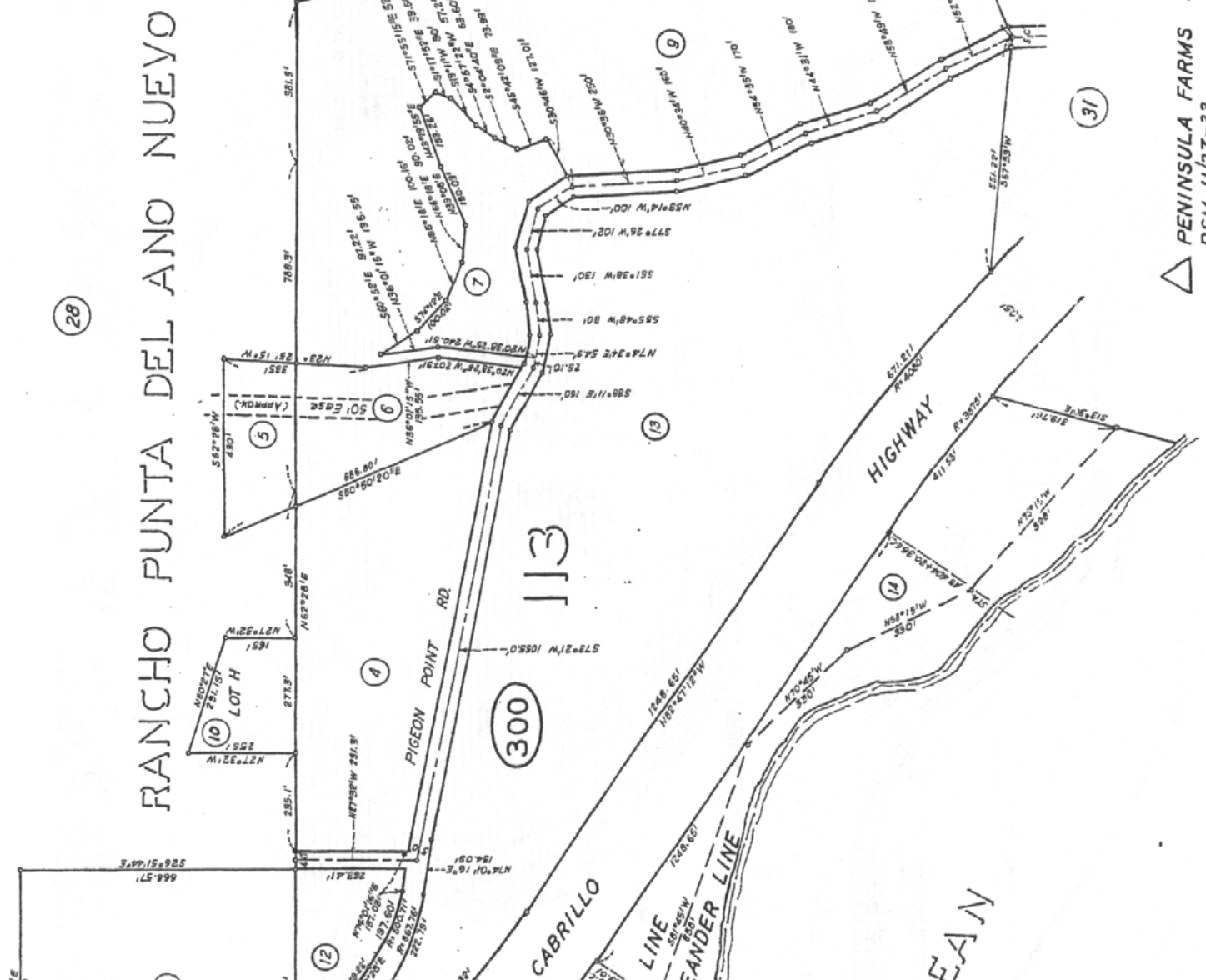
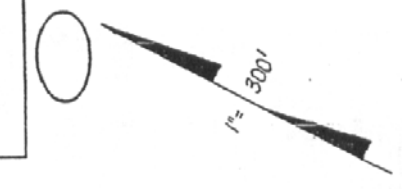


86-30

TAX CODE AREA



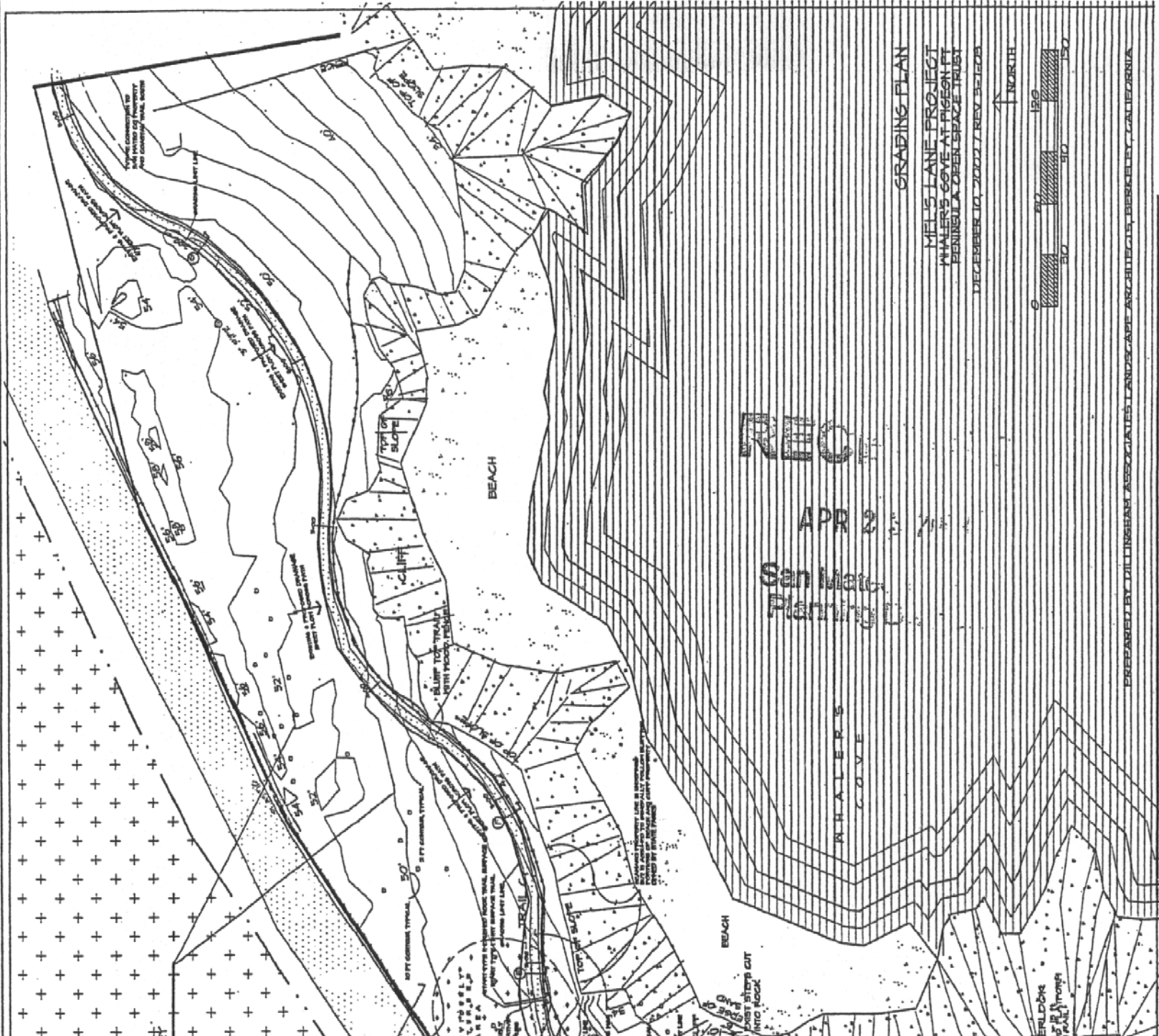
△ PENINSULA FARMS SUB. NO. 2 PTN. OF-
RSM 11/27-33

LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT

SSOR'S MAP COUNTY OF SAN MATEO, CALIF.

