

Application for Appeal

- To the Planning Commission
- To the Board of Supervisors

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

Name: George Cattermole, Ron Sturgeon
Coastside Habitat Coalition
 Phone, W: 650 926-0585 H: 650-726-9590

Address: P.O. Box 71
San Gregoria CA.
 Zip: 94074

Permit Numbers involved:

File # PLN 2000 - 00225
POST TRAIL PROPOSAL

I hereby appeal the decision of the:

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

made on Nov 22 2000 to approve/deny the above-listed permit applications.

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

- yes
- no

Appellant's Signature:

Date:

[Signature]
Nov 2, 2000

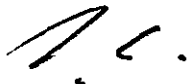
Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

Want decision reversed. Parking lot and trail are located in critical habitat for the California Red Legged Frog and The San Francisco Garter Snake. Project as approved would violate CEQA - no alternative sites are considered and proposed trail is part of planned future related project and this constitutes "piecemealing". Project as planned would also violate State + Federal Endangered Species Act. Negative Declaration is issued at 20 in claiming that project is not in or adjacent to endangered species habitat. Parking lot + trail will also adversely affect agricultural land + potential agricultural practices. An EIR is required to determine where parking lot and trail can be built that will not adversely affect endangered species. Parking lot + Trail needs to be relocated from present sites.

To the San Mateo Board of Supervisors,

The proposed rule proposed by U.S. and Wildlife says that critical habitat for an endangered species is all area within 500ft. of the water source the species lives in. The proposed parking lot is within 250 feet of the pond across the road. The San Francisco Garter snake requires upland habitat to recreate and to encourage human recreation in its critical habitat is wrong. It is my understanding that POST is aware that there are San Francisco Garter Snakes in the stream flowing into and out of the pond across the street. The San Francisco Garter Snake can travel up to 2.25 miles and when it does travel, it is looking for its favorite prey, the California Red-legged Frog. The California Red-Legged Frog, which now lives in the pond across the street travels up to 1.25 miles and, of course, likes water. To increase traffic, vehicular and foot in the corridors needed by these species to survive is ignorant and violent. The U.S. Fish and Wildlife Service identifies "intensive hiking", "recreational facilities such as off-road vehicles parks", "**operation of vehicles within aquatic habitat**" (my emphasis) as "Activities that may destroy or adversely modify critical habitat". It is my hope that my elected representatives will look to science, not politics or arrangements of convenience and consider whether or not this project will harm these species. If you do not take biodiversity in our own backyards seriously, we are all in very serious trouble.

Respectfully submitted,



Dr. George Cattermole

P.S. See attached maps.

San Mateo County Environmental Services Agency

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's Information

Name: Ron Sturgeon
P.O. Box 36, San Gregorio, CA

Phone, W: H: 415 515-2489

Address: P.O. Box 36
San Gregorio, CA 94074
Zip: 94074

2. Appeal Information

Permit Numbers involved:

PLN 2002-00225
POST Development

I hereby appeal the decision of the:

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

made on March 26, 2003 to approve/deny
the above-listed permit applications.

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

yes no

Appellant's Signature:

Ronald H. Sturgeon
Date: April 8, 2003

San Mateo County
Planning Division

APR 08 2003

RECEIVED

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?

I desire that the Planning Commission's approval of this project be reversed. The substantial environmental impacts of the originally proposed project have not been substantially reduced in the revised project. The mitigated Negative Declaration prepared for this project was not prepared in accordance with CEQA and is "incomplete, incorrect & inadequate" - specificity as to this assertion was furnished to Planning Staff and the Commission - feasible alternatives mitigating both acknowledged and unacknowledged remaining significant environmental impacts were not seriously considered.

The project, as conditional, is nonconforming with local land use planning policies directed at protecting (on a practical level) agricultural viability - in this respect the project conflicts with CEQA, the General Plan, County Zoning and the LCP.

February 13, 2003

Michael J. Schaller
Project Planner; Dept. of Planning & Building
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Mitigated Negative Declaration for proposed POST trail development; Project located on Pigeon Point Road (PLN 2000-00225; APN: 086-300-090)

Dear Mr. Schaller:

I disagree with the finding that the mitigation measures proposed for inclusion as a part of this project are adequate to reduce the direct/indirect and cumulative impacts of this project to a level of insignificance. In the following I will argue: 1) That the indirect impacts of this project on special status species (that are now indicated as significant unless mitigated) have not been mitigated to a level of insignificance by the mitigation measures incorporated into the Negative Declaration and its subject project and; 2) that the "Initial Study" (specifically the checking of "no" impact" on lines 1.g. and 6.k. and "not significant" on line 3.d.) erroneously indicates that the project, as conditioned, is consistent with adopted "Land Use and General Plans" directed at protecting agricultural use and utility (i.e., the productivity) of lands suitable for dry farming and grazing) within the Planned Agricultural District of Coastal San Mateo County.

Regarding the proposed trail project's impact(s) on special status species:

The application for this project was considered and approved by the Planning Commission on 11/22/00, and was appealed to the Board of Supervisors by Mr. George Cattermole (representing the Coastside Habitat Coalition) and myself. In my 10/20/00 letter to you challenging the then proposed "Negative Declaration" prepared for this project it was stated:

2) On my reconnaissance of the project location (given that the applicant is a conservancy with a long history in the area) it was a bit startling to discover the existence of the pond/reservoir just across the road from the proposed parking lot which is not noted or acknowledged in the "Negative Declaration". This water impoundment has associated extensive wetlands habitat that is geographically contiguous with the extended riparian corridor associated with the intermittent stream (noted as a "dry stream" on the "Trail Map") that crosses Pigeon Point Road a "stones throw" from the "Staging/Parking Area" and extends beyond the point where the proposed trail crosses it (approximately 1,500 feet inland and "upstream" from where it crosses Pigeon Point Road). This "dry stream" is wet enough to support Willows within a 100 feet of the trail crossing point and there is wetland grass growing at its actual crossing. This upland riparian habitat is extensive and its importance as habitat (food source, nesting and breeding place - especially vis-a-vis the wetlands habitat at its terminus) for the endangered San Francisco Garter Snake which it is well known may be making "its last stand" in the area is unacknowledged. Not only are the pond, wetlands and associated riparian areas existence ignored in this "Environmental Analysis"; but the fact that Pigeon Point Road is a transection of the migratory routes/patterns of all species conceivably inhabiting these environs situated on both sides of the Road has not been noted and the impact of any significant increase of traffic on this relatively unused roadway has not been evaluated. (all emphasis in the original)

The applicant's submissions to the Planning Commission informed the Commissioners that a consulting firm had prepared, in 1998, a management plan for the Cloverdale Ranch and that the assessment of the biological resources of the Ranch had included the project area and that: "During the field surveys for the management plan, several listed species were identified on the Cloverdale Ranch, including the red-legged frog and San Francisco garter snake.

However, none were identified in project area." (emphasis added) In fact this assessment confirmed the opposite as well as supplied factual foundation for the concerns expressed in the above referenced letter.

Figure 5-1 of the *Cloverdale Coastal Ranch Plan* identified an area along the perennial stream, that flows via a small culvert under Pigeon Point Road and is the water source for the reservoir, as a "Known Endangered Species Habitat". The area indicated is north of the proposed parking lot and on the opposite side of the road from the reservoir as is the project. Subsequent to the filing of the appeal of the Planning Commission's approval of the project and associated Negative Declaration the applicant turned to the U.S. Fish and Wildlife Service for approval of their project. In a letter to Mr. Jeff Powers, POST's "Cloverdale Project Manager", Mr. Jan Knight, Chief of this expert agency's Endangered Species Division opined:

During our March 22, 2001 meeting we expressed our concerns over the likelihood of garter snakes and red-legged frogs being killed by vehicular traffic on Pigeon Point Road north of your proposed parking lot. We recognize that POST has no authority to resolve this issue. Therefore, we request your assistance in facilitating discussions with San Mateo County to resolve this concern. We believe this problem can be effectively alleviated by 1) allowing local access only on Pigeon Point Road north of the parking lot; or, 2) installing box culverts beneath Pigeon Point Road to allow for safe passage of garter snakes and red-legged frogs.

The requirement of this consultation has now been incorporated into the revised mitigated Negative Declaration as "Mitigation Measure 10" as the sole and sufficient mitigation of these post construction non-temporary impacts.

Under CEQA Mr. Knight's expert opinion coupled with the factual evidence presents substantial evidence that a significant environmental . . . will occur unless adequate mitigation is incorporated into the project. It is not only common sense but settled law (see *Sundstrom v. County of Mendocino*; 1988, 202 Cal. App. 3d 296) that the requirement of "consultation" as mitigation is merely token and inadequate observance of CEQA requirements that uncertainties regarding a project's potential significant environmental impacts be fully resolved before approval. Approval of this trail project can not be made contingent on the applicant at some later date developing and implementing mitigation measures of the project's now determined potentially significant impacts. Under CEQA, the success of a mitigation measure(s) incorporated into a " . . . Negative Declaration" can not be uncertain.

Section 21064.5 of Division 13 of the Public Resources Code States:

"Mitigated negative declaration" means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review (emphasis added) would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

Feasible mitigation measures have not been incorporated into this trail project that would either avoid or clearly reduce to insignificance the conceivable significant increased impacts on special status species and the function of the ecosystem through which the access road to the project passes. Consequently, the mitigated Negative Declaration prepared for the proposed project is not certifiable as adequate or complete in respect to the critical special status species issue. Given that the recent submission to the Agricultural Advisory Committee requesting reconsideration of this project noticed that a "Revised Negative Declaration" has already been issued for public review; proposal of contemplated feasible and adequate mitigation alternatives with corresponding project modifications is rendered moot and are not herein offered.

unanalyzed significant environmental impacts of the project on the use and utility of Ranch as such:

When this project was originally heard before the Planning Commission it rejected argument offered that proffered that an unfenced intrusion of a trail development into grazing land essentially eliminates its grazing potential - not from a theoretical point of view but from a practical point of view. There are some other countries with different customs and heritage where hiking through open pastured areas may be common but their legal systems also supports the orientation that anyone doing so assumes all associated risks - that is not our heritage or the orientation supported by our legal system. The real world of the Cloverdale Ranch, as with similar lands in San Mateo County, is such that an unfenced trail renders the land it traverses unusable as grazing land.

In the real world the economics of the range are such that cattle grazing can't support the additional added financial costs associated with safe and sane trail development and maintenance. In the real world of the Cloverdale Ranch fences are necessary to separate trail uses/users from livestock in order to appropriately protect the agricultural operation as well as the trail users. In the real world an public trail would eliminate for all practical purposes the grazing potential of surrounding land - this is tacitly acknowledged in your recent resubmission to the Agricultural Advisory Committee in that you had to leave the Ranch to find "adjacent agricultural lands" for which the productivity is not diminished by the proposed trail project.

Subsequent to the Commission's original hearing of this project it solicited mitigation measure language to mitigate the cumulative impact of what they apparently recognized as the consequence(s) of a generalization of the trail conditioning they had then approved for this project - a *de facto* conversion of a planned agricultural district into an unplanned recreational area. The Planning Commission adopted the following agricultural mitigation measure to address the environmental impact on agriculture of superimposing the recreational trail grid encompassed in the San Mateo County Trails Plan over the County's Planned Agricultural District:

Proposed trails shall either be located to avoid prime agricultural lands and lands designated as suitable for agriculture or traverse such lands in a manner that does not result in interference with agricultural activities or substantially reduce the agricultural potential of these lands. Active operators of agricultural activities shall be consulted to identify appropriate routes on lands they cultivate. The agricultural activities and the agricultural potential of traversed lands shall be protected and buffered from trail user impacts by means of distance, physical barriers (sturdy fences) or other nondisruptive methods. (emphasis added)

This mitigation measure was adopted and incorporated into the "Trails Plan EIR" by the Planning Commission and the Board of Supervisors. Importantly, this mitigation language is derived from the San Mateo County General Plan, Zoning Ordnances and Local Coastal Plan and consequently the failure of this project to incorporate appropriate fencing renders it CEQA noncompliant. The project as proposed breaches the following land use plans, policies, and zoning protecting agricultural use (and consequently CEQA; given that the mitigated Negative Declaration neither acknowledges or addresses this, under CEQA, "significant environmental effect"):

General Plan:

9.28 Encourage Existing and Potential Agricultural Activities

- a. Encourage the continuance of existing agricultural and agriculturally-related activities.
- b. Encourage agricultural activities on soils with agricultural capability which are currently not in production.

9.30 Development Standards to Minimize Land Use Conflicts with Agriculture

- c. Buffer any nonagricultural activities from agricultural activities by means of distance, physical barriers or other nondisruptive methods.

Zoning

Section 6325.3 PrimaryResources Area Criteria

- (a) Only agricultural and compatible uses shall be permitted. Agricultural uses are lands used for the production of an agricultural commodity for commercial purposes. Compatible uses shall include all such uses permitted under the use provisions of the RM District, provided that such uses would not substantially reduce the agricultural potential of the land. (emphasis added)

Local Coastal Plan

RECREATION/VISITOR-SERVING FACILITIES COMPONENTPermitted Uses And Locations11.11 Agricultural Areas

- c. . . low intensity facilities to locate adjacent to agricultural operations or undeveloped agricultural land which are: (1) separated from agricultural operations by distance or barriers, such as fences, consistent with Policies 5.8, 5.10, 5.15 and 5.22 and (2) . . .

AGRICULTURE COMPONENT5.10 Conversion of Land Suitable for Agriculture Designated as Agriculture

- a. Prohibit the conversion of lands suitable for agriculture within a parcel to conditionally permitted uses unless all of the following can be demonstrated:
- (3) Clearly defined buffer areas are developed between agricultural and non-agricultural uses;
 - (4) The productivity of any adjacent agricultural lands is not diminished;

The proposed trail project was at one time characterized by the applicant as "the first segment of the Pigeon Point Trail" (a trail indicated on the County Trails Plan as one which will go from Pigeon Point all the way through the Cloverdale Ranch to Butano State Park); after it was pointed out that under CEQA segmented analysis is prohibited such reference ceased but the fact of the matter is in question. If the proposed trail is the first segment of a planned extended trail it should be analyzed as such if it is not then the impact of this trail's cumulative environmental impact along with a second planned trail within the confines of the same general area must be considered. If the proposed trail is actually to become at a later date the first segment of the "planned" trail through the entire Ranch then an eight car parking lot at its Pigeon Point Road terminus may be inadequate consequently converting the Road itself into a "parking facility" which once again encroaches unnecessarily into critical habitat.

