

COUNTY OF SAN MATEO, PLANNING DIVISION

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Amendment to the San Mateo County Well Ordinance, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2002-00563

OWNER: Environmental Services Agency

APPLICANT: Environmental Health Services Division

ASSESSOR'S PARCEL NO.: 000-000-047 (Countywide)

PROJECT DESCRIPTION AND LOCATION

The proposed project is an amendment to the existing County Code of Regulations, starting with Chapter 4.68, regarding wells. Specifically, the proposal is to add a section to the Well Ordinance regarding the issuance of permits for large wells in the Westside Basin Aquifer. The Westside Basin Aquifer spans from the area along the western third of San Francisco, south into San Mateo County, east of the San Andreas Fault line to the southern Burlingame/northern San Mateo border.

The San Mateo County Environmental Health Division recognizes that the installation of large wells, for non-residential uses, may have a grater impact on the Westside Basin Aquifer than individual groundwater wells. Therefore, this section provides additional provision for reviewing large well permit applications, which draw water from this aquifer specifically.

Changes proposed for the ordinance, added by the inclusion of Chapter 4.68.225, are as follows:

1. New definition is provided in the ordinance for the limits of the "Westside Basin Aquifer" in San Mateo County established by recognized urban and geological boundaries.
2. New definition of a large well is established, which includes any one well or the aggregate effect of multiple wells on one property that pump an amount equal to or greater than 50 gallons per minute or 1,000 gallons per day.
3. Guidelines allow a County Health Officer to condition or deny an application for a well permit in the Westside Basin Aquifer if any special circumstances exist, as defined by the ordinance, such that the granting of a large well permit may present a threat of harm to the health, safety or welfare of persons or the environment. These guidelines allow County Health Officers to use their discretion when issuing permits for large wells in the Westside Basin Aquifer for the long-term protection of the aquifer.

4. New language also allows a County Health Officer to revoke or suspend a well permit for a large well drawing water from the Westside Basin Aquifer for the protection of water resources from pollutants or contamination and to protect the public health and safety.

The proposed changes to the Well Ordinance allow more opportunity for County Health Officials to act in the protection of the environment and public safety, when reviewing applications for large wells that propose to draw water from the Westside Basin Aquifer. After reviewing the proposed additions, staff has determined that, if the proposal has any impact on the development of wells in the defined area, it would lead to a decrease in the aggregate number of large wells certified by Environmental Health Services Division each year. The new changes also allow more opportunity to condition the operation of wells, thereby providing greater opportunity for protection of the aquifer and the environment. With these observations in mind, staff completed the Initial Study and determined that the proposed ordinance will not have a significant negative impact on the environment.

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:

None.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

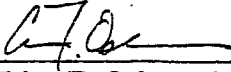
The San Mateo County Planning Division has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD October 1, 2002 to October 31, 2002

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 31, 2002.**

CONTACT PERSON

China F. Osborn
Project Planner, 650/599-7217



China F. Osborn, Project Planner

CO:fc - CFOM1448_WFH.DOC

County of San Mateo
Planning and Building Division

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

I. BACKGROUND

Project Title: Amendment to County Well Ordinance

File No.: PLN 2002-00563

Project Location: Countywide

Assessor's Parcel No.: 000-000-047 (Countywide)

Applicant/Owner: Environmental Health Services Division/San Mateo County

Date Environmental Information Form Submitted: August 30, 2002

PROJECT DESCRIPTION

Amendment to San Mateo County Well Ordinance regarding issuance of large well permits, drawing water from the Westside Basin Aquifer.

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. <u>LAND SUITABILITY AND GEOLOGY</u>						
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

	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	YES				
		Not Significant	Significant Unless Mitigated	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				
		Not 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>						
<u>Will (or could) this project:</u>						
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	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
6. <u>LAND USE AND GENERAL PLANS</u> 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

	IMPACT					SOURCE
	NO	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. AESTHETIC, CULTURAL AND HISTORIC						
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				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
d. Directly or indirectly affect historical or archaeological resources on or near the site?	X					H
e. 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			
Coastal Commission		X	
City		X	
Sewer/Water District:		X	
Other:			

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:

None.

V. MANDATORY FINDINGS OF SIGNIFICANCE

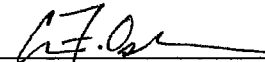
	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of 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:

 X 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.

 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.


China Osborn

September 30, 2002
Date

Project Planner
(Title)

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

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 2002-00563
Amendment to County Well Ordinance

PROJECT DESCRIPTION

The proposed project is an amendment to the existing County Code of Regulations, starting with Chapter 4.68, regarding wells. Specifically, the proposal is to add a section to the Well Ordinance regarding the issuance of permits for large wells in the Westside Basin Aquifer. The Westside Basin Aquifer spans from the area along the western third of San Francisco, south into San Mateo County, east of the San Andreas Fault line to the southern Burlingame/northern San Mateo border.

The San Mateo County Environmental Health Division recognizes that the installation of large wells, for non-residential uses, may have a greater impact on the Westside Basin Aquifer than individual groundwater wells. Therefore, this section provides additional provision for reviewing large well permit applications, which draw water from this aquifer specifically.

Changes proposed for the ordinance, added by the inclusion of Chapter 4.68.225, are as follows:

1. New definition is provided in the ordinance for the limits of the "Westside Basin Aquifer" in San Mateo County established by recognized urban and geological boundaries.
2. New definition of a large well is established, which includes any one well or the aggregate effect of multiple wells on one property that pump an amount equal to or greater than 50 gallons per minute or 1,000 gallons per day.
3. Guidelines allow a County Health Officer to condition or deny an application for a well permit in the Westside Basin Aquifer if any special circumstances exist, as defined by the ordinance, such that the granting of a large well permit may present a threat of harm to the health, safety or welfare of persons or the environment. These guidelines allow County Health Officers to use their discretion when issuing permits for large wells in the Westside Basin Aquifer for the long-term protection of the aquifer.
4. New language also allows a County Health Officer to revoke or suspend a well permit for a large well drawing water from the Westside Basin Aquifer for the protection of water resources from pollutants or contamination and to protect the public health and safety.