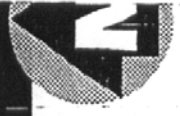
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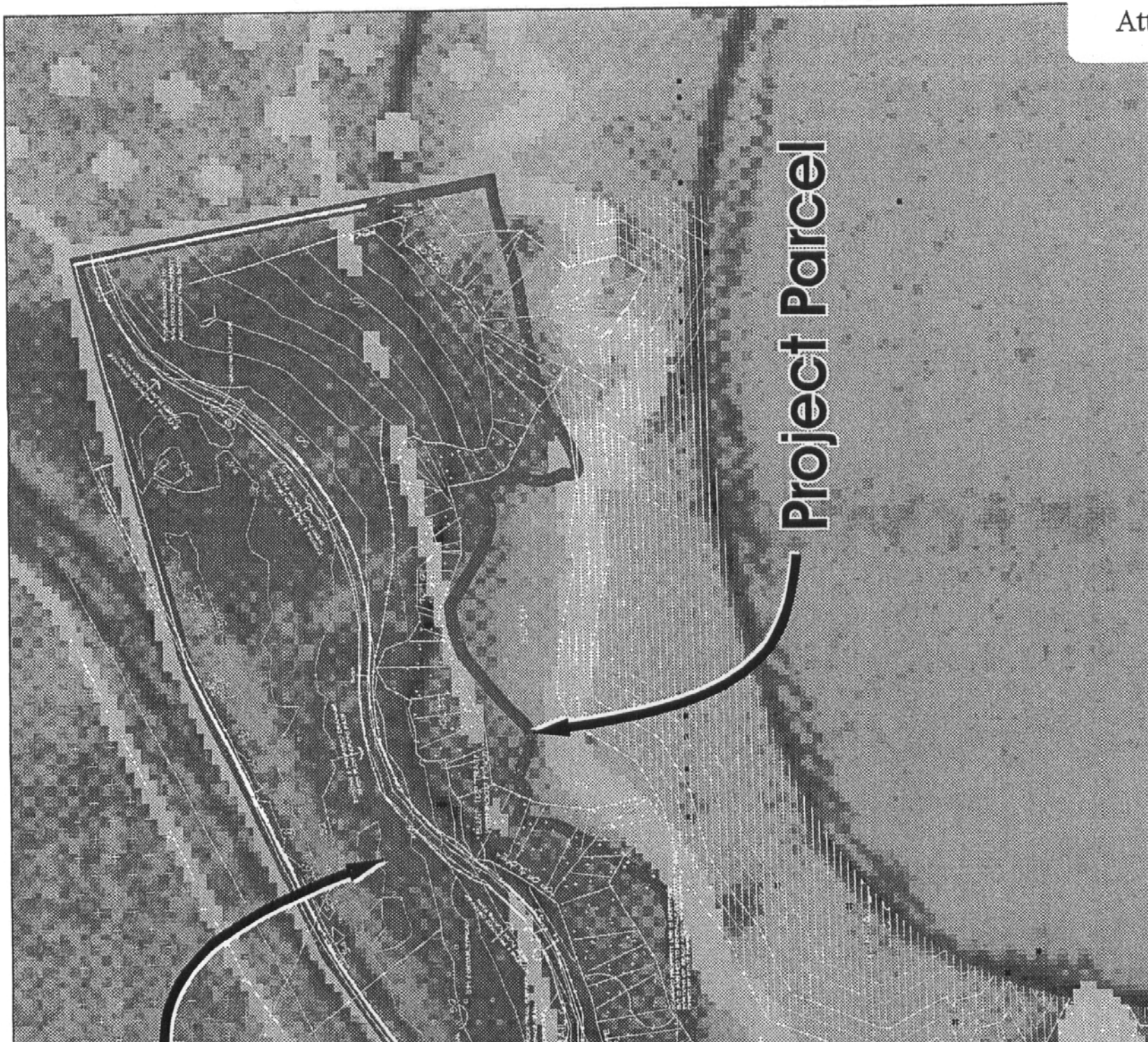
Attachment:



Public Hearing

Attachment:





Project Parcel

ors Meeting

Attachment:



Attachment D

Scrub
Scrub

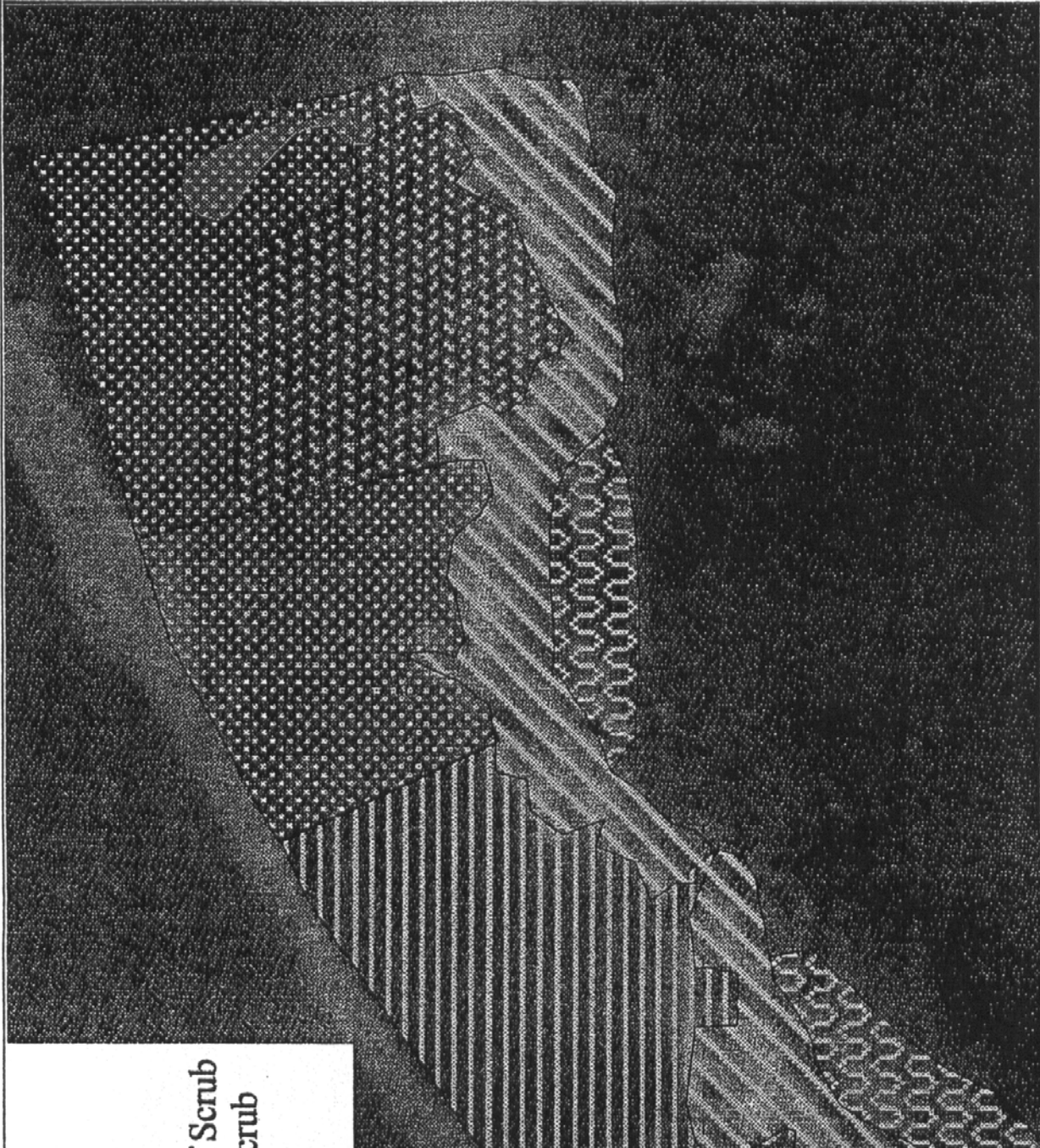


Figure 4
Vegetation Types on the Whaler's Cove Property
August 2002

LSA

Attachment E

isors Meeting

Attachment:



Application for Appeal**Planning and Building Division**County Government Center • 590 Hamilton St. • Redwood City CA 94063
Mail Drop PLN 122 • 415 • 363 • 4161☐ To the Planning Commission☒ To the Board of Supervisors**1. Appellant Information**Name: Ron SturgeonAddress: P.O. Box 36
San Gregorio
CA Zip: 94074Phone, W: H: 415-515-2489**2. Appeal Information**

Permit Numbers involved:

PLN 2002-00675

I hereby appeal the decision of the:

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

made on Feb 23 2005 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:

Ron SturgeonDate: 3/14/05

March 11, 2005

San Mateo County Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94063

Dear President Wong, Members of the Commission:

Subject: File Number PLN2002 – 00675 (Peninsula Open Space Trust)
Location: 921 Pigeon Point Road, Pescadero
APN: 086-300-160

The Planning Commission's February 23, 2000 approval of the proposed project has been appealed to the Board of Supervisors. The Commission's decision to allow this project to go forward is inconsistent with the San Mateo County LCP [in particular policies 5.8(1)(c), 5.10(4), 7.3, 7.5(a), 7.22 and 8.4(b)] and CEQA. The Agricultural Advisory Committee identified potential impacts of the proposed project that were adverse to agricultural uses on adjacent prime soils (see the attached 12/9/04 communication from POST to Planning Staff included in the project file) – that the identified impacts are both adverse and significant under CEQA is also established by the Commission's rewriting of "Condition 15" so as to require consultation by the applicant as to possible mitigation of the "potential conflicts between public access and adjacent agricultural operations for the subject parcel(s) and future trail development" **and** that the results of this "coordinated meeting" must be reported back to the Commission "**prior to the final building inspection and opening of the subject trails/kiosk project**".

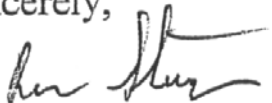
It is settled law that decision makers *must know* the environmental ramifications of a proposed project before it can legally be given a "go ahead" to proceed – agreement on the mitigation of identified significant environmental impacts *must precede approval of the project and/or the final adoption of a (mitigated) negative declaration*. Unlike myself, the Commission was

The Applicant's conveyance of the property prior to the hearing served to preclude the Commission from entertaining the Ag. Committee's recommendation for the inclusion of a straight forward "deed restriction" as a condition of approval of the project in remediation of its foreseeable impacts on the agricultural productivity of adjacent lands. The Commission's conclusion that POST will now voluntarily seek to somehow otherwise effect the sum and substance of the circumvented recommendation, and that its trust in POST complies with the demands of CEQA are in error.