I continue to suggest that consideration be given to moving the parking facility off of Pigeon Point Road entirely; further, regardless of where the parking facility is located, I suggest that a previously referenced area indicated as an "intermediate lookout point" be the easterly limit (end point) of this "lookout trail". Extension of a/the trail beyond this point fragments San Francisco garter snake habitat (significantly inhibiting its upland southern

migration) and necessitates extensive fencing to protect the agricultural potential of the agriculturally viable lands lying beyond.

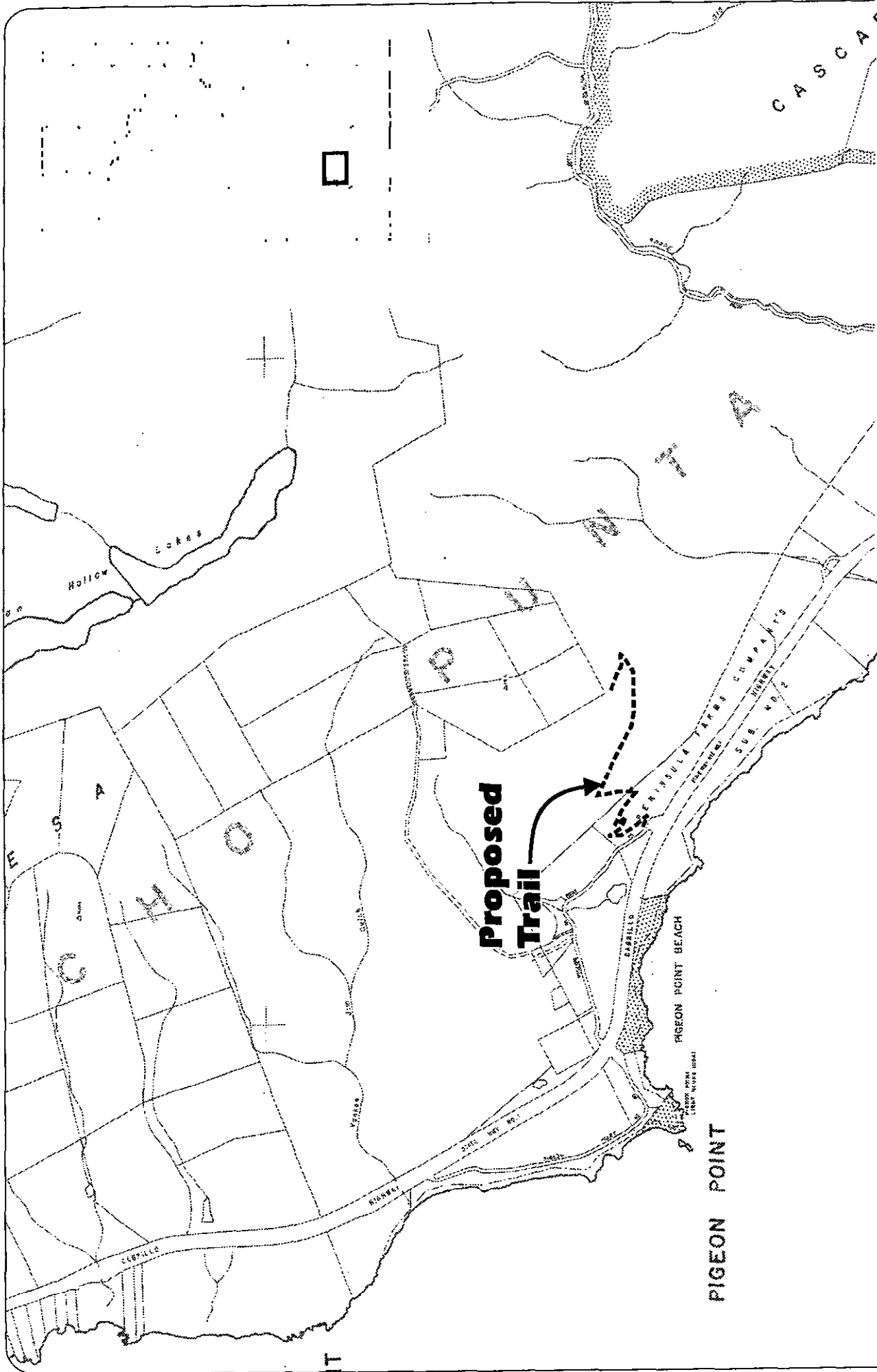
Unless permission has been received from the State Clearing House for a change in the public review period for this revised mitigated Negative Declaration, I protest the normal review period being shortened from 30 to 20 days as well as dispute the claim of the adequacy and completeness of the analysis therein.

Sincerely,



Ron Sturgeon

cc: George Cattermole
Jan Knight
Agricultural Advisory Committee
PMAC
San Mateo County Planning Commission



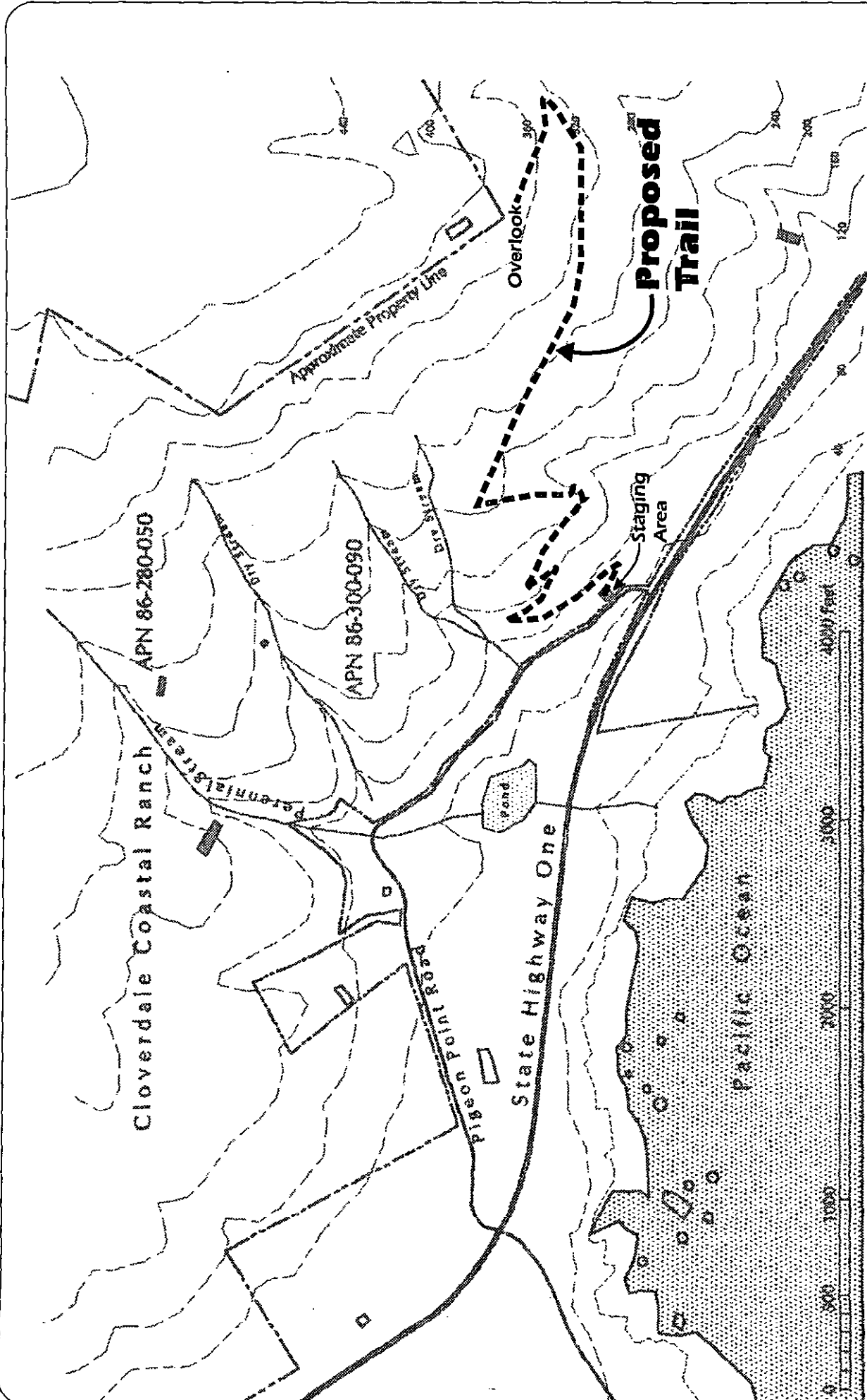
San Mateo County Board of Supervisors Meeting



Attachment: 

Applicant: POST

File Numbers: PLN2000-00225



Trail Map - Cloverdale Coastal Ranch

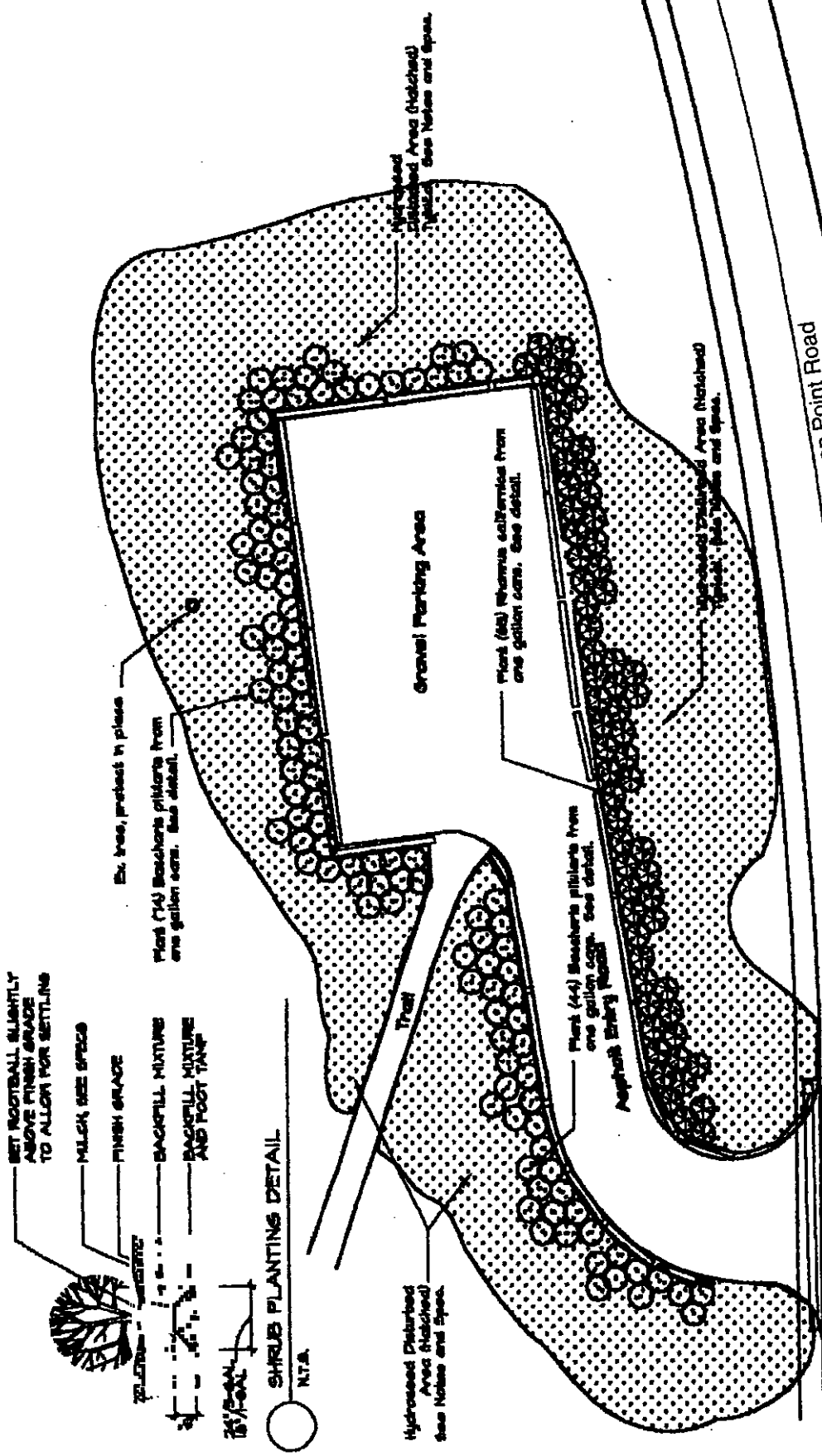
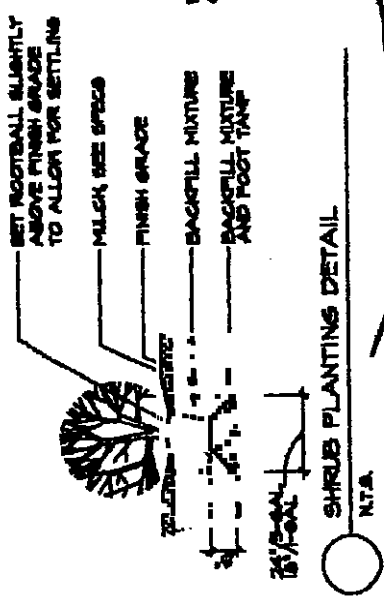
San Mateo County Board of Supervisors Meeting

Applicant: POST

File Numbers: PLN2000-00225

Attachment:





Revegetation Erosion Control Plan





Grading Plan

Grading Legend

- (116) --- Ex. Contour
- Proposed Contour
- Direction of Flow
- Proposed Spot Elevation
- Reference Line

Grades shown above proposed parking to gently meet existing grade. Compact slopes to stable grade. Slope toe of slope to provide positive drainage.

