- Zoning Hearing Officer
- Design Review Committee
- Planning Commission

Appellant's Signature:

Cynthia J. Giovanni

Date: 12-3-01

made on NOV. 14 192001 to approve/deny the above-listed permit applications.

3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

Mr. Braun states in his own press release (copy attached) he has two water wells, note only one on site plan provided, have both been certified? where is the second well located on property? Mr. Braun states that the house is 10,000 SF, original 1991 CDP was approved for 7,500 SF including 979 SF of garage, note his statement with two-two car garages. I request that the Board of Supervisors direct the County Assessor to determine at what rate and level this individual is being taxed, if it is true and he has not been assessed on this additional square footage, I request that the County charge the 10 years back taxes on a supplemental tax bill. Stable does not comply with LCP policies B.5 and B.7

Mr. Braun claims the stable is served by the same septic system as the house, however the stable is significantly down gradient from the house and effluent can't flow uphill. add 800 amount investigation

CYNTHIA J. GIOVANNONI

1780 Higgins Canyon Road
Half Moon Bay, Ca. 94019
(650) 726-3588
(650) 726-3582

October 19, 2001

County of San Mateo
Planning Division
455 County Center, Second Floor
Redwood City, Ca. 94063

Attention; Miroo Brewer

Re; Negative Declaration, File No. PLN 1999-00079
Owner; Oscar Braun

I am writing to voice my objection to the initial study. It appears incomplete in that it fails to address the following considerations:

- 1) Are wells adequate in quality and quantity to support proposed uses?
- 2) How much water storage is separately required for fire suppression?
- 3) Has there been an adequate environmental health inspection and tests to assure septic system safety for both the proposed affordable housing unit and proposed 3- horse stable?
- 4) Have C D P clustering provisions, been followed?
- 5) The 3-horse stable is clearly visible from Scenic Highway 1, could there have been a better location on the property? Visual resource criteria of LCP Sections 8.5 and 8.7 should be analyzed.
- 6) Does the driveway have the proper width and required turn outs for the proposed structure legalization?
- 7) What violations and enforcement actions have previously been associated with Mr. Braun, his property, and elements of this request and initial study?

COPY

8) What justifies Mr. Braun's structure as an affordable unit, and what assurance mechanism is in place to confirm an annual review or audit so it will not quietly become market rate?

9) Does the existing C D P provide for the improvements on the property such as the 10,000 square foot residence, helicopter landing pad, entry gate as claimed in his own press release? (copy enclosed)

10) Does the C D P allow for the many clubs and organizations Mr. Braun headquarters and operates on site?

Until the initial study fully evaluates the above, I encourage the County to continue Mr. Braun's applications. Further I request the above issues be adequately addressed in a revised and recirculated initial study.

Sincerely,

Cynthia J. Giovanni

COPY

Protecting California's Future EnviroBank: Moon Acres Ranch



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Survival is not."*

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- Approximately two miles of all weather paved access road.
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- All underground utilities and ten telephone lines.
- Two Water wells – one agricultural, one residential with ten thousand gallon storage capacity, and one hundred foot ice plant perimeter for fire abatement.
- Sprint PCS Site, RF coverage from Hwy 1 & Hwy 92 to the South End City of Half Moon Bay
- Tractor and Agricultural Equipment Storage Shed and heavy equipment repair shop.
- Farm Labor Housing—One two bedroom, two bath unit located near repair shop for labor.
- Horse Stable with three paddocks/ tack room/horse wash station,/ full bathroom
- Horse training Arena interchangeable helicopter landing area.

Hacienda "El Nido"

- Spanish Mission style architecture, approximately ten thousand square foot structure, clay tile roof and natural color stucco exterior with well established landscaping and fountain courtyard.
- Multi-faceted patio and balcony areas for accessing scenic corridor vistas.
- Two-two car garages.
- Master bedroom suite with integrated full bath and fireplace.
- Two private guest suites with fireplaces and handicapped accessible bathrooms.
- Full size residential elevator
- Private family room, adjoining foyer, formal dining room and private kitchen nook.
- Spacious commercially equipped kitchen with walk-in pantries and full wet bar.
- Naturally skylighted library and two business offices with DSS, DSL and LAN with wireless telecommunication capability.
- Fully equipped exercise gym.
- Rooftop observatory and garden space.
- Kennel and animal grooming room.