The fact that the project was a proposal by a private entity to construct recreational amenities on lands held in public trust was omitted entirely from the environmental analysis of the impacts of the project. The *Negative Declaration* is silent as to the potential adverse impacts associated with the project's direct facilitation of a potentially dramatic increase in public access to the site's shoreline and intertidal natural resources – specifically listed in the LCP as an important ("sensitive") marine habitat area. Additionally, the project proposes frivolous bluff top recreational development that will be "visually obtrusive when viewed from the shoreline".

Because the project as approved has both unanalyzed and unmitigated significant direct, indirect and cumulative adverse environmental impacts to the agricultural, natural and visual resources of the project area its approval is appealed to the Board of Supervisors for appropriate review.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Sturgeon", written over a horizontal line.

Ron Sturgeon

From: "Jeffrey Powers" <jpowers@openspacetrust.org>
To: "Olivia Boo" <OBoo@co.sanmateo.ca.us>
Date: 12/9/2004 11:47:58 AM
Subject: Trails Ag Committee issues

Hi Olivia,

I'm having problems with my e-mail and am not sure you got this message I sent earlier this morning - when you receive this please just reply quickly to say you have it - Thanks.

Here's a summary of the current situation with the Ag Advisory Committee:

* They met in October and were in general agreement with the project with the exception of one item. Committee members were unanimous that a deed restriction be included that would allow for the trails at Mel's Lane Trail Project to be closed when the adjacent farm fields on Lighthouse Ranch are sprayed with hazardous chemicals. I told them that POST would be agree to have this included as a condition of the permit, as we agreed to for Wilbur's Watch, but it would be problematic to include any changes to the deed given our intention to transfer this property to State Parks early next year. They were not swayed by this in the least and will be recommending the deed restriction be put in place as part of our Planning Commission hearing and approval process.

* However, State Parks would be totally willing to put an interagency agreement in place with the county whereby Parks would close the trail whenever necessary to accommodate spraying. This could be a recorded doc. Given all of the conditions that would need to be included on notification

02TC 0353000 2BBA
WHEN RECORDED MAIL TO

STATE OF CALIFORNIA
Department of Parks and Recreation
Office of Acquisition and Real Property Services
1 Capitol Mall, Suite 500
Sacramento, CA 95814

2005-025035

OLD REPUBLIC TITLE COMPANY
08:00am 02/16/05 ES Fee: NO FEE

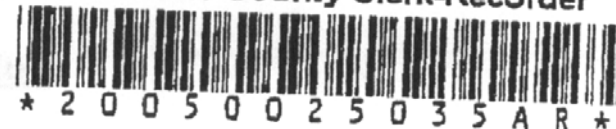
Count of pages 14

Recorded in Official Records

County of San Mateo

Warren Slocum

Assessor-County Clerk-Recorder



OFFICIAL STATE BUSINESS - EXEMPT FROM RECORDING FEES
PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY
TRANSFER TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.

to transfer tax - easement

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

Agency: Department of Parks and Recreation
Project: Pigeon Point Light Station SHP/Pigeon Point Properties
Parcel(s): Parcels A44101,02, 03 DGS Parcel # 10183

APN(S): 086-260-100 (portion), 086-280-100 (portion), 086-300-100 (portion), 086-300-160 County of San Mateo

PENINSULA OPEN SPACE TRUST, a California nonprofit public benefit corporation

hereby GRANTS to THE STATE OF CALIFORNIA the following described real property situated in the State of California, County of San Mateo:

See Exhibit "A"
consisting of six (6) pages attached hereto
and by this reference made a part hereof.

The foregoing grant is made subject to the reservation of the Public Trail Easement set forth on Exhibit B, consisting of six (6) pages attached hereto and incorporated herein by this reference.

EXHIBIT B

Public Trail Easement

1. **Easement.** Grantor hereby reserves unto itself and its heirs, successors and assigns, a non-exclusive easement (the "Public Trail Easement") encumbering the property described on Schedule 1 attached hereto (the "Easement Area") to construct, use, allow for the public use of, operate, maintain, repair, replace and remove a network of public trails and related improvements, including, without limitation, the improvements described in Paragraph 3 below (the "Trail Improvements").

2. **Construction Permit.** Grantee shall provide Grantor a construction permit for the purposes of constructing the Trail Improvements as described below. Upon completion of construction of the Trail Improvements, Grantor agrees to restore impacted areas outside of the Easement Area to their pre-construction condition.

3. **Trail Improvements.** The Trail Improvements are as follows:

(a) Public trails, pathways and walkways identified as Trails 1 through 5 on Schedule 1 attached hereto (collectively, the "Trails"), which trails may include both paved and unpaved pathways.

(b) A recessed circular bench or similar structure for the purpose of recognizing individuals and entities that have made donations or other contributions to Grantor, located within the circular area labeled as Trail 5 on Schedule 1 attached hereto.

(c) Benches and other seating throughout the Trails.

**COUNTY OF SAN MATEO
ENVIRONMENTAL SERVICES AGENCY
PLANNING AND BUILDING DIVISION**

DATE: February 23, 2005

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of: (1) a Planned Agricultural District Permit, a Coastal Development Permit, and Grading Exemption pursuant to Sections 6353, 6328.4, and 8603.1, respectively, of the San Mateo County Zoning Regulations; and (2) certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to improve a 2.79-acre parcel with four walking trails, information kiosk, a proposed seating area and an overlook deck. The project location is adjacent to the Pigeon Point lighthouse, west of Cabrillo Highway in the unincorporated Pescadero area of San Mateo County. The project is appealable to the California Coastal Commission.

County File No.: PLN 2002-00675 (Peninsula Open Space Trust)

PROPOSAL

The applicants propose to improve a 2.79-acre parcel with four walking trails, varying in length from 80 feet to 720 feet, an information kiosk (measuring approximately 4 ft. x 6 ft. and 10 feet high), a proposed seating area (approximately 20 feet in diameter, paved with crushed rock) and

BACKGROUND

Report Prepared By: Olivia Sun Boo, Project Planner, Telephone 650/363-1852

Applicants/Owners: POST (Peninsula Open Space Trust)

Location: The project location is adjacent to the Pigeon Point lighthouse, west of the Cabrillo Highway public right-of-way, in the unincorporated Pescadero area of San Mateo County

APN: 086-300-160

Parcel Size: 2.79 acres

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

General Plan Designation: Agriculture

Existing Land Use: Undeveloped open space covered with cover crop, coastal bluff scrub, non-native grasslands, wildlife habitat and a very small area of wetland area located on the east edge of the property.

Water Supply/Sewage Disposal: N/A

Flood Zone: FEMA Flood Zone C, area of minimal flooding, Community-Panel No. 060311 0400 B, effective date: July 5, 1984

Environmental Evaluation: An Initial Study and Negative Declaration were prepared for this project. The public review and comments period began February 1, 2005 and ended February 22, 2005

The property is surrounded to the east by open space owned by San Mateo County; to the west by the Pigeon Point Lighthouse and youth hostel (owned by the US Coast Guard and leased to California State Parks); to the south by property owned by California State Parks that covers portions of the beach and cliffs; and to the north by Pigeon Point Road and agricultural fields.

Chronology:

<u>Date</u>	<u>Action</u>
November 7, 2002	- Received proposed trail application.
December 23, 2003	- Staff site inspection completed.
November 8, 2004	- Agricultural Advisory Board reviewed the proposed project and made recommendations that are noted in this report under Section D.
February 1, 2005	- Initial Study and Negative Declaration posted. Public review and comment period ended February 22, 2005.
February 22, 2005	- End of public review and comments period for the environmental review. No comments were received as of the writing of this staff report. Any comments received will be discussed at the public hearing.
February 23, 2005	- Planning Commission Public Hearing.

DISCUSSION

Policy 1.24 (*Protect Vegetative Resources*) requires that development will minimize the removal of vegetation, reduce surface water runoff, erosion and sedimentation.

The following plants: the San Francisco Gumplant, Monterey Indian Paintbrush and Beach Strawberry were observed on the property. However, no impacts to potential suitable habitats in the vicinity of the site are expected to occur as a result of the proposed project. To ensure any potential impacts are minimized and mitigated, staff has included mitigation measures noted under Condition Nos. 9, 10, and 11 in Attachment A.

The project has been conditioned to require erosion and sediment controls to be in place during the construction phases of the project, see Condition No. 6.

Chapter 2 – Soil Resources

Policy 2.20 (*Regulate Location and Design of Development in Areas with Productive Soil Resources*) regulates the location of any new development such that the productive soils on the parcel are protected. Although the proposed trails will be located on prime soils, staff believes the trails will be minimally intrusive. Additionally, shoreline access trails are a permitted use in the Planning Agricultural District (PAD) district upon issuance of a PAD permit.

Chapter 4 – Visual Quality

Policy 4.14 (*Appearance of New Development*) regulates the development to promote good design, site relationships and other aesthetic considerations and Policy 4.21 (*Scenic Corridors*) protects and enhances the visual quality of development located within designated scenic corridors. Although the subject parcel is located within the Cabrillo Highway State Scenic Corridor, the highway is located at a higher elevation than the subject parcel. The proposed kiosk and stone bench will be located over 700 feet west of Cabrillo Highway and will be minimally visible from the highway. Staff believes the trails

the research revealed no recorded sites on the proposed project area. Although no prehistoric resources were observed, there is a possibility that resources may be encountered specifically within locations containing dark-brown soils. Therefore, it is recommended that the project require a qualified archaeologist monitor construction activities into native soils for the proposed project. In the event that evidence is uncovered or encountered during construction, the project includes Condition No. 7 to halt all excavations of the site within 30 feet and retain an archaeologist to investigate the findings as well as informing the County.