10' x 17' Wood Log along parking and road perimeter, typical. Secure it in place w/ 2"x4" 5d' rebar at 6' O.C. Max.

Rebarbed existing slope 10' and bury minimum 24" below finished grade. Use a steel backing. Compact soil.

Approximate location of proposed or trail, trail plan, trail construction notes and trail specifications.

Grades and compact to stabilize the slopes.

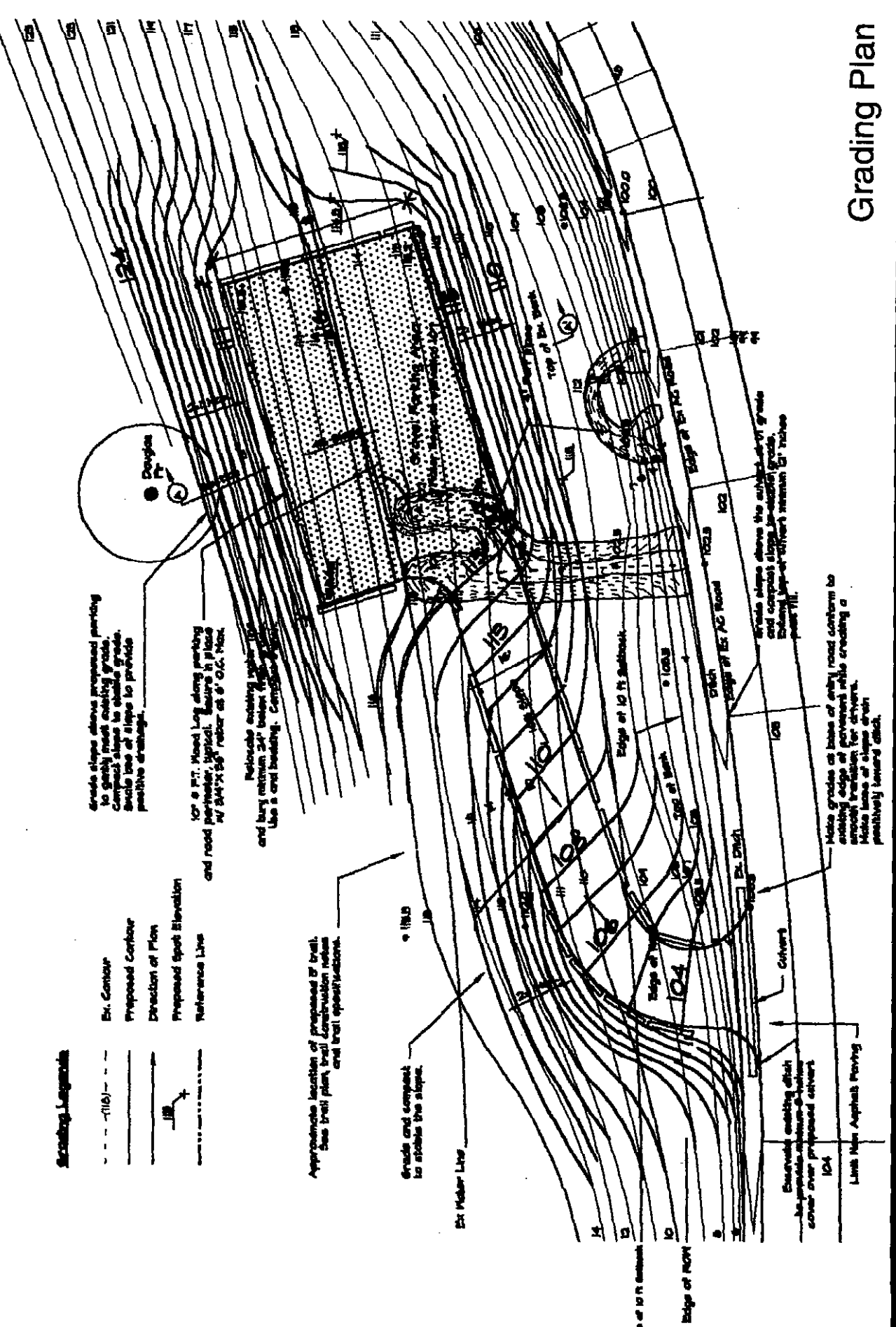
Ex. Water Line

Excavate existing ditch to provide storm-water cover over proposed culvert 104

Live Oak Asphalt Parking

Grades shown above the subjectivity of grade and compact slopes to stable grade. Exposed top-of-slope minimum 5' to toe post fill.

Make grades at base of entry road conform to existing edge of pavement while creating a smooth transition for drivers. Make lines of slope drain positively toward ditch.

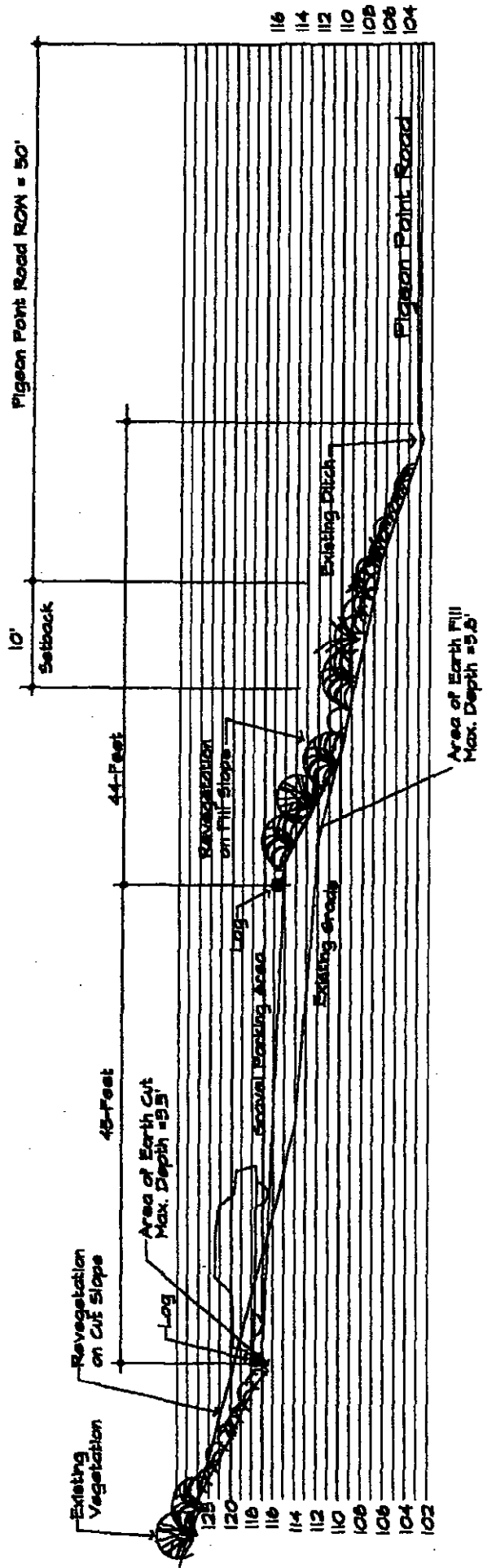


San Mateo County Board of Supervisors Meeting

Attachment:

Applicant: POST

File Numbers: PLN2000-00225

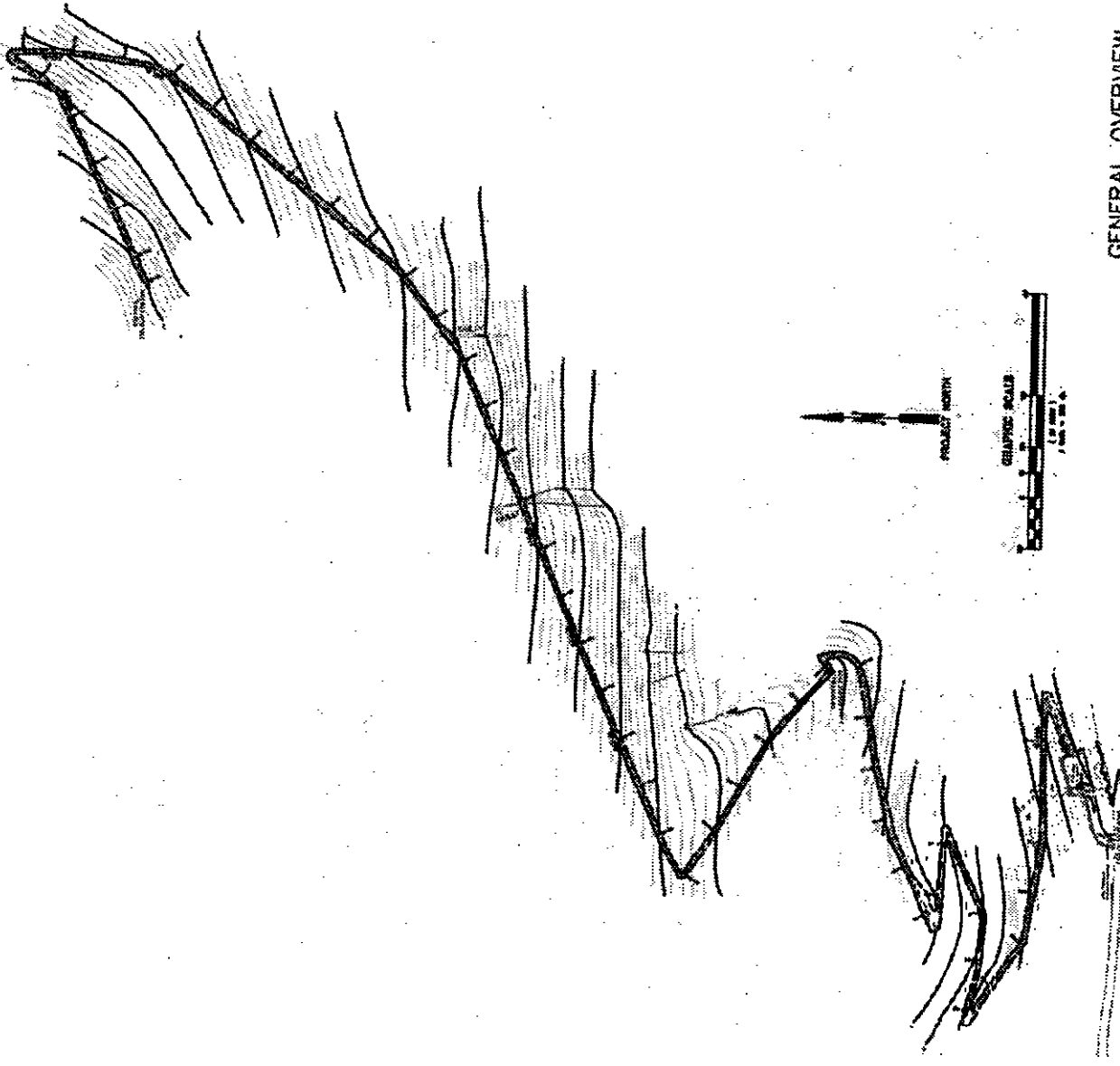


Section A-A

San Mateo County Board of Supervisors Meeting

Applicant: POST Attachment:

File Numbers: PLN2000-00225



GENERAL OVERVIEW



San Mateo County Board of Supervisors Meeting

Applicant: POST

File Numbers: PLN2000-00225

Attachment:

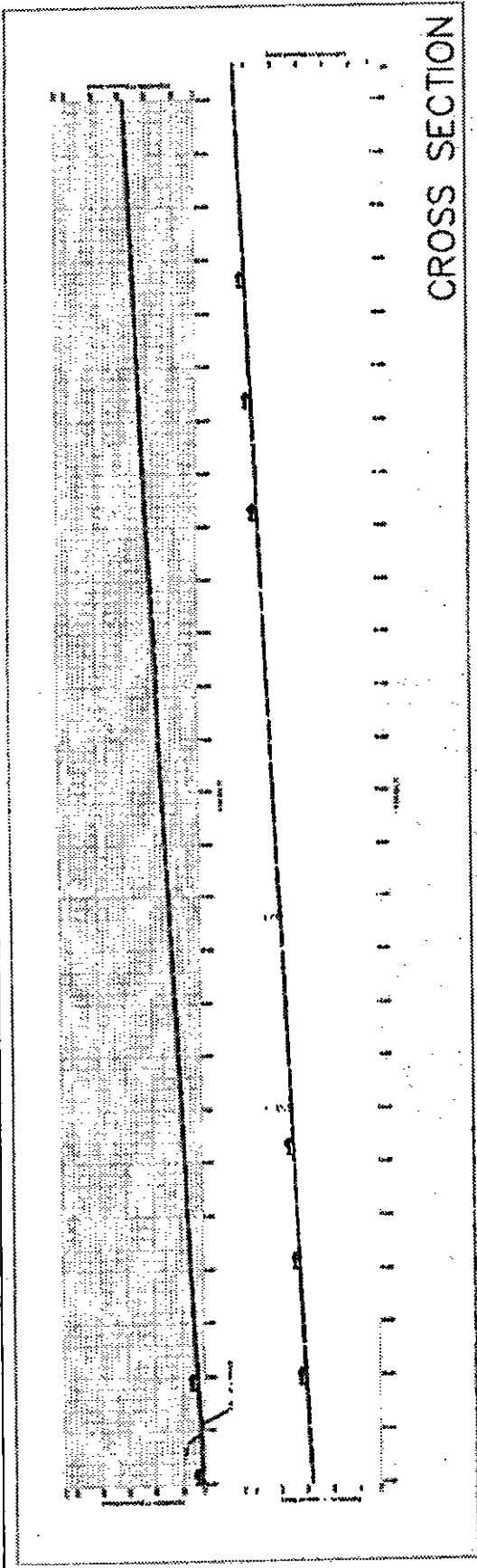


Attachment

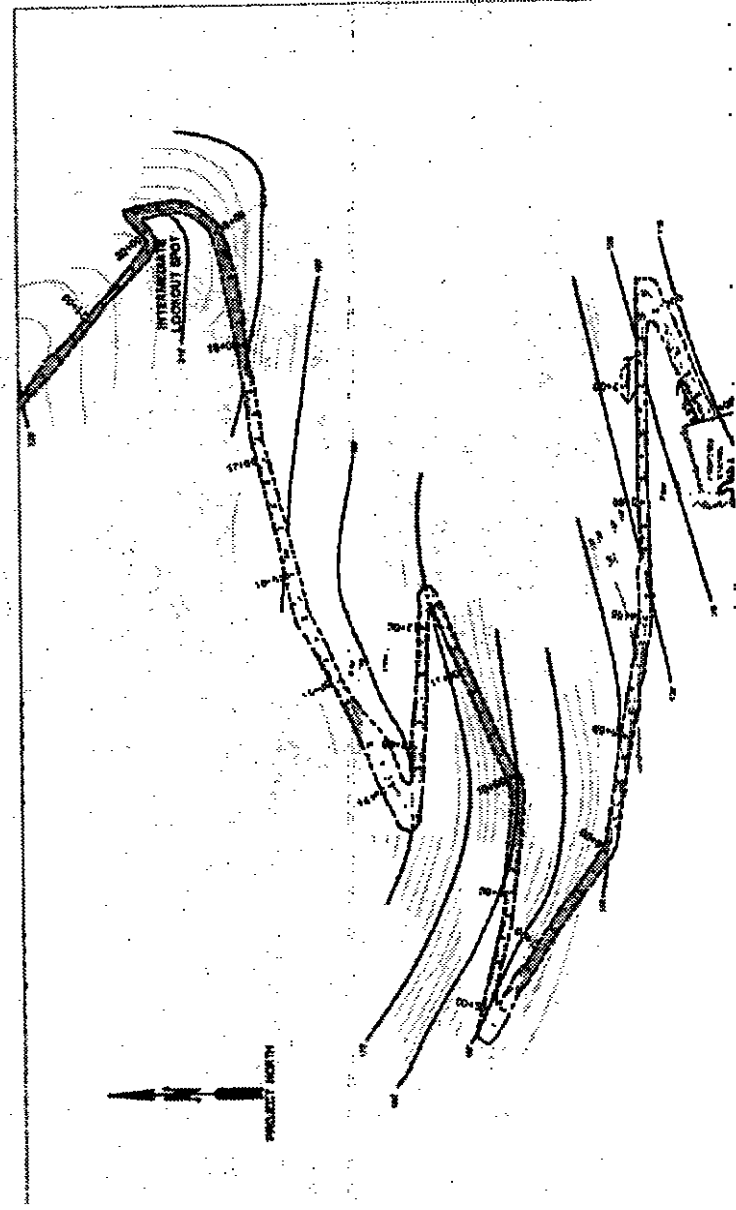
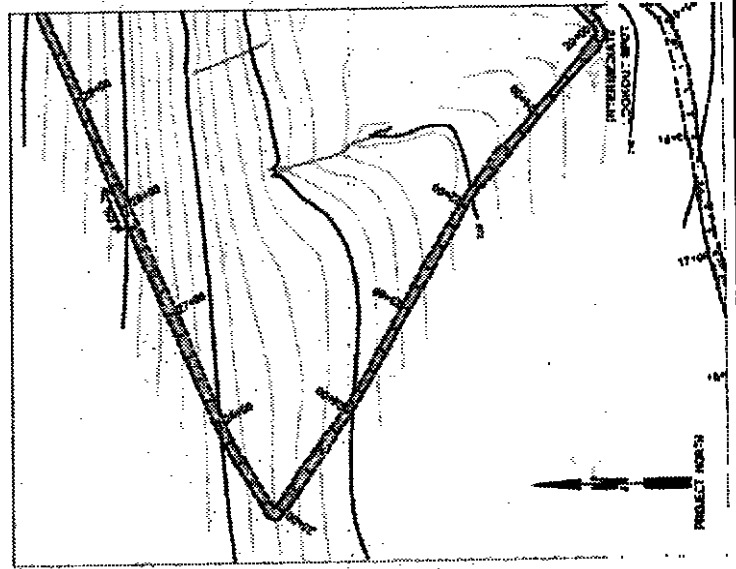
San Mateo County Board of Supervisors Meeting

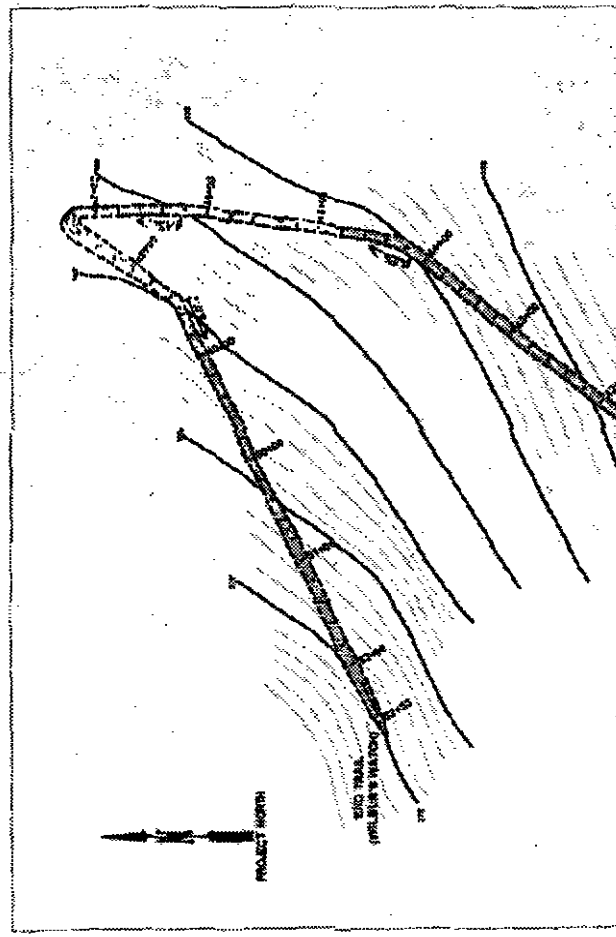
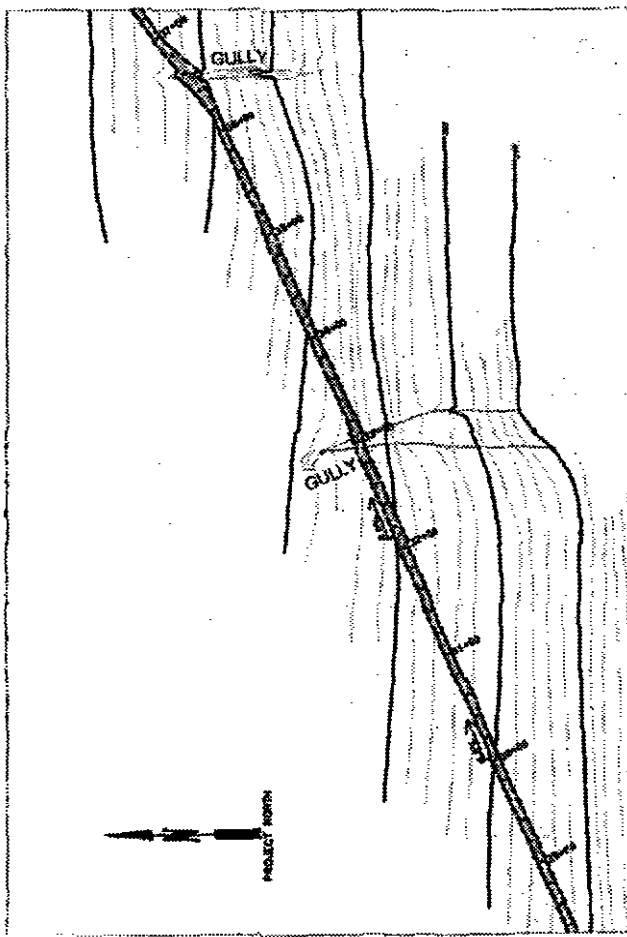
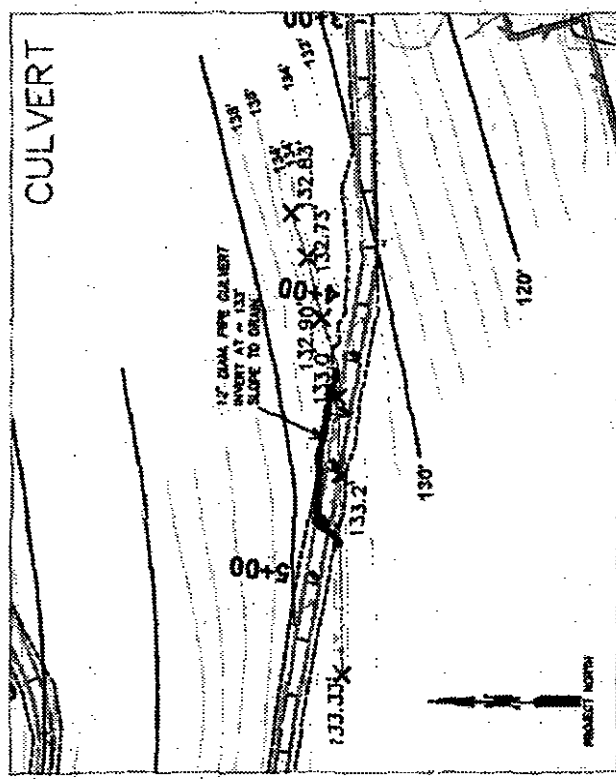
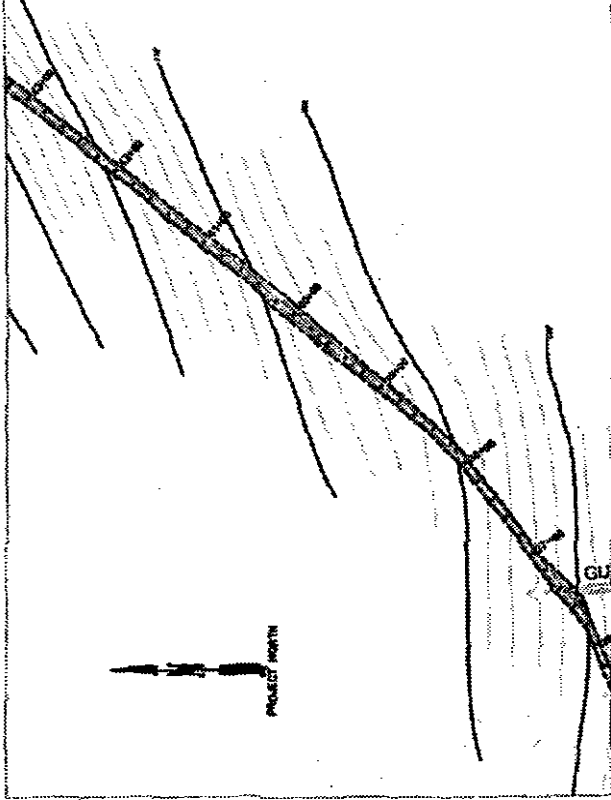
Applicant: POST

File Numbers: PLN2000-00225



CROSS SECTION





San Mateo County Board of Supervisors Meeting

Applicant: POST

File Numbers: PLN2000-00225

Attachment:



COUNTY OF SAN MATEO, PLANNING DIVISION

NEGATIVE DECLARATION

12333

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

(Note: This Initial Study and Negative Declaration have been revised because of significant changes in the proposed project design and location.)

FILE NO.: PLN 2000-00225

APPLICANT/OWNER: Peninsula Open Space Trust

ASSESSOR'S PARCEL NO.: 086-300-090

PROJECT LOCATION: Pigeon Point Road, east of Highway 1.

FILED

JAN 27 2003

WARREN SLOCUM, County Clerk
By  DEPUTY CLERK

PROJECT DESCRIPTION: The applicant is proposing to construct an 8-car parking lot with an asphalt entry road and gravel parking area. An approximately one mile long dirt hiking trail will connect the parking lot to a small overlook area at the southern end of the project parcel. The trail will be approximately five feet wide and less than or equal to 5% grade along its entire length. This design is to more readily facilitate disabled access and be less intrusive on the surrounding habitat. Construction of the parking lot and driveway will require approximately 485 cubic yards of cut and 442 cubic yards of fill. Construction of the trail will require 498 cubic yards of cut and 482 cubic yards of fill. Construction of the trail will require the repair of two incipient gullies. The applicant has proposed a landscape plan which calls for extensive planting of shrubs and hydroseeding of disturbed areas for erosion and sediment control.

PROJECT SETTING: The proposed trail and parking lot will be constructed in coastal scrub and grassland/scrub mosaic habitat types. Other habitat types in the project vicinity include willow thicket and open water/freshwater marsh. Land use on the subject parcel can be categorized as fallow agricultural land. The subject parcel was farmed for flax during the 1940s and 50s, and has been used as rangeland for cattle. However, no active agriculture has been practiced on the subject parcel for a significant amount of time. Other land uses include active rangeland and rural residences. The Pigeon Point Lighthouse is approximately 4,000 feet to the west. The topography of the project site slopes upwards from the parking area, at approximately 110 feet above sea level, up to the end of the proposed trail at 370 feet above sea level. Water resources in the project vicinity consist of an unnamed intermittent creek, approximately 600 feet northwest of the proposed parking lot. This drainage flows roughly southwesterly and crosses under Pigeon Point Road via a culvert. This drainage then flows into a man-made agricultural pond located on the west side of Pigeon Point Road approximately 1,000 feet west of the proposed parking lot.

In response to Policy 7.5 of the County LCP, the applicant had a biological impact study prepared for this project. This study was prepared by Dana Bland and Associates, and is included as Attachment A. The study found that there are four primary habitat types within the project area. In summery, these are:

Coastal Scrub: The hillsides adjacent to Pigeon Point Road are dominated by thickets of coastal scrub vegetation. Plant species typical of the scrub habitat include coyote brush, poison oak, and coffee berry. The scrub in the vicinity of the proposed parking lot also includes a small grove of Douglas fir and wax myrtle trees. The small drainage north of the parking lot is dominated by coastal scrub, although there are patches of willow. Special status plant species that may occur within the scrub habitat of the project area include Blasdales bent grass, coast lily, coast rock cress, Hickman's cinquefoil, and Michael's rein orchid. None of these special status species are listed on the California Native Plant Society's Special Status List. Special status animal species that may inhabit the coastal scrub area include nesting loggerhead shrike and San Francisco garter snake.