The proposed changes to the Well Ordinance allow more opportunity for County Health Officials to act in the protection of the environment and public safety, when reviewing applications for large wells that propose to draw water from the Westside Basin Aquifer. After

reviewing the proposed additions, staff has determined that, if the proposal has any impact on the development of wells in the defined area, it would lead to a decrease in the aggregate number of large wells certified by Environmental Health Services Division each year. The new changes also allow more opportunity to condition the operation of wells, thereby providing greater opportunity for protection of the aquifer and the environment. With these observations in mind, staff completed the Initial Study and determined that the proposed ordinance will not have a significant negative impact on the environment.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

- b. Will (or could) this project involve construction on slope of 15% or greater?

Yes, Not Significant. There is a possibility that a large well could be approved on a parcel having a slope of 15% or greater. There is, however, no indication that the proposed changes would encourage an increase in the number of wells certified on parcels with such a slope.

- c. Will (or could) this project be located in area of soil instability (subsidence, landslide or severe erosion)?

Yes, Not Significant. There is a possibility that a large well could be approved on a parcel with areas of soil instability. There is, however, no indication that the proposed changes would encourage an increase in the number of wells certified on such parcels. Furthermore, no development would be allowed on such parcels that do not meet County standards for safety in areas of potential landslide, etc. Therefore, there is no evidence that any development allowed under these proposed changes will have a significant impact on the development of parcels with soil instability.

- d. Will (or could) this project be located on, or adjacent to a known earthquake fault?

Yes, Not Significant. The San Andreas Fault Zone runs through sections of the areas served by the Westside Basin Aquifer, as defined by the ordinance. There is, however, no indication that the proposed changes would encourage an increase in the number of wells certified on parcels within or adjacent to the fault zone.

- h. Will (or could) this project be located within a flood hazard area?

Yes, Not Significant. There are parcels in the area defined by the ordinance, which are located in a defined floodway or floodplain. There is, however, no indication that the proposed changes would encourage an increase in the number of wells certified on parcels within flood hazard areas.

- i. Will (or could) this project be located in an area where a high water table may adversely affect land use?

Yes, Not Significant. It is possible that a well could be located in an area where a high water table adversely affects land use. There is, however, no indication that the proposed changes would encourage an increase in the number of wells certified on parcels in such areas.

- j. **Will (or could) this project affect a natural drainage channel or streambed, or watercourse?**

Yes, Not Significant. The installation of wells can have an impact on natural drainage or watercourses. The proposed changes, however, are more restrictive and will most likely decrease the number of large wells receiving certification each year. Therefore, the proposed ordinance changes will not have a significant environmental impact on drainage channels, streambeds or watercourses.

2. **VEGETATION AND WILDLIFE**

- b. **Will (or could) this project involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?**

Yes, Not Significant. There is the possibility that the installation of a well could require the need for tree removal. The proposed changes, however, are more restrictive and will most likely decrease the number of large wells receiving certification each year. Therefore, the proposed ordinance changes will not have a significant impact on the number of significant and heritage trees removed.

- c. **Will (or could) this project 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?**

Yes, Not Significant. There are parcels in the area defined by the ordinance, which could contain necessary resources for rare or endangered species. There is, however, no indication that the proposed changes would encourage a development in such areas, as the effect of the changes is to allow greater protection of the environment, including sensitive areas.

- e. **Will (or could) this project be located inside or within 200 feet of a marine or wildlife reserve?**

Yes, Not Significant. There are parcels in the area defined by the ordinance, which are located near marine or wildlife reserves. There is, however, no indication that the proposed changes would encourage an increase in the number of wells in said areas.

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

- g. **Will (or could) this project generate polluted or increased surface water runoff or affect groundwater resources?**

Yes. Not Significant. The installation of wells can have an impact on surface water runoff and groundwater resources. The proposed changes, however, are more restrictive and will most likely decrease the number of large wells receiving certification each year. Therefore, the proposed ordinance changes will not have a significant environmental impact on these natural resources.

6. **LAND USE AND GENERAL PLANS**

- d. **Will (or could) this project result in any changes in land use, either on or off the project site?**

Yes. Not Significant. The installation of wells encourages parcel development, which often results in changes in land use (e.g., vacant to single-family dwelling). The proposed changes, however, are more restrictive and will most likely decrease the number of large wells receiving certification each year. Therefore, the proposed ordinance changes will not have a significant impact on land use in the areas affected by the ordinance.

- e. **Will (or could) this project 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)?**

Yes. Not Significant. Allowing wells in an area that may not otherwise have water, due to the lack of availability of public water connections, encourages development, which could include new industry or commercial facilities, etc. However, this ordinance makes it more difficult to install a large well because it allows greater discretion on the part of County Health Officials to condition, deny, and revoke permits. Therefore, the proposed ordinance will not encourage a greater intensity of development in the areas affected by the ordinance.

7. **AESTHETIC, CULTURAL AND HISTORIC**

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

Yes. Not Significant. There are parcels in the area defined by the ordinance, which are located in or adjacent to a Scenic Highway or Corridor. The proposed changes, however, are more restrictive and will most likely decrease the number of large wells receiving certification each year. Therefore, the proposed ordinance changes will not have a significant impact on development adjacent to scenic corridors or highways.