Chapter 9 – Rural Land Use

Policy 9.30 (*Development Standards to Minimize Land Use Conflicts with Agriculture*) regulates development in order to protect and enhance any existing or potential uses of the land for agricultural purposes. The project parcel does include prime soils as noted on Attachment D. However, the trails will have minimal intrusion and trails are a permitted use in the Planned Agriculture District.

2. Conformance with the Local Coastal Program (LCP)

Staff has determined that the proposed development conforms to all applicable Local Coastal Program Policies with specific discussion of the following:

a. Compliance with the Protection of Archaeological/Paleontological Resources

Policy 1.24 (*Protection of Archaeological/Paleontological Resources*) discusses protecting any archaeological resources on development sites from any proposed development. See staff's response to General Plan Policy 5.20.

b. Compliance with Agriculture Component

The project site also meets the “*Definition of Lands Suitable for Agriculture*” as defined by Policy 5.3, lands in which existing or potential agricultural use is feasible, including dry farming, animal grazing, and timber harvesting.

Policy 5.8 (*Conversion of Prime Agricultural Land Designated as Agriculture*):

- (1) Prohibits the conversion of prime agricultural land within a parcel to a conditionally permitted use unless it can be demonstrated under the following:

- (a) No alternative site exists on the parcel for the use.

Although the parcel does include lands suitable for agriculture in addition to prime soils, the project design is being constructed on and utilizing lands of both, the prime soils and lands suitable for agriculture. Staff believes there are no alternative sites on the parcel for the proposed uses.

- (b) Clearly defined buffer areas are provided between agricultural and non-agricultural uses.

There are agriculture operations on occurring on the parcel immediately across Pigeon Point Road (to the north) and across Cabrillo Highway (to the east). Staff believes the existing public roads provide a defined buffer between the agriculture activity and the project parcel.

- (c) The productivity of an adjacent agricultural land will not be diminished.

As discussed under Policy 5.8 (2) above, the proposed project site is buffered from the agriculture operations and will not diminish agriculture activity on adjacent parcels.

Staff has included this recordable agreement as Condition No. 12.

- (b) Whenever legally feasible, to agree to lease the maximum amount of agricultural land to active farm operators on terms compatible with the primary recreational and habitat use.

Staff has included this as Condition No. 13.

Policy 5.10 (*Conversion of Land Suitable for Agriculture Designated as Agriculture*) prohibits the conversion of lands suitable for agriculture within a parcel to conditionally permitted uses unless all of the following can be demonstrated:

- (1) *All agriculturally unsuitable lands on the parcel have been developed or determined to be undevelopable.*

Based upon the San Mateo County Soil Survey and the "Definition of Lands Suitable for Agriculture," portions of land on this parcel could be used for some form of agriculture, including grazing. Therefore, "unsuitable" lands exist on this parcel.

- (2) *Continued or renewed agricultural use of the soils is not feasible as defined by Section 30108 of the Coastal Act.*

There is no agriculture currently being practiced on this parcel. Due to the parcel's location near the bluff, crops would not be advisable due to the high potential for erosion and winds. There are no structures or uses proposed by this project that could not be removed for future use of the parcel for grazing, if necessary.

- (5) *Public service and facility expansions and permitted uses do not impair agricultural viability, including by increased assessment costs or degraded air and water quality.*

The California State Coastal Conservancy is in the early stages of proposing additional parking for the property and immediate area. The additional parking will require the Conservancy to apply for a separate Coastal Development Permit, Planned Agriculture Permit and Grading permit for such development. Currently, no public services or facilities will need expansion to accommodate this project.

b. Compliance with Sensitive Habitats Component

In response to Policy 7.5 of the County LCP, the applicants had a biological impact study prepared for this project. This study was prepared by LSA Associates, Inc. and is included as Attachment G. The study found that there are four primary plant habitat types and two wildlife habitats within the project area. In summary, these are:

Northern Coastal Bluff Scrub. In the central portion of the site, coastal bluff scrub is present in “bands” alternating with weedier areas that are dominated by fig-marigold (iceplant). Northern coastal bluff scrub is a low-growing scrub that occurs on coastal mesas exposed to salt-laden winds. The low-growing coyote brush and seaside woolly sunflower are the dominant plants in the coastal bluff scrub; other species typically associated with this plant community grow interspersed, including dune knotweed, coast buckwheat, Hooker’s evening primrose, yarrow, coast tarweed, and coast angelica. The southeastern portion of the site supports grassland dominated by annual fescue and native shrubs associated with coastal bluff scrub. This area and adjacent land to the east most likely constituted Coastal Prairie with native, perennial grasses in the past.

ryegrass as a temporary erosion control measure. Other non-native species observed include cut-leaf plantain, sand spurrey, bur-clover, wild radish and bull-thistle. Patches of non-native grasses occur interspersed in the native scrub in the central portion of the project site with rattle-snake grass as the dominant species. Annual fescue is dominant on the bluff in the southeastern corner of the site. Several individual plants of invasive pampas grass are present in the eastern portion of the property. Fig-marigold (iceplant), also very invasive, provides a 100 percent cover on parts of the property, including the bluffs in the western and central portions of the site and is especially dense in the southwestern end of the property. San Francisco gumplant is the one special status plant species that may occur within the non-native grasslands of the project site.

Hydrophytic Vegetation. The eastern portion of the property supports hydrophytic vegetation, plant species that are adopted to various degrees of oxygen-depleted soils, typically due to ponding and/or saturation for prolonged periods of time. Such species include California blackberry, poison hemlock and velvet grass. These species are just as likely to occur in wetlands and non-wetlands. A swale traversing the eastern portion of the site and emptying into the drainage ditch along the eastern boundary does not appear to support any wetland vegetation. Special status species that may occur within the hydrophytic areas of the site include Point Reyes meadowfoam, the California red-legged frog (none observed), the San Francisco garter snake (none observed), the Bank swallow and the Tricolored blackbird (which was observed on adjacent agricultural fields however no suitable habitat exists on the project site).

Terrestrial Habitats. During the biologist's survey, numerous unidentified butterflies and bumblebees were seen foraging among the flowering plants. Upland bird species that were observed on the property included barn swallow, black phoebe, song sparrow, American goldfinch, and house finch.

also observed on the property. Although no suitable breeding habitat exists on the POST property, they are known to breed in the general area. The Tricolored Blackbirds may occasionally use the POST property for foraging, but the potential impacts are very low since the birds are likely to avoid the site during construction and human activity.

The following other wildlife species have the potential to occur on the property: Ohlone tiger beetle, the San Francisco Garter Snake, the Western Snowy Plover, and Bank Swallow. Impacts of the project to the Ohlone tiger beetles are unlikely as a result of the project. Long-term impacts to the San Francisco Garter Snake are difficult to predict, however, the planting of native vegetation and protection of the open space will likely improve the available habitat for this species. The Western Snowy Plover would be impacted from human access and the Bank Swallow has the potential to be impacted if it is found breeding on-site.

The following plants: the San Francisco Gumplant, Monterey Indian Paintbrush and Beach Strawberry, were also observed on the property.

Policy 7.3 (*Protection of Sensitive Habitats*) prohibits any land use or development that would have a significant adverse impact on sensitive habitat areas. It also requires that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade these areas. All uses shall be compatible with the maintenance of biologic productivity of the habitats. As mentioned under Policy 7.1, mitigation measures have been recommended by the biological consultant to avoid any potential impacts. These recommendations have been included as Conditions Nos. 9, 10, and 11.

Policy 7.4 (*Permitted Uses in Sensitive Habitats*) permits only resource dependent uses in sensitive habitats. POST's proposal includes removing non-native vegetation and restoring the coastal bluff habitat with native plant species. The trails will allow

Although there is a wetland area on-site, located along the east property boundary, the trail location will be constructed approximately 30 feet north of the wetland area. Additionally, the project shall be conditioned to implement appropriate erosion control measures to protect the wetland area.

Policy 7.17 (*Performance Standards in Wetlands*) requires that development permitted in wetlands minimize adverse impacts during and after construction. Specifically, require that (1) all paths be elevated (catwalks) so as not to impede movement of water so as not to impede movement of water, (2) all construction takes place during daylight hours, (3) all outdoor lighting be kept at a distance away from the wetland sufficient not to affect the wildlife, (4) motorized machinery be kept to less than 45 dBA at the wetland boundary, except for farm machinery, (5) all construction which alters wetland vegetation be required to replace the vegetation to the satisfaction of the Planning Director including "no action" in order to allow for natural reestablishment, (6) no herbicides be used in wetlands unless specifically approved by the County Agricultural Commissioner and State Department of Fish and Game, and (7) all projects be reviewed by the State Department of Fish and Game and State Water Quality Board to determine appropriate mitigation measures.