Grassland/Scrub Mosaic: A mosaic of scrub and grasslands occur in the project area. This mosaic is evident on the upper hillsides east of Pigeon Point Road and on hillsides west of the road. The proposed trail east of the road would traverse through this habitat type. The grassland/scrub mosaic is dominated by annual, non-native grasses, such as soft chess, Farmers foxtail, and wild oat. Small patches of native grasses, purple needlegrass and California oatgrass were observed in the uppermost areas. Shrubs of coyote brush and poison oak are scattered among the grassland plants. West of Pigeon Point Road, the grassland/scrub mosaic supports a higher percentage of native grasses, particularly purple needlegrass. This area also includes toyon, scattered Douglas fir and wax myrtle.

Sensitive plant species may occur in the grasslands at the project site, such as Gairdner's yampah, Hickman's cinquefoil, Point Reyes meadowfoam and white-rayed pentachaeta. None of these species have been documented in the proposed parking lot site, based on surveys conducted during preparation of the Cloverdale Ranch Conservation Plan.

Grasslands provide an important foraging resource for a wide variety of wildlife species. The grasses and forbs produce an abundance of seeds and attract numerous insects, providing food for granivorous and insectivorous wildlife. Sparrows, rabbits and rodents are commonly found in this habitat. Consequently, grasslands are valuable foraging sites for raptors such as hawks and owls, and other predators including coyote, fox, skunk and snakes. Special status wildlife species that may utilize the grasslands on the project site for portions of their life cycle include San Francisco garter snake (for winter hibernacula or for foraging), southwestern pond turtle (for nesting), and northern harrier.

Open Water Pond/Freshwater Marsh: The farm pond west of Pigeon Point Road supports an open water area and a fringe of freshwater marsh along the shoreline. Typical plant species include bulrush, umbrella sedge, willow and poison oak. The marsh transitions to coastal scrub and grassland/scrub mosaic. The presence of native wetland plants and open water increases the wildlife value of the marsh and ponds by providing cover, breeding sites and a food base of diversified aquatic invertebrate fauna, which forms a link in many food webs. Special status wildlife species that may utilize this freshwater marsh/ponds include California red-legged frog, southwestern pond turtle, and San Francisco garter snake. The northern harrier may also nest in and forage over the marshes.

Willow Thicket: The intermittent drainage occurring north of the proposed parking lot is dominated by willow. Arroyo willow is the dominant tree species, however there are scattered occurrences of red alder and wax myrtle. Understory species are sparse and are plants typical of the adjacent coastal scrub, such as California blackberry and poison oak. The willow thickets and intermittent drainage provide

food, cover, and seasonal water source for wildlife. Common wildlife species that are expected to inhabit the habitat include Pacific treefrog, western aquatic garter snake, Wilson's warbler, several swallows, and raccoon. Special status wildlife species that may utilize this willow area include California red-legged frog and San Francisco garter snake.

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: The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
- b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
- c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.

- d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

Mitigation Measure 2: The applicant shall implement the proposed revegetation/erosion control plan as shown on the plans submitted on November 21, 2000. Said plan shall be implemented within 48 hours of the completion of the grading work.

Mitigation Measure 3: A spring pre-construction survey shall be conducted along the trail alignment where the alignment traverses the grassland/scrub mosaic. The survey shall focus on the identification of any special status plant species, including Gairdner's yampah, Blasdales bent grass, coast lily, coast rock cress, Hickman's cinquefoil, Michael's rein orchid, Point Reyes meadowfoam and white-rayed pentachaeta. If such plants are observed, the trail shall be re-aligned to avoid impacts from trail construction; the trail should be setback at least 20 feet from the rare plant colony(s).

Mitigation Measure 4: Schedule grading and construction for late summer or early fall (August-September), when it is unlikely that California red-legged frogs will be in dry upland areas, and which is during the active season of the San Francisco garter snake making it likely that any snakes present could escape from construction activities, and to avoid potential disturbance of nesting loggerhead shrike and northern harrier. If this construction schedule is not practical due to other site/construction work activities, then implement the recommended bird surveys below:

- a. Survey the coastal scrub habitat within 0.25 mile of each work area to determine if loggerhead shrike are nesting in the scrub habitat. The surveys should be conducted within 14 days prior to construction. If active nests are found, postpone grading work until all young have fledged.
- b. Survey the grassland/scrub mosaic habitat within 0.25 mile of each work area to determine if northern harrier are nesting. Conduct the surveys within 14 days prior to construction. If active nests are found, postpone grading/heavy equipment work until all young have fledged.

Mitigation Measure 5: Use hand tools (e.g., chain saws) for the clearing of all vegetation within the project footprint, to remove cover and make the area less attractive to San Francisco garter snake.

Mitigation Measure 6: Have a biological monitor inform construction personnel prior to beginning work, about the potential presence of San Francisco garter snake and California red-legged frog, their protected status, and that if one is observed, all work in the immediate vicinity of the siting should cease until the animal leaves of its own accord.

Mitigation Measure 7: Have a biological monitor on site during all phases of the project. If snakes/frogs are observed, work is to cease and USFWS should be contacted for advice on procedure.

Mitigation Measure 8: Post interpretive signs along the hiking trail or at the parking lot describing the sensitive wildlife species and its habitat, and stating that collecting or harassing the wildlife is prohibited. The posting of the signs shall be confirmed by Planning staff prior to a final sign off of the project.

Mitigation Measure 9: To avoid construction-related impacts to San Francisco garter snakes, fencing will be erected around the entire parking lot work area to completely exclude the animals. The work area must be completely enclosed by a snake-proof barrier so that snakes cannot enter from any side. The fencing will consist of 0.9 m. (0.56 feet) high, 0.31-m (12.2 inches) (cm) (0.12 inches) mesh filter fabric or hardware cloth. The bottom of the fence will be buried to a depth of approximately 60 mm (2.36 inches). One-way funnel traps (which allow any snakes within the enclosed work area to escape) will be placed every 3.0 m (9.8 feet) along the fence. The funnels will be located close to the ground, with the 0.3 m (0.98 feet) opening tapering to 30 mm (1.18 inches). Once the fencing is installed, workers should clear off the vegetative cover within the fencing in 1.5 - 3.0 m (4.9 - 9.8 feet) wide strips by hand each day, or as necessary. Removal of fencing can commence after all construction is completed. Planning Staff shall confirm that the fencing has been erected prior to commencing construction activities.

Mitigation Measure 10: POST shall facilitate discussion with San Mateo County to reduce the possibility of injury to San Francisco garter snake or California red-legged frogs on Pigeon Point Road in the vicinity of the parking lot. Measures recommended by the U.S. Fish and Wildlife Service are:

- Allow only local access on Pigeon Point Road north of the parking lot; or
- Install box culverts beneath Pigeon Point Road to allow for safe passage of animals.

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 January 27, 2003 to February 17, 2003

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 5:00 p.m., February 17, 2000.

CONTACT PERSON

Michael J. Schaller, Project Planner
650/363-1849



Michael J. Schaller, Project Planner

MJS:kcd - MJSM1834_WKH.DOC

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

I. BACKGROUND

Project Title: 8-Car Parking Lot and One Mile Long Hiking Trail

File No.: PLN 2000-00225

Project Location: Pigeon Point Road, east of Highway 1

Assessor's Parcel No.: 086-300-090

Applicant/Owner: Peninsula Open Space Trust

Date Environmental Information Form Submitted: _____

PROJECT DESCRIPTION

The applicant is proposing to construct an 8-car parking lot with an asphalt entry road and gravel parking area. An approximately one mile long dirt hiking trail will connect the parking lot to a small overlook area at the southern end of the project parcel. The trail will be approximately five feet wide and less than or equal to 5% grade along its entire length. This design is to more readily facilitate disabled access and be less intrusive on the surrounding habitat. Construction of the parking lot and driveway will require approximately 485 cubic yards of cut and 442 cubic yards of fill. Construction of the trail will require 498 cubic yards of cut and 482 cubic yards of fill. Construction of the trail will require the repair of two incipient gullies. The applicant has proposed a landscape plan which calls for extensive planting of shrubs and hydroseeding of disturbed areas for erosion and sediment control.

II. ENVIRONMENTAL ANALYSIS

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

1. LAND SUITABILITY AND GEOLOGY	IMPACT					SOURCE
	NO	Not Significant	Significant Unless Mitigated	Significant	Cumulative	
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		Cumulative	SOURCE
	NO	YES		
2. VEGETATION AND WILDLIFE				
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. PHYSICAL RESOURCES				
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	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. AIR QUALITY, WATER QUALITY, SONIC						
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	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. TRANSPORTATION						
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	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

	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	SIGNIFICANT		SIGNIFICANT UNLESS MITIGATED	SIGNIFICANT		CUMULATIVE?	SOURCE
		NO	YES		NO	YES		
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	X		
Coastal Commission	X		
City	X		
Sewer/Water District:	X		
Other:	X		

IV. MITIGATION MEASURES

Mitigation measures have been proposed in project application.

Yes

No

Other mitigation measures are needed.

X

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: The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
- b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
- c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
- d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

Mitigation Measure 2: The applicant shall implement the proposed revegetation/erosion control plan as shown on the plans submitted on November 21, 2000. Said plan shall be implemented within 48 hours of the completion of the grading work.

Mitigation Measure 3: A spring pre-construction survey shall be conducted along the trail alignment where the alignment traverses the grassland/scrub mosaic. The survey shall focus on the identification of any special status plant species, including Gairdner's yampah, Blasdales bent grass, coast lily, coast rock cress, Hickman's cinquefoil, Michael's rein orchid, Point Reyes meadowfoam and white-rayed pentachaeta. If such plants are observed, the trail shall be re-aligned to avoid impacts from trail construction; the trail should be setback at least 20 feet from the rare plant colony(s).

Mitigation Measure 4: Schedule grading and construction for late summer or early fall (August-September), when it is unlikely that California red-legged frogs will be in dry upland areas, and which is during the active season of the San Francisco garter snake making it likely that any snakes present could escape from construction activities, and to avoid potential disturbance of nesting loggerhead shrike and northern harrier. If this construction schedule is not practical due to other site/construction work activities, then implement the recommended bird surveys below:

a. Survey the coastal scrub habitat within 0.25 mile of each work area to determine if loggerhead shrike are nesting in the scrub habitat. The surveys should be conducted within 14 days prior to construction. If active nests are found, postpone grading work until all young have fledged.

b. Survey the grassland/scrub mosaic habitat within 0.25 mile of each work area to determine if northern harrier are nesting. Conduct the surveys within 14 days prior to construction. If active nests are found, postpone grading/heavy equipment work until all young have fledged.

Mitigation Measure 5: Use hand tools (e.g., chain saws) for the clearing of all vegetation within the project footprint, to remove cover and make the area less attractive to San Francisco garter snake.

Mitigation Measure 6: Have a biological monitor inform construction personnel prior to beginning work, about the potential presence of San Francisco garter snake and California red-legged frog, their protected status, and that if one is observed, all work in the immediate vicinity of the siting should cease until the animal leaves of its own accord.

Mitigation Measure 7: Have a biological monitor on site during all phases of the project. If snakes/frogs are observed, work is to cease and USFWS should be contacted for advice on procedure.

Mitigation Measure 8: Post interpretive signs along the hiking trail or at the parking lot describing the sensitive wildlife species and its habitat, and stating that collecting or harassing the wildlife is prohibited. The posting of the signs shall be confirmed by Planning staff prior to a final sign off of the project.

Mitigation Measure 9: To avoid construction-related impacts to San Francisco garter snakes, fencing will be erected around the entire parking lot work area to completely exclude the animals. The work area must be completely enclosed by a snake-proof barrier so that snakes cannot enter from any side. The fencing will consist of 0.9 m. (0.56 feet) high, 0.31-centimeter (cm) (0.12 inches) mesh filter fabric or hardware cloth. The bottom of the fence will be buried to a depth of approximately 60 mm (2.36 inches). One-way funnel traps (which allow any snakes within the enclosed work area to escape) will be placed every 3.0 m (9.8 feet) along the fence. The funnels will be located close to the ground, with the 0.3 m (0.98 feet) opening tapering to 30 mm (1.18 inches). Once the fencing is installed, workers should clear off the vegetative cover within the fencing in 1.5 - 3.0 m (4.9 - 9.8 feet) wide strips by hand each day, or as necessary. Removal of fencing can commence after all construction is completed. Planning Staff shall confirm that the fencing has been erected prior to commencement of construction activities.

Mitigation Measure 10: POST shall facilitate discussion with San Mateo County to reduce the possibility of injury to San Francisco garter snake or California red-legged frogs on Pigeon Point Road in the vicinity of the parking lot. Measures recommended by the U.S. Fish and Wildlife Service are:

- Allow only local access on Pigeon Point Road north of the parking lot; or
- Install box culverts beneath Pigeon Point Road to allow for safe passage of animals.

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.

Michael J. Schaller
 Michael J. Schaller

Project Planner
 (Title)

Date 1/27/03

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 – RED I
 - 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 Executive Order 11988
 - Floodplain Management Executive Order 11990
 - Protection of Wetlands
 - Endangered and Threatened Species 24 CFR Part 51B
 - Noise Abatement and Control 24 CFR 51C
 - Explosive and Flammable Operations HUD 79-33
 - Toxic Chemicals/Radioactive Materials 24 CFR 51D
 - Airport Clear Zones and APZ
 - 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 2000-00225
8-Car Parking Lot and One Mile Long Hiking Trail

(Note: This document was previously recirculated because of significant changes in the proposed project design and location.)