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COPY

Half Moon Bay
Review

EDITORIAL

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Editor and Publisher

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Classified Sales Manager

LINDA PETTENGILL

Advertising Director

ANTHONY ASPILLERA

ADAM UNDERWOOD

TALK OF THE TOWN

And the award goes to ...

Weird science: *Rachel Kennedy*, a seventh-grader at Cunha Intermediate School in Half Moon Bay, was one of 46 young scientists in San Mateo County to win top honors in the Bay Area Science Fair held in San Francisco. Kennedy was one of six second place-winners. *Greta Mayfield*, who helped organize the science fair, said all the students who submitted projects grew from the experience.

"When I see kids competing in these science fairs, the biggest benefit I see is a broadening of their perspectives — they're talking to professors in fields they're interested in — and the interchange that goes on between the students is phenomenal," Mayfield said.

Kennedy, whose project on wetlands was the grand prize winner of Cunha's science fair in January, said of her project, "I learned maybe people need to be more concerned about where they are building." Out of the mouths of babes ...

Lion on the mountain: On an early Tuesday morning hike on Montara Mountain, Mary and her daughter Molly, both of Half Moon Bay, say they spotted an unlikely creature — a mountain lion cruising along the hillside. The two were walking with their dogs when Mary said she spotted the beautiful and rarely seen creature a mere 200 feet away. Mary, who requested the Review not use her last name, said it was the size of a yellow lab and had a "nice long tail."

"I looked at it, it looked at me, and I started yelling 'there's a cougar, there's a cougar,' and it dashed up the side of the mountain," she said. "It was amazing to see it."

Moon Acres Ranch hits the market: Save Our Bay founder and avid Montara Mountain tunnel opponent *Oscar Braun* is seeking a buyer for his 75-acre ranch, which extends from Skyline Boulevard to Main Street in downtown Half Moon Bay. The property borders the historic Johnston Ranch and Burleigh Murray State Park.

But Braun states in a media packet distributed last week that he is primarily interested in selling the property, which includes a 10,000-square-foot house, farm labor housing, horse stables, and a helicopter landing area, to an open space trust.

"The offering of Moon Acres Ranch provides the San Francisco Peninsula land trust community an historic opportunity to complete that last remaining strategic link between open space, parklands and recreational areas," Braun states in the packet.

When Braun proposed the estate, the environmental community on the coast opposed the project because of its placement on the ridgeline. Now over a decade after it was built, he is giving his opponents an unusual opportunity to reclaim the land, albeit changed. Any takers?

ATTACHMENT L

Applicant's Response to Appeal

8

SAVE OUR BAY FOUNDATION



Protecting California's Future

*"Change is inevitable...
Survival is not."*

December 26, 2001

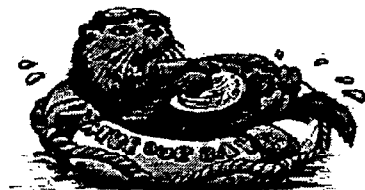
To: Honorable SMC Board of Supervisors
From: Oscar & Andrea Braun
Subject: Stable/Affordable Housing Appeal of PLN-1999-00079

The purpose of this letter is to respectfully request that the Board of Supervisors uphold the SMC Planning Commission's legalization of our horse stable and affordable housing without conditions or mitigation measures. We request that the Board also take into consideration the following track record of the appellants during their review.