As mentioned, the trail project will be located approximately 30 feet from the wetland area. The project will comply with these requirements. Staff has included Condition No. 8, which requires the applicants to submit a revegetation plan for review and approval by the Planning Administrator prior to issuance of a building permit. The applicants shall work with the State Department of Fish and Game and State Water Quality Board to determine appropriate mitigation measures and obtain a letter from these State agencies confirming the State's satisfaction of appropriate mitigation measure. The letter shall be submitted to the Planning Division. Staff has included this as Condition No. 14.

Policy 7.19 (*Permitted Uses in Buffer Zones*) permits (1) uses allowed within wetlands, and (2) public trails, scenic overlooks, and agricultural uses that produce no impact on the adjacent wetland.

Please see staff's response to policy 7.18 above.

c. Compliance with Visual Resources Policies

Policy 8.4 (*Cliffs and Buffs*) prohibits development on bluff faces except for public access stairways where deemed necessary and where erosion control measure are in conformity. A stairway trail that provides access from the bluff to the beach is proposed on the bluff face. Staff has included mitigation measures for potential erosion control under Conditions No. 6.

Policy 8.5 (*Location of Development*) discusses locating development on a parcel such that: (1) the development is least visible from State and County Scenic Roads; (2) the development is least likely to significantly impact views from public viewing points; and (3) the development is consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel. The topography of the subject property slopes down gradually from Cabrillo Highway and the proposed kiosk and stone bench will be located over 700 feet west of Cabrillo Highway and will be minimally visible from the highway. The trails would not be visible.

Policy 8.9 (*Trees*) requires new development to be located and designed to minimize tree removal. No trees were observed on-site; therefore, no trees will be removed.

Policy 8.10 (*Vegetative Cover*) requires the replacement of vegetation removed during construction. POST has proposed a revegetation plan as part of this project.

Policy 8.17 (*Alteration of Landforms: Roads and Grading*) requires that development

LCP Policies for Landforms and Vegetative Forms. The General Plan policy discusses special recognition and protection of travel routes which provide views of scenic vistas, natural landscape, historical sites and attractive urban development and encouraging development in scenic corridors that will support and supplement the scenic roads. The LCP policies regulate that development blend with and be subordinate to the environment where located and that the development minimize the alterations of landforms that will result from grading, cutting, excavating, filling or other development. Staff believes the trails, kiosk, and seating area are designed to be minimally intrusive and consist of materials that will blend in with the immediate surroundings.

Policy 10.1 (*Permit Conditions for Shoreline Access*) discusses providing for shoreline access as a condition for granting development permits for a public or private development permit between the sea and the nearest road. The proposed trail project is providing the public shoreline access to the bluff and nearby beach by way of the proposed trails. Therefore, staff believes the project complies with this policy.

d. Compliance with Recreation/Visitor-Serving Facilities Component

The project is in compliance with the locational criteria contained in Policy 11.4 (*Recreation and Visitor-Serving Facilities Permitted in the Coastal Zone*), in that it is designed to enhance public opportunities for coastal recreation and does not substantially alter the natural environment.

Policy 11.11 (*Agricultural Area*) permits the location of public recreation facilities on lands suitable for agriculture when in compliance with the conversion policies of the Agriculture Component. This project is in compliance with Policy 5.10 (*Conversion of Land Suitable for Agriculture Designated as Agriculture*). This policy also permits

(1) General Criteria

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

The project parcel has a gentle slope downwards from Cabrillo Highway to the bluff. The kiosk, seating area and trails A, B and C will be located on flat areas. Prior to ownership by POST, the land was improved with a bed and breakfast facility that has since been demolished. The kiosk and seating area are the only structures proposed on the prime soils area. These structures could be removed if the property were to be utilized for future grazing.

- (b) *All development permitted on-site shall be clustered.*

The trails and structures will be located immediately adjacent to the existing youth hostels and the Pigeon Point Road lighthouse, thus reducing the amount of land conversion. The vast majority of the parcel will remain undeveloped.

- (c) *Every project shall conform to the Development Review Criteria contained in Chapter 20A.2 of the San Mateo County Ordinance Code.*

The project has been reviewed against these criteria. The project complies with the site design criteria by minimizing alterations to the topography. Although POST plans to remove existing vegetation, the vegetation is non-native and the applicants will be revegetating the parcel with native plants. Approval of this project includes conditions to identify and protect the sensitive habitat species and establish applicable buffer zones.

provide a defined buffer between the agriculture activity and the project parcel.

- 3) The productivity of an adjacent agricultural land will not be diminished.

As discussed under 2) above, the proposed project site is buffered from the agriculture operations and will not diminish agriculture activity on adjacent parcels.

- 4) Public service and facility expansions and permitted uses will not impair agricultural viability, including by increases assessment costs or degraded air and water quality.

The project will have only minimal intrusion to the project site. If required or necessary, the parcel could be returned to agricultural use and will not impact air or water quality; therefore, staff believes the project complies with this provision.

(b) Criteria for the Conversion of Lands Suitable for Agricultural and Other Lands

The project site is located on soil, which are designated as "Lands Suitable for Agriculture and Other Lands." The criteria for conversion of these lands is as follows:

- 1) *All agriculturally unsuitable lands on the parcel have been developed or determined to be undeveloped.*

As previously discussed, there is no active agriculture occurring on the parcel at the present.

- 4) *The productivity of any adjacent agricultural lands is not diminished, including the ability of the land to sustain dry farming or animal grazing.*

The trail will not impact agricultural operations on adjacent parcels.

- 5) *Public service and facility expansions and permitted uses do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.*

There will be no new extension of water, sewer, or road services to accommodate this proposed use. There will be no impact to the assessments of adjacent agricultural uses, nor will the air or water quality be affected by this quasi-public recreational development.

4. Conformance with County Grading Exemption Regulations

Planning staff reviewed the proposal against the required findings for a grading exemption permit. After preparing a Negative Declaration as required by CEQA, and consulting with the Department of Public Works and the County Geotechnical Section, staff found that there will not be a significant adverse effect on the environment. The project conforms to the criteria for a "Grading Exemption" as allowed by the Grading Ordinance, Section 8603.1, including inclusion of an erosion and sediment control plan. In order to approve the Grading Exemption, the Planning Commission must make the required findings contained in the Grading Regulations.

B. ENVIRONMENTAL REVIEW

COUNTY OF SAN MATEO, PLANNING DIVISION

NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION

JECT FILE

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Peninsula Open Space Trust (POST)*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2002-00675

OWNER: Peninsula Open Space Trust (POST)

APPLICANT: Peninsula Open Space Trust (POST)

ASSESSOR'S PARCEL NO.: 086-300-160

PROJECT DESCRIPTION AND LOCATION

Peninsula Open Space Trust (POST) proposes improving a 2.79-acre parcel with three walking trails. The project will include the following: (a) an information kiosk located near the existing parking area, (b) a proposed seating area, and (c) four separate trails.

Trail A is approximately 80 feet long and connects the information kiosk and a seating area. Trail B begins from the seating area and continues south (for approximately 270 feet) and meets with a proposed boardwalk, which will serve as a proposed overlook point over the cliff. From the boardwalk, Trail B turns west and continues inland towards the lighthouse property. Trail C runs from the seating area, approximately 720 feet to the east, along the bluff. The last path is a stair trail that begins from the seating area and steps downward, east, to the beach.

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

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

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

Mitigation Measure 1: Prior to the issuance of a building permit, the applicant shall submit an erosion control plan, which demonstrates how sediment and other pollutants will be contained on-site if rain should occur during construction. Said plan shall conform to the requirements of the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Stabilizing all denuded areas and maintaining erosion control measures continuously

activities should avoid removal of these plans and applicable buffer zones shall be established by the biologist and marked.

Mitigation Measure 4: All construction shall be scheduled to avoid the breeding season, particularly if special-status species are discovered breeding on the site. Visitation to the site shall be restricted or a particular area on the site, if special-status species are discovered breeding or otherwise using the property, as confirmed by the biologist.

Mitigation Measure 5: The biologist shall conduct appropriately timed surveys prior to construction to determine the location of any sensitive plant species. Their removal shall be avoided and buffer zones shall be established. In order to minimize disturbance to native vegetation, and to minimize the footprint of construction in native plant areas and stake trail location, review with the botanist/biologist and revise the location prior to construction to avoid impacts. To minimize disturbance to wildlife and the footprint of construction; schedule construction to avoid breeding seasons and restrict public visitation if special-status wildlife is breeding. To minimize degradation of marine habitats, implement Best Management Practices erosion control, and minimize noise and construction impacts on marine wildlife.

Mitigation Measure 6: See response to 2.a. above.

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.

County of San Mateo
Planning and Building Division

INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(to be Completed By Planning Division)

, west of the Cabrillo Highway public right-of-way (east side), in the unincorporated Pescadero

ber 7, 2002

a 2.79-acre parcel with three walking trails. The project will include the following: (a) an
) a proposed seating area, and (c) four separate trails.

information kiosk and a seating area. Trail B begins from the seating area and continues south (for
walk, which will serve as a proposed overlook point over the cliff. From the boardwalk, Trail B
property. Trail C runs from the seating area, approximately 720 feet to the east, along the bluff
area and steps downward, east, to the beach.