PROJECT DESCRIPTION

The applicant is proposing to construct an 8-car parking lot with an asphalt entry road and gravel parking area. An approximately one mile long dirt hiking trail will connect the parking lot to a small overlook area at the southern end of the project parcel. The trail will be approximately five feet wide and less than or equal to 5% grade along its entire length. This design is to more readily facilitate disabled access and be less intrusive on the surrounding habitat. Construction of the parking lot and driveway will require approximately 485 cubic yards of cut and 442 cubic yards of fill. Construction of the trail will require 498 cubic yards of cut and 482 cubic yards of fill. Construction of the trail will require the repair of two incipient gullies. The applicant has proposed a landscape plan which calls for extensive planting of shrubs and hydroseeding of disturbed areas for erosion and sediment control.

PROJECT SETTING

The proposed 8-car parking lot will be constructed in coastal scrub and grassland/scrub mosaic habitat types. Other habitat types in the project vicinity include willow thicket and open water/freshwater marsh. Land use on the subject parcel can be categorized as fallow agricultural land. The subject parcel was farmed for flax during the 1940s and 50s, and has been used as rangeland for cattle. However, no active agriculture has been practiced on the subject parcel for a significant amount of time. Surrounding land uses include active rangeland and rural residences. The Pigeon Point Lighthouse is approximately 4,000 feet to the west. The topography of the project site slopes upwards from the parking area, at approximately 110 feet above sea level, up to the end of the proposed trail at 370 feet above sea level. Water resources in the project vicinity consist of a drainage basin approximately 600 feet northwest of the proposed parking lot. This drainage flows roughly southwesterly and crosses under Pigeon Point Road via a culvert. This drainage then flows into a pond located on the west side of Pigeon Point Road approximately 1,000 feet west of the proposed parking lot.

In response to Policy 7.5 of the County LCP, the applicant had a biological impact study prepared for this project. This study was prepared by Dana Bland and Associates, and is included as Attachment A. The study found that there are four primary habitat types within the project area. In summery, these are:

Coastal Scrub: The hillsides adjacent to Pigeon Point Road are dominated by thickets of coastal scrub vegetation. Plant species typical of the scrub habitat include coyote brush,

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 2

poison oak, and coffee berry. The scrub in the vicinity of the proposed parking lot also includes a small grove of Douglas fir and wax myrtle trees. The small drainage north of the parking lot is dominated by coastal scrub, although there are patches of willow. Special status plant species that may occur within the scrub habitat of the project area include Blasdales bent grass, coast lily, coast rock cress, Hickman's cinquefoil, and Michael's rein orchid. None of these special status species were observed in the proposed parking lot area. Special status animal species that may inhabit the coastal scrub area include nesting loggerhead shrike and San Francisco garter snake.

Grassland/Scrub Mosaic: A mosaic of scrub and grasslands occur in the project area. This mosaic is evident on the upper hillsides east of Pigeon Point Road and on hillsides west of the road. The proposed trail east of the road would traverse through this habitat type. The grassland/scrub mosaic is dominated by annual, non-native grasses, such as soft chess, Farmers foxtail, and wild oat. Small patches of native grasses, purple needlegrass and California oatgrass were observed in the uppermost areas. Shrubs of coyote brush and poison oak are scattered among the grassland plants. West of Pigeon Point Road, the grassland/scrub mosaic supports a higher percentage of native grasses, particularly purple needlegrass. This area also includes toyon, scattered Douglas fir and wax myrtle.

Sensitive plant species may occur in the grasslands at the project site, such as Gairdner's yampah, Hickman's cinquefoil, Point Reyes meadowfoam and white-rayed pentachaeta. None of these species have been documented in the proposed parking lot site, based on surveys conducted during preparation of the Cloverdale Ranch Conservation Plan.

Grasslands provide an important foraging resource for a wide variety of wildlife species. The grasses and forbs produce an abundance of seeds and attract numerous insects, providing food for granivorous and insectivorous wildlife. Sparrows, rabbits and rodents are commonly found in this habitat. Consequently, grasslands are valuable foraging sites for raptors such as hawks and owls, and other predators including coyote, fox, skunk and snakes. Special status wildlife species that may utilize the grasslands on the project site for portions of their life cycle include San Francisco garter snake (for winter hibernacula or for foraging), southwestern pond turtle (for nesting), and northern harrier.

Open Water Pond/Freshwater Marsh: The farm pond west of Pigeon Point Road supports an open water area and a fringe of freshwater marsh along the shoreline. Typical plant species include bulrush, umbrella sedge, willow and poison oak. The marsh transitions to coastal scrub and grassland/scrub mosaic. The presence of native wetland plants and open water increases the wildlife value of the marsh and ponds by providing cover, breeding sites and a food base of diversified aquatic invertebrate fauna, which forms a link in many food webs. Special status wildlife species that may utilize this freshwater marsh/ponds include California red-legged frog, southwestern pond turtle, and San Francisco garter snake. The northern harrier may also nest in and forage over the marshes.

Willow Thicket: The intermittent drainage occurring north of the proposed parking lot supports discontinuous patches of willow-dominated thickets. Arroyo willow is the dominant tree species, however there are scattered occurrences of red alder and wax myrtle.

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 3

Understory species are sparse and are plants typical of the adjacent coastal scrub, such as California blackberry and poison oak. The willow thickets and intermittent drainage provide food, cover, and seasonal water source for wildlife. Common wildlife species that are expected to inhabit the habitat include Pacific treefrog, western aquatic garter snake, Wilson's warbler, several swallows, and raccoon. Special status wildlife species that may utilize this willow area include California red-legged frog and San Francisco garter snake.

ANSWERS TO QUESTIONS

1. LAND SUITABILITY AND GEOLOGY

b. Will this project involve construction on slopes of 15% or greater?

Yes, Not Significant. The trail portion of the project will be on slopes of 15% or greater in some areas. However, the amount of exposed earth surfaces is negligible and the trail will be constructed in accordance with accepted erosion control standards.

e. Will this project involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?

Yes, Not Significant. According to the Soil Survey for San Mateo County, a portion of the project site contains Class 1 soils. The project site consists of a relatively steep hillside. Use of this site for row or field crops would be problematic. Both types of crops require tilling of the soil, which, given the slopes on the hillside, could cause significant amounts of erosion to occur. While this does not preclude use of the prime soils on the site for row or field crops, the applicant has no desire to remove the existing habitat on the site and engage in an activity which could be highly disruptive to plants and animals in the area. The project site has been used for grazing in the past and the construction of the project does not prevent future use of the site for grazing. The applicant could use a majority of the site for grazing by simply constructing a fence to keep cattle off the trail. It should be noted that no structures which could preclude future use of the site for agriculture are proposed as part of this project. This is not a significant impact.

f. Will this project cause erosion or siltation?

Yes, Significant Unless Mitigated. The project will involve the construction of a parking lot and trail. During, and immediately after grading, there will be some areas of exposed earth. If the project site should receive rain before ground cover can re-establish on the exposed surfaces, then the potential for erosion to occur does exist. This is a potentially significant impact if not mitigated. To mitigate this potential impact, the following mitigation measures are proposed:

Mitigation Measure 1: The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 4

drainage systems and water bodies by adhering to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
- b. Removing spoils promptly, and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
- c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to a local storm drain system or water body.
- d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

Mitigation Measure 2: The applicant shall implement the proposed revegetation/ erosion control plan as shown on the plans submitted on November 21, 2002. Said plan shall be implemented within 48 hours of the completion of the grading work.

- g. **Will this project result in damage to soil capability or loss of agricultural land?**

No. See question 1.e. above.

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

Yes, Not Significant. The proposed trail alignment will cross two erosion gullies and what appears to be a man-made drainage gully. None of these features represents a significant biological resource. At the two erosion gullies, the applicant is proposing to do some minor regrading to re-establish the natural slope. Standard erosion control measures will be implemented below the trail, to prevent the gully heads from creeping upslope. At the small drainage gully at Station 4+40, a 12" dia. pipe culvert will be placed in the gully to convey water under the trail. Addressing the on-going erosion problem at the two gullies will result in a positive outcome by reducing the amount of sediment moving down slope from these two locations.

2. VEGETATION AND WILDLIFE

- a. **Will this project affect federal or state listed rare or endangered species of plant life in the project area?**
- c. **Will 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?**

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 5

- f. **Will this project infringe on any sensitive habitats?**
- g. **Will this project 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?**

Yes, Significant Unless Mitigated. In response to Policy 7.5 of the County LCP, the applicant had a biological impact study prepared for this project. This study was prepared by Dana Bland & Associates and is included as Attachment A. The biological report states the following:

“No special status plant species have been documented in the area of the proposed parking lot or trail alignment, based on surveys conducted during preparation of the Conservation Plan, however, a potential exists for the species to occur within the grassland/scrub mosaic.

The proposed project may have potential direct impacts on special status wildlife (e.g., California red-legged frog, pond turtle, San Francisco garter snake, loggerhead shrike, northern harrier), if the species occur on the site at the time of construction. The following impacts are identified:

- Injury or crushing by heavy equipment of individual California red-legged frog, San Francisco garter snake or southwestern pond turtle, if they are present in the work area(s) during ground disturbance/grading activities.
- Injury or crushing of eggs or chicks of active loggerhead shrike or northern harrier nests, if present within coastal scrub or scrub/grassland mosaic in project work areas during construction.
- Abandonment of active loggerhead shrike or northern harrier nests, if present within coastal scrub or scrub/grassland mosaic adjacent to project work areas, due to disturbance from noise and dust during site grading.

Potential impacts on special status wildlife species are:

- Loss of a small amount of coastal scrub habitat (5,900 square feet) for potential hibernacula/foraging by San Francisco garter snake and potential nesting habitat for loggerhead shrike by construction of parking lot.
- Loss of a small amount of grassland/scrub mosaic (approx. 0.5 acre) for potential nesting/foraging habitat for northern harrier by construction of hiking trail.”

In April, 2001 the U.S. Fish and Wildlife Service designated critical habitat criteria for the frog, which is listed as a “threatened” species under the Endangered Species Act.

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 6

The Service has identified upland areas adjacent to essential aquatic habitat as critical to maintaining California red-legged frog populations. Essential upland habitat consists of all upland areas within 300 ft of the ordinary high-water mark of an adjacent aquatic habitat.

Essential dispersal habitat provides connectivity among breeding habitat (and associated upland) patches. While frogs can pass many obstacles, and do not require a particular type of habitat for dispersal, the habitat connecting essential breeding locations and other aquatic habitat must be free of barriers (e.g., a physical or biological feature that prevents frogs from dispersing beyond the feature) and at least 90 m (300 ft) wide. Essential dispersal habitat consists of all upland and wetland habitat free of barriers that connects two or more patches of essential breeding habitat within 2 km (1.25 miles) of one another. Dispersal barriers include heavily traveled roads (an average of 30 cars per hour from 10:00 p.m. to 4:00 a.m.) that possess no bridges or culverts; moderate to high density urban or industrial developments; and large reservoirs over 20 ha (50 ac) in size. Agricultural lands such as row crops, orchards, vineyards, and pastures do not constitute barriers to California red-legged frog dispersal.

The proposed parking lot sits to the south of a triangle composed of the pond on the west side of Pigeon Point Road and the two willow riparian areas to the north. The location of the proposed parking lot is 1000 feet west-northwest of the pond and approximately 600 feet south of the southern riparian area. The parking lot and trail alignment have been resited outside of this riparian area.

To address the above listed potential impacts, the biological report has proposed the following mitigation measures:

Mitigation Measure 3: A spring pre-construction survey shall be conducted along the trail alignment where the alignment traverses the grassland/scrub mosaic. The survey shall focus on the identification of any special status plant species, including Gairdner's yampah, Blasdales bent grass, coast lily, coast rock cress, Hickman's cinquefoil, Michael's rein orchid, Point Reyes meadowfoam and white-rayed pentachaeta. If such plants are observed, the trail shall be re-aligned to avoid impacts from trail construction; the trail should be setback at least 20 feet from the rare plant colony(s).

Mitigation Measure 4: Schedule grading and construction for late summer or early fall (August-September), when it is unlikely that California red-legged frogs will be in dry upland areas, and which is during the active season of the San Francisco garter snake making it likely that any snakes present could escape from construction activities, and to avoid potential disturbance of nesting loggerhead shrike and northern harrier. If this construction schedule is not practical due to other site/construction work activities, then implement the recommended bird surveys below:

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 7

- a. Survey the coastal scrub habitat within 0.25 mile of each work area to determine if loggerhead shrike are nesting in the scrub habitat. The surveys should be conducted within 14 days prior to construction. If active nests are found, postpone grading work until all young have fledged.
- b. Survey the grassland/scrub mosaic habitat within 0.25 mile of each work area to determine if northern harrier are nesting. Conduct the surveys within 14 days prior to construction. If active nests are found, postpone grading/heavy equipment work until all young have fledged.

Mitigation Measure 5: Use hand tools (e.g., chain saws) for the clearing of all vegetation within the project footprint, to remove cover and make the area less attractive to San Francisco garter snake.

Mitigation Measure 6: Have a biological monitor on site during all phases of the project prior to beginning work, about the potential presence of San Francisco garter snake and California red-legged frog, their protected status, and that if one is observed, all work in the immediate vicinity of the siting should cease until the animal leaves of its own accord.

Measure 7: Have a biological monitor on site during all phases of the project. If snakes/frogs are observed, work is to cease and USFWS should be contacted for advice on procedure.

Mitigation Measure 8: Post interpretive signs along the hiking trail or at the parking lot describing the sensitive wildlife species and its habitat, and stating that collecting or harassing the wildlife is prohibited. The posting of the signs shall be confirmed by Planning staff prior to a final sign off of the project.

Mitigation Measure 9: To avoid construction-related impacts to San Francisco garter snakes, fencing will be erected around the entire parking lot work area to completely exclude the animals. The work area must be completely enclosed by a snake-proof barrier so that snakes cannot enter from any side. The fencing will consist of 0.9 m. (0.56 feet) high, 0.31-centimeter (cm) (0.12 inches) mesh filter fabric or hardware cloth. The bottom of the fence will be buried to a depth of approximately 60 mm (2.36 inches). One-way funnel traps (which allow any snakes within the enclosed work area to escape) will be placed every 3.0 m (9.8 feet) along the fence. The funnels will be located close to the ground, with the 0.3 m (0.98 feet) opening tapering to 30 mm (1.18 inches). Once the fencing is installed, workers should clear off the vegetative cover within the fencing in 1.5 - 3.0 m (4.9 - 9.8 feet) wide strips by hand each day, or as necessary. Removal of fencing can commence after all construction is completed. Planning Staff shall confirm that the fencing has been erected prior to commencement of construction activities.