On December 6, 1995, Lenny Roberts told the San Mateo County Board of Supervisors that they are "partners" with the Committee for Green Foothill and Sierra Club for implementing the 1994 Coastsides Protection Initiative. Ms. Roberts directed the Board of Supervisors to instruct the Planning Commission to begin the legislative process contained in their 1994 initiative. The Board was further instructed that the Planning Commission focus **only** on the specific amendments contained in their initiative and not broaden the proposal beyond that. These specific amendments included: Reduction of government expenditures; reduction of costs to San Mateo County taxpayers for roads, law enforcement, fire protection, and other government services for scattered and remote development (aka Rural Lands). The initiative defined perceived "Development Treats" and claimed that pressure for extensive development on the Coastsides was severe, especially with proposed construction of increased water supplies, additional sewage treatment facilities, and larger highways.

The official public record shows what accomplishments the 1994 Coastsides Protection Partnership has brought to the voters of San Mateo County and the quality of life on the Coastsides.

- In 1999 & 2000 San Mateo County was found to be the most polluted county in the Bay Area...from sewage discharge and stormwater runoff by the Natural Resource Defense Council.
- All roads in the San Mateo County coastal zone are sub-standard and the CGF/Sierra Club Tunnel boondoggle has successfully failed the EIR process for the third time. The Tunnel Task Force greatest achievement has been Devil's Slide Hwy 1 improvement delay and loss of Federal funding.
- The San Mateo County Wildlands/Urban Interface (WUI) now has the highest risk level in history for a catastrophic WUI wildfire threatening the Bay Area's regional water system. The CCWD currently cannot deliver enough water or head pressure in the event of a WUI fire in approximately 40% of the Coastsides.
- Effectively blocked PMAC supported flood control implementation measures to protect CDF Fire/Rescue/Emergency access to Pescadero



"Change is inevitable...
Survival is not."

Protecting California's Future

from the West continues to be delayed . Endless CCC appeals resulting in: No Boys & Girls Club, no middle schools, no nun convents, no expanded health care clinic services, no affordable housing for our community employees, even less substandard sheriff and fire protection throughout the Rural Lands.

- San Mateo County has allowed, without benefit of USFWS or State Fish & Game site plan or EIR review, at least four prohibited and detrimental commercial/industrial classified operations that violate the Clean Water Act and the Endangered Species Act. The prohibited and detrimental commercial/industrial operations are Shamrock Ranch, Wildlife Associates, Half Moon Bay Sealing & Paving and Johnston Ranch unlicensed landfill. The County of San Mateo Planning Commission has reclassified prohibited uses and found, based on the advice of the Planning Administrator and lobbying by the Committee for Green Foothills Lenny Roberts, that these four commercial/industrial operators activities conducted in statutory delineated critical environmentally sensitive habitats qualify as non-residential uses accessory to agriculture and permitted by right in the Planned Agricultural District on either prime or non-prime soils. By allowing these four reclassified prohibited and detrimental commercial/industrial facilities uses to operate without benefit of EIR review or permits, the County of San Mateo violates both CEQA/ NEPA environmental review statutes. Clean Water Act or Endangered Species violations disqualifies the County from receiving State or Federal permit approval (ROD) and funding.

In closing, as stated on the record before the Planning Commission: Applicants do not concur with the Mitigation Measures for Case #PLN 1999-0079, a project to legalize Moon Acres agricultural structures. San Mateo County Environmental Services Agency, at the direction of Lenny Roberts, has conducted a four year campaign of unlawful punitive retaliation against the Braun family in response to their "lawful whistle blowing" complaints brought by the Half Moon Bay Coastside Foundation's Watershed Posse against the County. Environmental Services has coerced and unlawfully compelled the Brauns to sign the mitigation agreement document. The Brauns have suffered significant financial damages from the actions of the San Mateo County Environmental Services Agency and are not precluded from now giving their notice of intent (NOI) to file a criminal complaint with the U.S. Attorney for violations under the U.S. anti-racketeering and environmental protection statutes.

In our opinion, as long as the San Mateo County Board of Supervisor's supports the agenda and purpose of the Anti-Community Alliance's (Committee for Green Foothills, Sierra Club, Peninsula Open Space Trust, Mid-Peninsula Open Space District) 1994 Coastside Protection Initiative, the quality of life, health and safety of all communities in San Mateo County will continue to be at risk.