San Mateo County to the east; the Pigeon Point Lighthouse and youth hostel to the west; the

tion are explained on an attached sheet. For source, refer to pages 11 and 12.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
such as beaches, San Francisco Bay?	X					B,F,O
water?			X			E,I
idence, landslide or		X				Bc,D
quake fault?	X					Bc,D
nd Class III Soils ussels sprouts?		X				M
			X			M,I
agricultural land?	X					A,M
	X					G
ble may adversely	X					D
ed, or watercourse?	X					E

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
species of plant			X			F
defined in the source?	X					I,A
water source, state listed rare			X			F
fe?			X			I
wildlife	X					E,F,O
			X			F
or (1,000 sq. ft. greater than 1?)			X			I,F,Bb
mmercial minerals or top	X					I

Attachment H

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
			X			I
Williamson Act ement?	X					I
es?		X				A,K,M
lor, dust or smoke existing standards of	X					I,N,R
brush, trees and	X					I
se levels in excess onstruction?	X					Ba,I
entially hazardous ner toxic	X					I
determined dinance or other	X					A,Ba,Bc
determined appropriate ndard?	X					I
						Attach

Attachment H

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
harm or affect			X			I
waste disposal in system which	X					S
schools, parks,	X					A,I
or a change in		X				A,I
patterns or		X				I
such as trail	X					I
	X					S
such as bike	X					I
traffic carrying	X					S

Attachment H

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
people on a regular	X					I
rently found within	X					I
n existing	X					I
or off the project	X					I
presently t intensity of already duction of new or mercial facilities or	X					I,Q,S
ilities (streets, parks, police, fire, nd gas supply lines, itary landfills) or	X					I,S
public facility or utility to	X					I,S
ng or planned public	X					A

Attachm

Attachment H

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated	Significant		
?	X					I
electricity, oil,	X					I
pted general als?	X					B
	X					C
	X					I
	X					I
y response plan	X					S
health hazard?	X					S
within a State or		X				A,Bb
reas, public	X					A,I
s in excess of	X					I

Attachment H

	Yes	No
quality of the environment, substantially reduce the habitat of a fish or to drop below self-sustaining levels, threaten to eliminate a plant or for periods of California history or prehistory?		X
rt-term environmental goals to the disadvantage of long-term		X
cts which are individually limited, but cumulatively considerable?		X
ts on human beings, either directly or indirectly?		X

have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared

could have a significant effect on the environment, there **WILL NOT** be a significant effect in this
s in the discussion have been included as part of the proposed project. A **NEGATIVE**

be a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is

Olivia Sun Boo

Olivia Sun Boo

Project Planner
(Title)

an

aries (See F. and H.)

aps, or Sensitive Habitats Maps

e Program

y S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR

ty Airports Plan

63, 1970

ty Line to Año Nuevo Point, 1971

of Agriculture, May 1961

on Control District

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24 CFR Part 58

Properties
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36 CFR Part 800

Executive Order 11988
Executive Order 11990

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24 CFR Part 51B
24 CFR 51C
HUD 79-33
24 CFR 51D

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Article 4, Section 1092

COUNTY OF SAN MATEO
Environmental Services Agency
Planning and Building Division

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 2002-00675
Peninsula Open Space Trust (POST)

PROJECT DESCRIPTION

Peninsula Open Space Trust (POST) proposes improving a 2.79-acre parcel with three walking trails. The project will include the following: (a) an information kiosk located near the existing parking area, (b) a proposed seating area, and (c) four separate trails.

Trail A is approximately 80 feet long and connects the information kiosk and a seating area. Trail B begins from the seating area and continues south (for approximately 270 feet) and meets with a proposed boardwalk, which will serve as a proposed overlook point over the cliff. From the boardwalk, Trail B turns west and continues inland towards the lighthouse property. Trail C runs from the seating area, approximately 720 feet to the east, along the bluff. The last path is a stair trail that begins from the seating area and steps downward, east, to the beach.

The project site is surrounded by open space owned by San Mateo County to the east; the Pigeon Point Lighthouse and youth hostel to the west; the ocean to the south and Pigeon Point Road to the north.

The project site is located adjacent to the Pigeon Point lighthouse, west of the Cabrillo Highway public right-of-way (east side), in the unincorporated Pescadero area of San Mateo County.

ANSWERS TO QUESTIONS

ANSWERS TO QUESTIONS

File No. PLN 2002-00675

Page 2

- 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 seating area and trails at the head of this drainage shall be sloped to direct runoff dissipation areas, and/or diversion berms should be built to direct runoff to dissipation areas. The submitted grading and construction plans shall show these measures, for review and approval by the Planning Director.

- e. **Will (or could) 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. The project parcel does include prime soils as noted on Attachment C; however, the trails will have minimal intrusion and trails are a permitted use in the Planned Agriculture District (PAD).

- f. **Will (or could) this project involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?**

ANSWERS TO QUESTIONS

File No. PLN 2002-00675

Page 3

breed in the general area. The Tricolored Blackbirds may occasionally use the POST property for foraging, but the potential impacts are very low since the birds are likely to avoid the site during construction and human activity.

The following plants: the San Francisco Gumplant, Monterey Indian Paintbrush and Beach Strawberry were observed on the property. However, no impacts to potential suitable habits in the vicinity of the site are expected to occur as a result of the proposed project. However, mitigation measures are still recommended as follows:

Mitigation Measure 3: The project biologist shall conduct appropriately timed surveys (April-May) to identify habitat and plant populations and mark their locations if found. Project related activities should avoid removal of these plants and applicable buffer zones shall be established by the biologist and marked.

Mitigation Measure 4: All construction shall be scheduled to avoid the breeding season, particularly if special-status species are discovered breeding on the site. Visitation to the site shall be restricted or a particular area on the site, if special-status species are discovered breeding or otherwise using the property, as confirmed by the biologist.

Mitigation Measure 5: The biologist shall conduct appropriately timed surveys prior to construction to determine the location of any sensitive plant species. Their removal shall be avoided and buffer zones shall be established. In order to minimize disturbance to native vegetation, and to minimize the footprint of construction in native

ANSWERS TO QUESTIONS

File No. PLN 2002-00675

Page 4

species and restoration of native plants. Because the property is small and the majority is proposed for restoration to native plant communities/habitats, no significant or cumulative adverse biological impacts are anticipated with the project (see Attachment D, Biological Resource Report, page 9, item 9). However, Mitigation Measures 1 through 5 should also ensure that the impact is less than significant.

- f. **Will (or could) this project infringe on any sensitive habitats?**

Yes, Significant Unless Mitigated. The previous discussion and Mitigation Measures 3, 4 and 5 should ensure that impacts to sensitive habitats are less than significant.

Mitigation Measure 6: See response to 2.a. above.

- g. **Will (or could) this project involve clearing land that is 5,000 sq. Ft. or greater (1,000 sq. ft. within the County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?**

Yes, Not Significant. Please refer to the discussion in 1.f., 2.a. and d., and the required Mitigation Measures 1 through 5.

3. **PHYSICAL RESOURCES**

- b. **Will (or could) this project involve grading in excess of 150 cubic yards?**

Yes, Significant Unless Mitigated. Please refer to the discussion in 1.f. and Mitigation Measure 1.

ANSWERS TO QUESTIONS

File No. PLN 2002-00675

Page 5

to the transportation resources. The site currently has ten parking stalls located next to the hostel buildings. At the present time, this parking area will provide adequate parking for the hostel and proposed trails.

Additionally, the California State Coastal Conservancy is in process of proposing new parking areas in the vicinity, on the west side of Cabrillo Highway. Such improvements would be subject to a separate review and permitting process.

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

Yes, Not Significant. See response to 5.b. above.

7. **AESTHETIC, CULTURAL AND HISTORIC**

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

Yes, Not Significant. The project site is within the Cabrillo Highway State Scenic Corridor. However, the topography of the subject property slopes down from Cabrillo Highway and the proposed kiosk and stone bench will be located over 700 ft. west of Cabrillo Highway and will be minimally visible from the highway. The trails would not be visible.

San Mateo County Environmental

Planning and

Attachment I

455 County Center • Mail Drop PLN 122
Redwood City CA 94063-1646
(650) 363-4161 • FAX (650) 363-4849

Biological Impact Form

**(for compliance with
Local Coastal Program Policy 7.5)**

Filing Date: _____

Public Hearing: _____

Approval Date: _____

Owner/Applicant

Name: Peninsula Open Space Trust

Mailing Address:

3000 Sand Hill Road, #4-135

Menlo Park, CA Zip: 94025

Phone, W: 650 854-7696

H: _____

Fax: 650 854-7703

Project Location

Include U.S.G.S.-Tier, Range, and Section:

USGS Pigeon Pt. 7.5 min Quad

Township 8-South, Range 5-West

Assessor's Parcel Number(s):

086 — 300 — 160 , — —

Applicable Planning Permit numbers:

Principal Investigators

BIOLOGICAL ASSESSMENT REPORT SUMMARY

PERMIT NO. _____

Applicant: Peninsula Open Space Trust
Project: Mel's Lane, Pigeon Point

The POST property is located on a coastal terrace directly east of the Pigeon Point Lighthouse. The site is a mosaic of disturbed areas, dominated by non-native plant species, and a native Northern Coastal Bluff Scrub community that, in places, grades into remnants of Coastal Prairie and Northern Coastal Scrub (Holland 1986). There are no trees or large shrubs, except for a few individuals of ceanothus that were most likely planted.