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 8

Mitigation Measure 10: POST shall facilitate discussion with San Mateo County to reduce the possibility of injury to San Francisco garter snake or California red-legged frogs on Pigeon Point Road in the vicinity of the parking lot. Measures recommended by the U.S. Fish and Wildlife Service are:

- Allow only local access on Pigeon Point Road north of the parking lot; or
- Install box culverts beneath Pigeon Point Road to allow for safe passage of animals.

3. **PHYSICAL RESOURCES**

b. **Will this project involve grading in excess of 150 cubic yards?**

Yes, Not Significant. Construction of the parking lot and the trail will involve a total of 983 cubic yards of cut and 924 cubic yards of fill. All proposed grading has been reviewed by the Department of Public Works and the Geotechnical Review Section and found to be in compliance with the County Grading Ordinance and accepted grading practices.

d. **Will this project affect any existing or potential agricultural uses?**

Please see Question 1.e. above.

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

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

Please see Question 1.f. above.

5. **TRANSPORTATION**

b. **Will this project cause a noticeable increase in pedestrian traffic or a change in pedestrian patterns?**

Yes, Not Significant. The project is a hiking trail. As such it will be introducing an unknown number of pedestrians into the area who would otherwise not be there. However, the hikers will not use Pigeon Point Road under the proposed project. As such, the project does not represent a significant impact to the transportation resources or safety of the area.

c. **Will this project result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?**

ANSWERS TO QUESTIONS

File No. PLN 2000-00225

Page 9

Yes, Not Significant. The proposed project is a new use in the area, which, by its very nature, will draw an unknown number of users. Currently, there is no land use along this portion of Pigeon Point Road which would entice a motorist to this area. The potential impact of increased vehicle trips upon the biological resources of the area was discussed above. This section focuses upon vehicular safety. While the project will increase the number of vehicle trips along this portion of Pigeon Point Road, it is not considered a significant impact. There are no other uses along this portion of the road which would be impacted by the increase, and the road has sufficient capacity to accommodate the increased numbers.

6. LAND USE AND GENERAL PLANS

- b. **Will this project result in the introduction of activities not currently found within the community?**

Yes, Not Significant. As stated above, the project is a new use in this area. While hiking trails do exist in other parts of the South County region, there are none in this specific area. However, given the innocuous nature of the use, this is not considered a significant impact. There is no reason to believe that this use – a hiking trail - will significantly conflict with existing land uses in the area.

7. AESTHETIC, CULTURAL AND HISTORIC

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

Yes, Not Significant. The entire project site is within the Cabrillo Highway State Scenic Corridor. The construction phase of this project will be highly visible from Cabrillo Highway, in particular the construction of the parking lot. Construction of the trail should be less intrusive since large earthmoving equipment will not be required. Once construction of the parking area has been completed, landscaping will be installed. The submitted landscape plan consists of approximately 170 shrubs which are native to the coastal area. These shrubs will grow quickly and should effectively screen the parking area within two growing seasons. The trail will be visible from certain spots on Cabrillo Highway. However, the proposed trail design is of minimal width and will run along the contours of the adjacent hillside as opposed to perpendicular to them. It should be noted that, in choosing a location for the proposed parking lot and trail, the applicant evaluated all of its property which fronts onto Pigeon Point Road. The applicant determined that the proposed location was the choice that would require the least amount of cutting into the adjacent hillside. As such, it represents the least visually disruptive option.

San Mateo County Planning Division
Department of Environmental Management
590 Hamilton Street
Redwood City, CA 94063
(650) 364-5600

BIOLOGICAL IMPACT FORM
For compliance with
Local Coastal Program Policy 7.5
San Mateo County

Filing Date _____
Public Hearing _____
Approval Date _____

1. **Project Location:** The Cloverdale Ranch property is located in the southern portion of coastal San Mateo County. The proposed project site is accessed from Pigeon Point Road, northeast of State Highway 1 (Figure 1). The property is located on the USGS Pigeon Point 7.5' topographic map.
2. **Assessor's Parcel Number and Any Applicable Planning Permit Numbers:**
APN #086-300-090, San Mateo County PLN 2000-00225
3. **Owner:** Peninsula Open Space Trust
Applicant: Jeff Powers

Address: 3393 Cloverdale Road
Pescadero, CA 94060

Phone: 650-879-3284
4. **Principal Investigators:** Kathleen Lyons, Plant Ecologist, Biotic Resources Group
Dana Bland, Wildlife Biologist, Dana Bland & Associates
5. **Report Summary:**

The habitat types at the project area consist of coastal scrub, grassland/scrub mosaic, willow thicket and open water pond/freshwater marsh, as depicted on Figure 1. The proposed coastal access trail and parking lot are proposed to be constructed in coastal scrub and grassland/scrub mosaic.

Special status plant species were not observed on the project site during the site reconnaissance survey, but may occur in the grassland/scrub habitat.

Special status wildlife species that occur in nearby similar habitat and may also occur on this site are: California red-legged frog, western pond turtle, San Francisco garter snake, northern harrier and loggerhead shrike. Potential impacts to these species, if they are present, include injury to individuals by construction equipment and loss of small amount of potential upland habitat for the San Francisco garter snake and pond turtle. POST consulted with the U.S. Fish and Wildlife Service regarding measure to avoid impacts to federally listed species. The Service recommended measures in a letter dated April 20, 2001, and these measures are included here.

Recommended mitigation (as described in Section 11) includes:

- scheduling grading and other ground construction during the late summer (e.g., August-September) which is the usual active season of the snake and the non-breeding season of the frog and birds;
- conducting pre-construction surveys to determine if any special status plant species are present in the project impact area(s);
- having a biological monitor on-site during all phases of construction;
- hand clearing of all vegetation within the project footprint; and
- installing an exclusion fence around the parking lot.

6. Project and Property Description:

The Cloverdale Ranch property is located in the southern portion of coastal San Mateo County. The project site is accessed from Pigeon Point Road, northeast of State Highway 1 (Figure 1). The proposed project consists of construction of an 8-car gravel parking lot on the east side of Pigeon Point road, and construction of a one-mile long dirt hiking trail from the parking lot to an overlook. The trail will be four feet wide and less than or equal to 5% grade along its entire length. A free-span bridge will cross a ravine. Current land use of the property includes undeveloped lands. Surrounding land uses include agriculture, rural residences, and Pigeon Point Lighthouse. The topography slopes upwards from the proposed parking lot to low hills (maximum elevation on the site is approximately 300 feet). The approximate locations of these features are shown on Figure 2.

Water resources on site consist of an unnamed intermittent creek, which flows roughly southwesterly and crosses under Pigeon Point Road via a culvert. A man-made pond is located on the west side of Pigeon Point Road approximately 250 feet west of the proposed parking lot.

7. Methodology:

Kathleen Lyons, plant ecologist with Biotic Resources Group, and Dana Bland, wildlife biologist with Dana Bland & Associates, conducted an assessment of the

biological resources at the proposed parking lot and hiking trail off Pigeon Point Road. A field survey was conducted on February 1, 2001 to document the existing biological resources on the site and evaluate potential impacts to sensitive resources from the proposed recreational uses.

Prior to conducting field surveys, a potential list of special status or sensitive species was prepared, utilizing species recognized by California Department of Fish and Game (CDFG 2000), US Fish and Wildlife Service (2000) and California Native Plant Society (CNPS 2000). A list of potential special status species on the site was prepared using the *California Native Plant Society (CNPS) Electronic Inventory*, *CNPS Inventory* (Skinner and Pavlik 1999), and *California Department of Fish and Game (CDFG) Rare Find Database* (2000). The major plant communities on the site, based on the classification system developed by CNDDDB's *California Terrestrial Natural Communities*, which follows the classification system in *A Manual of California* (Sawyer and Keeler-Wolf 1995), were identified during the field visits. The communities were demarcated onto the project site plan. The *Jepson Manual* (Hickman 1993) was the principal taxonomic references used for the botanical work.

8. Results:

The Cloverdale Ranch coastal access project area supports four primary habitat types as depicted on Figure 2. Each of these habitat types is described below.

Coastal Scrub. The hillsides adjacent to Pigeon Point Road are dominated by thickets of coastal scrub vegetation. Plant species typical of the scrub habitat include coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversilobum*), coffee berry (*Rhamnus californica*), California blackberry (*Rubus ursinus*), California bee plant (*Scrophularia californica*) and sticky monkey flower (*Mimulus aurantiacus*). Herbaceous plants were also observed, such as bracken fern (*Pteridium aquilinum*), Douglas iris (*Iris douglasiana*), California strawberry (*Fragaria californica*), wild cucumber (*Marah fabaceus*), soap plant (*Chlorogalum pomeridianum*) and common yarrow (*Achillea millefolium*). There are scattered occurrences of pampas grass (*Cortaderia jubata*), an invasive, non-native plant species, within the coastal scrub.

The scrub in the vicinity of the proposed parking lot also includes a small grove of Douglas fir (*Pseudotsuga menziesii*) and wax myrtle (*Myrica californica*) trees. Portions of the hillside appear to have been disturbed from historic land uses (i.e., possibly hillside farming and/or terracing), as evidenced by the occurrence of poison hemlock (*Conium maculatum*), an invasive, non-native plant species. The small drainage south of the parking lot is dominated by coastal scrub, although there are patches of willow (*Salix* sp.), as discussed below under Willow Riparian.

Special status plant species that may occur within the scrub habitat on the project area include Blasdales bent grass (*Agrostis blasdalei*), coast lily (*Lilium maritimum*),

coast rock cress (*Arabis blepharophylla*), Hickman's cinquefoil (*Potentilla hickmanii*), and Michael's rein orchid (*Piperia michaelii*). None of these species have been documented from the proposed parking lot site, based on surveys conducted during preparation of the Conservation Plan.

The berries of shrubs and the seeds of herbaceous plants in the coastal scrub habitat provide important forage for wildlife. Wildlife may perch on the outer perimeter of mixed scrub to take advantage of hunting opportunities in adjacent openings, and take cover in the denser shrub patches as needed. Common wildlife species found in coastal scrub include western fence lizard (*Sceloporus occidentalis*), California towhee (*Pipilo crissalis*), white-crowned sparrow (*Zonotrichia leucophrys*), and coyote (*Canis latrans*). Special status species that may inhabit coastal scrub include nesting loggerhead shrike (*Lanius ludovicianus*) and San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).

Grassland/Scrub Mosaic. A mosaic of scrub and grasslands occur in the project area. This mosaic is evident on the upper hillsides east of Pigeon Point Road and on hillsides west of the road. The proposed trail east of the road would traverse through this habitat type. The grassland/scrub mosaic is dominated by annual, non-native grasses, such as soft chess (*Bromus hordeaceus*), Farmers foxtail (*Hordeum leporinum*), wild oat (*Avena* sp.) and six-weeks fescue (*Vulpia bromoides*). Small patches of native grasses, purple needlegrass (*Nassella pulchra*) and California oatgrass (*Danthonia californica*), were observed in the uppermost areas. Intermixed amid the grasses were occurrences of cudweed (*Gnaphalium* sp.), dandelion (*Taraxacum officinale*), blue-eyed grass (*Sisyrinchium bellum*) and fiddle dock (*Rumex acetosella*). Shrubs of coyote brush and poison oak are scattered among the grassland plants.

West of Pigeon Point Road, the grassland/scrub mosaic supports a higher percentage of native grasses, particularly purple needlegrass. The scrub includes toyon (*Heteromeles arbutifolia*), scattered Douglas fir and wax myrtle.

Sensitive plant species may occur in the grasslands at the project site, such as Gairdner's yampah (*Perideridia gairdneri* ssp. *gairdneri*), Hickman's cinquefoil, Point Reyes meadowfoam (*Limnanthes douglasii* ssp. *sulphurea*) and white-rayed pentachaeta (*Pentachaeta bellidiflora*). None of these species have been documented from the proposed parking lot site, based on surveys conducted during preparation of the Cloverdale Ranch Conservation Plan.

Grasslands provide an important foraging resource for a wide variety of wildlife species. The grasses and forbs produce an abundance of seeds and attract numerous insects, providing food for granivorous and insectivorous wildlife. Sparrows, rabbits and rodents are commonly found in this habitat. Consequently, grasslands are valuable foraging sites for raptors such as hawks and owls, and other predators including coyote, fox, skunk and snakes. Aerial foraging species

that occur over grasslands include bats and swallows. Common wildlife species that utilize grassland habitat on the central California coast include western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*), house finch (*Carpodacus mexicanus*), western meadowlark (*Sturnella neglecta*), cliff swallow (*Hirundo pyrrhonota*), red-tailed hawk (*Buteo jamaicensis*), California ground squirrel (*Spermophilus beecheyi*), and Botta's pocket gopher (*Thomomys bottae*). Special status wildlife species that may utilize the grasslands on the project site for portions of their life cycle include San Francisco garter snake (for winter hibernacula or for foraging), southwestern pond turtle (for nesting), and northern harrier (*Circus cyaneus*).

Open Water Pond/Freshwater Marsh. The farm pond west of Pigeon Point Road supports an open water area and a fringe of freshwater marsh along the shoreline. Typical plant species include bulrush (*Scirpus* sp.), umbrella sedge (*Cyperus eragrostis*), willow (*Salix lasiolepis*) and poison oak. The marsh transitions to coastal scrub and grassland/scrub mosaic.