Table B of the assessment lists 13 special status plant species with a potential to occur on the POST property. Three species actually observed in the field were tentatively identified as: San Francisco gumplant (*Grindelia hirsutula* var. *Maritima*), Monterey Indian paintbrush (*Castilleja latifolia*), and Beach strawberry (California Wild Strawberry) (*Fragaria chiloensis*). The Beach strawberry is mentioned because it is listed as a species of concern in the LCP.

Table C lists six special status wildlife species with a potential to occur on the POST property.

Potential impacts and proposed mitigation measures include:

- a) Removal of sensitive plant species. Mitigation: conduct appropriately timed surveys prior to construction to determine locations; avoid removal and establish buffer zones.
- b) Removal of and disturbance to native vegetation. Mitigation: minimize footprint of construction in native plant areas; stake trail location; review with botanist/biologist

PIGEON POINT, SAN MATEO COUNTY BIOLOGICAL RESOURCE REPORT

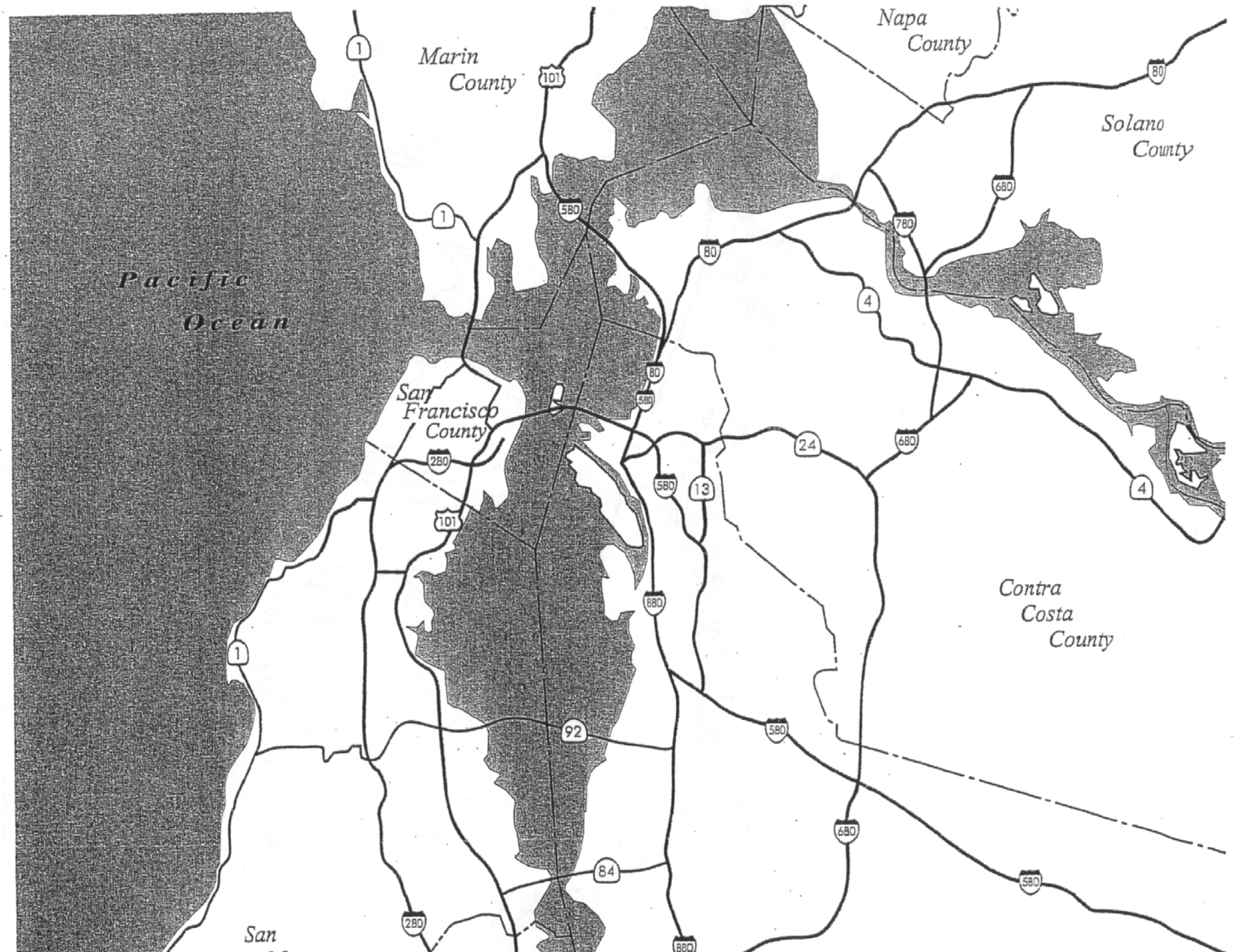
The following assessment was prepared by LSA Associates under contract to Dillingham Associates and describes at the approximately 2.8-acre Whaler's Cove property owned by the Peninsula Open Space Trust and located adjacent to the Pigeon Point Lighthouse. The following information is provided in response to the County of San Mateo's standard Coastal Zone Biological Report form.

6. PROJECT AND PROPERTY DESCRIPTION: *Describe the proposed project and property, including the size, topographic characteristics, water resources, soil types, and land uses on the property and in the vicinity up to a radius of one quarter mile. Include a map of the area from the USGS 7.5 minute quadrangle series.*

The proposed project consists of improvements to a 2.8-acre parcel owned by the Peninsula Open Space Trust (POST) and located adjacent to the Pigeon Point Lighthouse. The property can be located on the USGS Pigeon Point 7.5-minute quadrangle, Township 8-south, Range 5-west (Figures 1 and 2).

There are two goals for this project. One is to restore the existing coastal bluff habitats by removing extensive areas of exotic plants and replacing these with plant species that are native to the Northern Coastal Bluff Scrub and Northern Coastal Scrub communities. This will result in improving the habitat value of this property. The second goal, which is the subject of this planning application, is to construct an overlook, seating area, and approximately 1400 linear feet of trails that will allow for public access and education (Figure 3). Two trails are proposed. The first will extend from the existing lighthouse area along the bluff top to the seating area and continue south to the southeast edge of the property. The second trail will extend from Pigeon Point Road, through the seating area, and down to the beach. The trails will be about 5 feet wide and will be constructed of compacted gravel.