The presence of native wetland plants and open water increases the wildlife value of the marsh and ponds by providing cover, breeding sites and a food base of diversified aquatic invertebrate fauna, which forms a link in many food webs. Common wildlife species that utilize freshwater marsh habitat on the central California coast include Pacific tree frog (*Hyla regilla*), western toad (*Bufo boreas*), western aquatic garter snake (*Thamnophis couchii*), mallard (*Anas platyrhynchos*), ruddy duck (*Oxyura jamaicensis*), red-winged blackbird (*Agelaius phoeniceus*), black phoebe (*Sayornis* sp.), cliff swallow (*Hirundo pyrrhonota*), raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), and several species of bats. Special status wildlife species that may utilize this freshwater marsh/ponds include California red-legged frog (*Rana aurora draytonii*), southwestern pond turtle (*Clemmys marmorata pallida*), and San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). The northern harrier (*Circus cyaneus*) may also nest in and forage over the marshes.

Willow Thicket. The intermittent drainage occurring south of the proposed parking lot supports discontinuous patches of willow-dominated thickets. Arroyo willow (*Salix lasiolepis*) is the dominant tree species, however there are scattered occurrences of red alder (*Alnus rubra*) and wax myrtle. Understory species are sparse and are plants typical of the adjacent coastal scrub, such as California blackberry and poison oak.

The willow thickets and intermittent drainage provide food, cover, and seasonal water source for wildlife. Common wildlife species that are expected to inhabit the habitat include Pacific treefrog (*Hyla regilla*), western aquatic garter snake (*Thamnophis couchii*), Wilson's warbler (*Wilsonia pusilla*), several swallows, and raccoon (*Procyon lotor*). Special status wildlife species that may utilize this

willow area include California red-legged frog (*Rana aurora draytonii*), and San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).

Special Status Wildlife Species. A brief description of special status wildlife species that may occur on the project site is given below.

The California red-legged frog (*Rana aurora draytonii*) is a Federally listed threatened species and a CDFG Species of Special Concern. This species is found in quiet pools along streams, in marshes, and ponds. Red-legged frogs are closely tied to aquatic environments, and when using streams, favor areas with water at least 0.7 meters deep, a largely intact emergent or shoreline vegetation, and a lack of introduced bullfrogs and non-native fishes. This species' breeding season spans January to April on the central coast (Stebbins 1985). Females deposit large egg masses on submerged vegetation at or near the surface. Embryonic stages require a salinity of ≤ 4.5 parts per thousand (Jennings and Hayes 1994). Recent studies have shown that although only a small percentage of red-legged frogs from a pond population disperse, they are capable of moving distances of up to 2 miles (Bulger 1999). Much of its habitat has undergone significant alterations in recent years, leading to extirpation of many populations. Other factors contributing to its decline include its former exploitation as food, water pollution, and predation and competition by the introduced bullfrog and green sunfish (Moyle 1973, Hayes and Jennings 1988). There are several known locations of California red-legged frogs on the Cloverdale Ranch, east of the project site (Cloverdale Ranch Conservation Plan), and the pond west of the project site provides suitable habitat for this species. The USFWS developed a protocol survey for red-legged frogs, which calls for two daytime and two nighttime surveys between May 1 and November 1. Since the site assessment was conducted in February, we did not conduct the protocol surveys. However, since suitable habitat exists for this frog at the farm pond west of Pigeon Point Road, and because they are known to occur in many other ponds nearby, it is likely that California red-legged frogs inhabit this farm pond.

The San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) is both State and Federally listed as an endangered species. This snake inhabits coastal scrub, grasslands and coastal prairie, usually within 500 feet of marshes, ponds, streams and drainage canals. They are capable of long-distance dispersal between ponds. San Francisco garter snakes hibernate in burrows in upland habitat during the winter months, and prefer a mix of coyote bush, blackberry, and grasses. During the summer active season, this snake utilizes permanent water sources (usually ponds) typically with emergent vegetation such as cattail and bulrush. They also utilize burrows in upland habitat during the summer for cover and escape. The primary prey of adult snakes is California red-legged frog, and juvenile snakes feed primarily on Pacific treefrogs. San Francisco garter snake are known to inhabit Gazos Creek approximately 2 miles south of the project site (CNDDDB 2000) as well as other ponds on Cloverdale Ranch east of the project site

(Cloverdale Ranch Conservation Plan). The farm pond on the west side of Pigeon Point Road provides suitable habitat for this snake.

The western pond turtle (*Clemmys marmorata*) is a CDFG Species of Special Concern. This aquatic turtle inhabits ponds, lakes, streams, marshes, and other permanent waters located in woodland, grassland, and open forests below 6,000 ft (Stebbins 1985). Pond turtles can often be seen basking in the sun on partially submerged logs, rocks, mats of floating vegetation or mud banks. During extremely cold weather, they hibernate in bottom mud. The diet of these turtles consists of aquatic vegetation, insects, fish, worms, and carrion (Jennings and Hayes 1994). Females dig soil nests in or near stream banks, and can travel some distance from streams to seek suitable nesting habitat (Jerry Smith, pers. comm.). Suitable nesting habitat is bare soil or sparsely vegetated grasslands with a south or southwestern exposure (Jerry Smith, pers. comm., Rathbun et al. 1992). Pond turtles avoid irrigated areas for nesting (Jerry Smith, pers. comm.). Pond turtles have been tracked with radio transmitters and found to move up to 1 km within their stream (Rathbun et al. 1992). On the central coast, June is the beginning of egg laying season for turtles (Jerry Smith, pers. comm.). One factor in the decline of this species is the introduction of non-native fish which prey on hatchlings and juveniles. Pond turtles are known to inhabit Gazos Creek, 2 miles south of the project site, as well as other ponds on Cloverdale Ranch east of the site (Cloverdale Ranch Conservation Plan). The farm pond west of Pigeon Point Road provides suitable habitat for pond turtles, and the adjacent grasslands provide suitable nesting habitat.

The northern harrier is a State Species of Special Concern. This bird is an uncommon permanent resident in open grasslands, marshy areas, and edges of estuaries (Roberson and Tenney 1993). Nesting begins in late March with young fledged during June and July. They build nests of sticks and grass on the ground hidden by tall grass or reeds. Harriers hunt a wide variety of prey, including other birds and small mammals. Primary threats to this species include loss of habitat, egg predation by non-native red fox, and poisoning by rodenticides and pesticides (Roberson and Tenney 1993). A pair of northern harriers were observed during the site assessment calling and displaying over the grassland along the southern portion of the proposed hiking trail. The grasslands in the project area provide suitable nesting and foraging habitat for this species.

The loggerhead shrike is a Federal and State species of special concern. Common residents of lowlands and foothills, this species prefers open habitats with scattered shrubs, trees, fences, or other lookout posts. Loggerhead shrikes occur only rarely in heavily urbanized areas. They hunt insects, snakes, small birds, and rodents that they often impale on thorns or barbed wire to hold it while they eat. Eggs are laid from March to May, with a clutch size of 4-7 eggs, in shrubs and trees with dense vegetation for concealment. The breeding season along the central coast spans April to late July (Suddjian 1990). Suitable breeding habitat

exists in the dense shrubs of the coastal scrub habitat and suitable foraging habitat exists in the adjacent grasslands at the project site.

9. Direct and Indirect Impacts to Biological Habitats:

The project does not propose to impact any water resources; no work will be conducted in or near the farm pond on the west side of Pigeon Point Road, nor in the intermittent creek. The proposed parking lot and trail are not expected to significantly impact sensitive botanical resources as all construction areas are vegetated with common and widespread plant species.

The project applicant's intention to restore and manage the adjacent natural resources on the site (e.g., removal of invasive non-native plant species) is a beneficial impact to the project's biological habitats and potentially occurring special status species. Resource management and enhancement measures identified in the Cloverdale Ranch Conservation Plan include the removal of invasive, non-native plant species, restoration of native grassland and management of new and existing grassland. The applicant also proposes to utilize only native plants for landscaping (as well as for habitat restoration); this practice will be a beneficial impact to the native plant communities on the site.

The proposed parking lot and hiking trail are not expected to significantly impact wildlife movement because of the relatively open undeveloped areas surrounding it provide adequate alternative routes for wildlife movement. The proposed parking lot will be located approximately 250 feet from the farm pond, and a free-span bridge is proposed for the portion of the trail crossing the intermittent drainage, thereby avoiding significant impacts to wildlife utilization of these habitats.

10. Impacts To Special Status Species:

No special status plant species have been documented from the proposed parking lot or trail alignment, based on surveys conducted during preparation of the Conservation Plan, however, a potential exists for the species to occur within the grassland/scrub mosaic.

The proposed project may have potential direct impacts on special status wildlife (e.g., California red-legged frog, pond turtle, San Francisco garter snake, loggerhead shrike, northern harrier), if the species occur on the site. The following impacts are identified:

- Injury or crushing by heavy equipment of individual California red-legged frog, San Francisco garter snake or southwestern pond turtle, if they are present in the work area(s) during ground disturbance/grading activities.
- Injury or crushing of eggs or chicks of active loggerhead shrike or northern harrier nests, if present within coastal scrub or scrub/grassland mosaic in project work areas during construction.
- Abandonment of active loggerhead shrike or northern harrier nests, if present within coastal scrub or scrub/grassland mosaic adjacent to project work areas, due to disturbance from noise and dust during site grading.

Potential indirect impacts on special status wildlife species are:

- Loss of small amount of coastal scrub habitat (5,900 square feet) for potential hibernacula/foraging by San Francisco garter snake and potential nesting habitat for loggerhead shrike by construction of parking lot.
- Loss of small amount of grassland/scrub mosaic (approx. 0.5 acre) for potential nesting/foraging habitat for northern harrier by construction of hiking trail.

The minor loss of potential habitat for wildlife is not considered significant because of the surrounding suitable habitat remaining, and because much of the surrounding habitat is Cloverdale Coastal Ranch, protecting it from urban development. Passive recreational use of the area as a hiking trail is not considered a significant impact to wildlife.

11. Mitigation Measures:

The following mitigation measures are identified to reduce impacts to plants and wildlife to a less than significant level. The measures apply to construction activities for the parking lot and hiking trail.

- A spring pre-construction survey shall be conducted along the trail alignment where the alignment traverses the grassland/scrub mosaic. The survey shall focus on the identification of any special status plant species, including Gairdner's yampah, Blasdales bent grass, coast lily, coast rock cress, Hickman's cinquefoil, Michael's rein orchid, Hickman's cinquefoil, Point Reyes meadowfoam and white-rayed pentachaeta. If such plants are observed, the trail shall be re-aligned to avoid impacts from trail construction; the trail should be setback at least 20 feet from the rare plant colony(s).
- Schedule grading and construction for late summer or early fall (August-September), when it is unlikely to find California red-legged frogs in dry upland areas, and which is during the active season of the San Francisco garter snake making it likely that any snakes present could escape from construction activities, and to avoid potential disturbance of nesting loggerhead shrike and northern harrier. If this construction schedule is not practical due to other site/construction work activities, then implement the recommended bird surveys below:

- Survey the coastal scrub habitat within 0.25 mile of each work area to determine if loggerhead shrike are nesting in the scrub habitat. The surveys should be conducted within 30 days prior to construction. If active nests are found, postpone grading work until all young have fledged.
- Survey the grassland/scrub mosaic habitat within 0.25 mile of each work area to determine if northern harrier are nesting. Conduct the surveys within 30 days prior to construction. If active nests are found, postpone grading/heavy equipment work until all young have fledged.
- Use hand tools (e.g., chain saws) for the clearing of all vegetation within the project footprint, to remove cover and make the area less attractive to San Francisco garter snake
- Have a biological monitor inform construction personnel prior to beginning work, about the potential presence of San Francisco garter snake and California red-legged frog, their protected status, and that if one is observed, all work in the immediate vicinity of the siting should cease until the animal leaves of its own accord.
- Have a biological monitor on site during all phases of the project. If snakes/frogs are observed, work is to cease and USFWS should be contacted for advice on procedure.
- Post interpretive signs along the hiking trail or at the parking lot describing the sensitive wildlife species and its habitat, and stating that collecting or harassing the wildlife is prohibited.
- Install an exclusion fence around the parking lot to reduce the potential for San Francisco garter snake to enter the area.
- POST shall facilitate discussion with San Mateo County to reduce the possibility of injury to San Francisco garter snake or California red-legged frogs on Pigeon Point Road in the vicinity of the parking lot. Measures recommended by the U.S. Fish and Wildlife Service are:
 - Allow only local access on Pigeon Point Road north of the parking lot; or
 - Install box culverts beneath Pigeon Point Road to allow for safe passage of animals.

12. **CERTIFICATION:** I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation to the best of my ability, and that the fact, statements and information presented are true and correct to the best of my knowledge and belief.

DATE: May 30, 2001

SIGNED: 
 Dana Bland, Dana Bland & Assoc.

Mike Schaller - Post Trail Appeal

From: George Cattermole <georgecattermole@earthlink.net>
To: <mschaller@co.sanmateo.ca.us>
Date: 4/7/2003 8:20 PM
Subject: Post Trail Appeal

From: George Cattermole <georgecattermole@earthlink.net>
Date: Thu Mar 20, 2003 06:36:13 AM US/Pacific
To: mshaller@co.sanmateo.ca.us
Subject: POST'S PROPOSED TRIAL

Dear Mike,

I would like to appeal the County's approval of item (File No. PLN2000-00225) - POST's parking lot and trail proposal, The immediate and cumulative impacts of the project on farmland and endangered species habitat present throughout the site are still unknown. POST's revised maps are impossible to read and so I'm not sure exactly where they have moved the parking lot and trail.

At least two crucial issues remain unresolved:

1) Whether or not Fish and Wildlife's suggestions for mitigating the negative effects of the project on the California Red-Legged Frog and the San Francisco Garter Snake will be followed by POST and if not, why not?

2) It is my understanding that there is at least prima facie evidence that this trail may be part of a larger recreational project and if so, CEQUA requires that it be considered as such and the future impacts be considered, e.g., an eight car trail connected to a future hundred car trail will have far more negative impact on the species there. As I mentioned to you, there are measures POST can take to address this issue which would guarantee their species-friendly intentions while not completely preventing them from modifying/expanding this project at a future date.

I am very gratified that POST has agreed to move the trail and that the County has revised it's negative declaration to reflect the real status of the species there. Many thanks for you work on this Mike. Could you please call 650 726 9590 to let me know you have received this?

Sincerely, George Cattermole