Attachment I



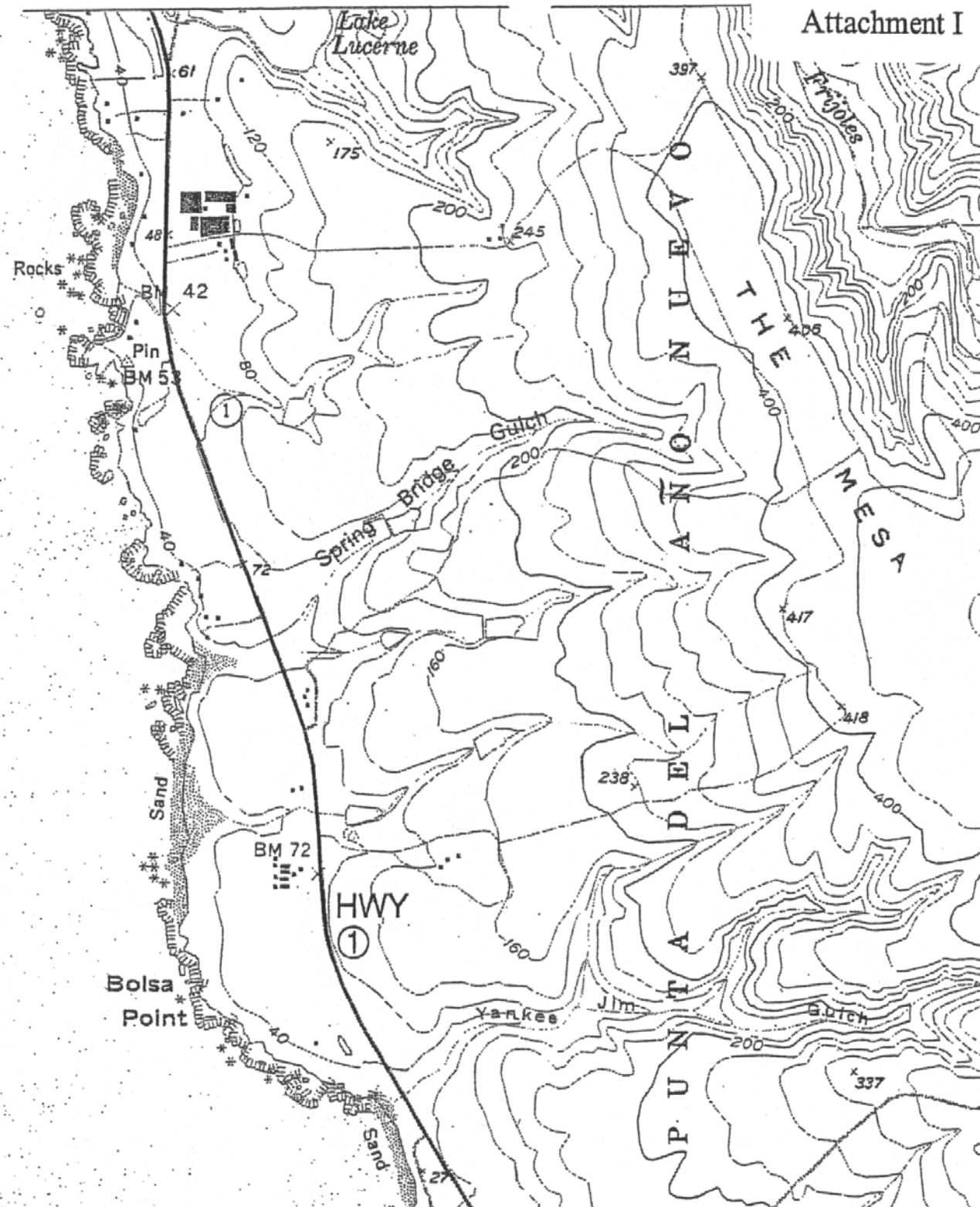
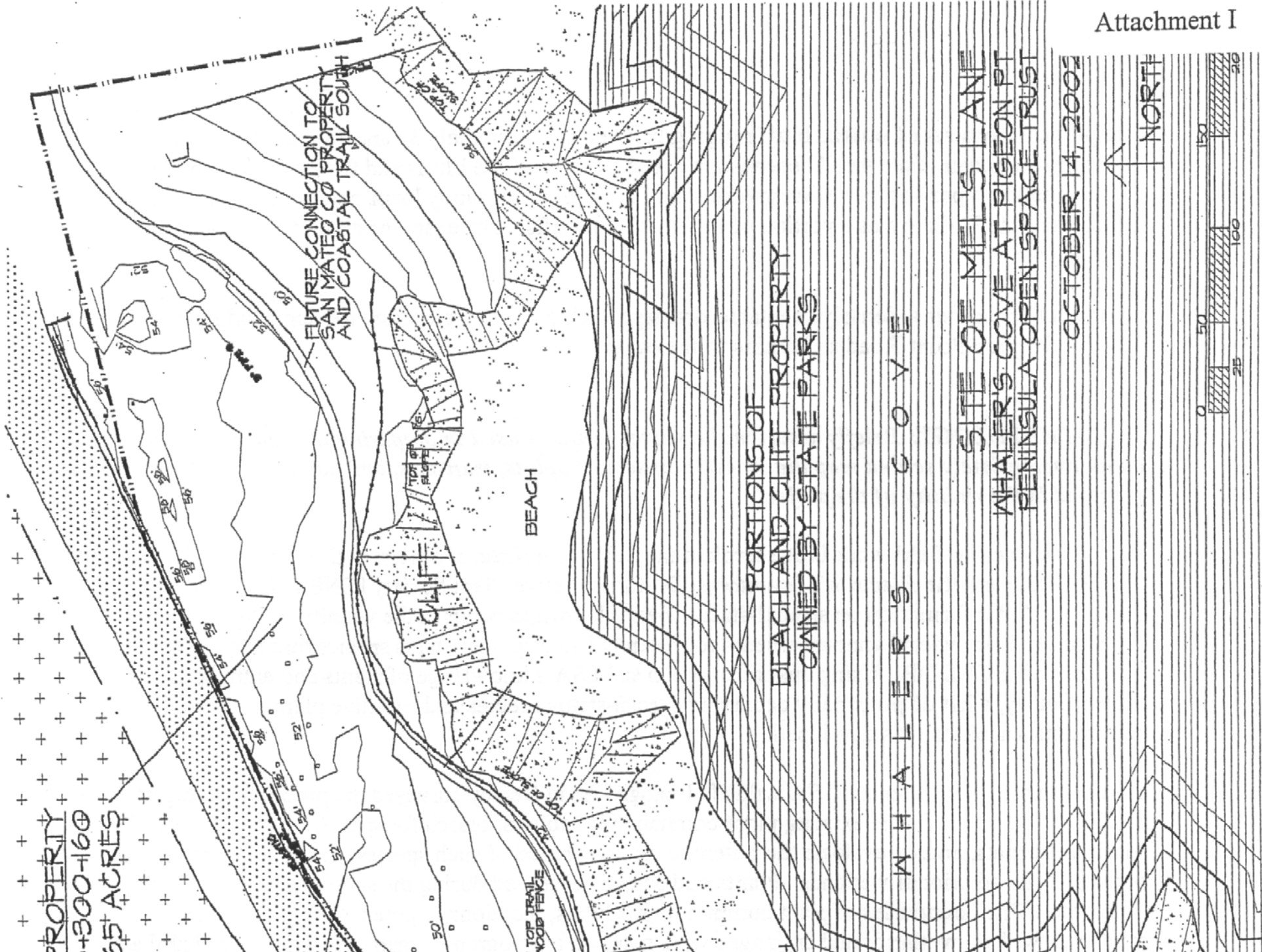


Figure 3

Attachment I



The property consists of coastal bluff ranging between approximately 34 and 58 feet above sea level bordering the ocean. Two small beaches are along the base of the bluffs and there many off-shore rocks. The soil types include Watsonville sandy loam, Elkhorn sandy loam, and terrace escarpment. California State Parks owns a portion of the beach and cliffs. The exact location of the property line is not known.

On the eastern border a densely vegetated drainage ditch collects water from the surrounding open space and Pigeon Point Road and drains to the ocean.

7. METHODOLOGY: *Briefly describe the survey methods used in preparing the report and show on an appropriately scaled map the location of sample points, transects, and any additional areas surveyed in the vicinity of the project.*

Prior to conducting field work LSA searched the *California Natural Diversity Database* (CNDDB) (CDFG 2002) and the *Electronic Inventory* (California Native Plant Society [CNPS] 2001) for records of, and information on special-status species known to occur in the vicinity of Pigeon Point. We also searched federal announcements for recently listed special-status species that may not yet be included in the CNDDB. Using this information and LSA's knowledge of plants and animals in San Mateo County, a list of potentially occurring special-status species and sensitive plant communities/habitats was developed.

LSA botanist Eva Buxton and LSA wildlife biologist Rodd Kelsey surveyed the property on August 8, 2002, to characterize the existing plant communities/habitats, search for special-status species and sensitive habitats, and/or evaluate the potential for occurrence of such species, and to identify potentially jurisdictional wetlands. Plants and animals observed during the survey were recorded in field notes. The boundaries of plant communities/habitats, locations of potential special-status species as well as wetlands and drainages were noted on a topographic map. This map is included as Figure 4.

Plant Communities

Northern Coastal Bluff Scrub. Northern coastal bluff scrub is a low-growing scrub that occurs on coastal mesas exposed to salt-laden winds. Prostrate or nearly prostrate shrubs, herbaceous perennials, and annuals commonly form continuous mats (Holland 1986). In the central portion of the POST property, coastal bluff scrub is present in "bands" alternating with weedier areas that are dominated by fig-marigold (iceplant) (*Carpobrotus edulis*). The low-growing coyote brush (*Baccharis pilularis* [formerly *ssp. pilularis*]) and seaside woolly sunflower (*Eriophyllum staechadifolium*) are the dominant plants in the coastal bluff scrub, but other species typically associated with this plant community grow interspersed, including dune knotweed (*Polygonum paronychia*), coast buckwheat (*Eriogonum latifolium*), Hooker's evening-primrose (*Oenothera elata ssp. hookeri*), yarrow (*Achillea borealis*), thrift (*Armeria maritima ssp. californica*), coast tarweed (*Madia sativa*), and coast angelica (*Angelica hendersonii*).

The southeastern portion of the site supports grassland dominated by annual fescue (*Vulpia myuros*) and native shrubs associated with coastal bluff scrub. This area and adjacent land to the east most likely constituted Coastal Prairie with native, perennial grasses in the past. A large stand of Douglas' iris (*Iris douglasiana*), a native species, occurs near the edge of the bluff and several individuals of a paintbrush, most likely Monterey Indian paintbrush (*Castilleja latifolia*), and beach strawberry (*Fragaria chiloensis*) (see *Special-status Species* below) are also present. A few plants that were spent (dead) during the August survey could be seaside amsinckia (*Amsinckia spectabilis* var. *spectabilis*) based on some identifiable characters.

Cliff and Bluff Faces. The cliff faces and the steeper bluffs are devoid of vegetation. Some less steep parts support native species such as coast buckwheat, seaside woolly sunflower, and bush lupine (*Lupinus arboreus*); however, fig-marigold (see below) has invaded large portions of the bluffs, displacing and precluding the growth of other species. Dense clonal mats of fig-marigold are present in the immediate vicinity of the Pigeon Point Lighthouse.



Patches of non-native grasses occur interspersed in the native scrub in the central portion the property. Rattle-snake grass (*Briza maxima*) is the dominant species, but other weedy species, including wild oats (*Avena* sp), ripgut brome (*Bromus diandrus*) and soft-chess (*B. hordeaceus*) occur sparingly among the shrub and herbaceous plants. Annual fescue (*Vulpia myuros*) is dominant on the bluff in the southeastern corner of the site.

Several stands/individuals of the very invasive pampas grass (*Cortaderia jubata*) are present in the eastern portion of the property.

Fig-marigold (*Carpobrotus edulis*), commonly known as "iceplant" or Hottentot fig, was introduced to coastal communities to stabilize dunes and bluffs at the end of the 19th century. Since that time this perennial species has invaded native plant communities and displaced native species along the California coastline.

On the POST property, patches of fig-marigold provides a 100 percent absolute cover on parts of the property, especially on the bluffs in the western portion of the site, but also in the central part. The cover by iceplant is especially dense on, and in the immediate vicinity of the promontory at the southwestern end of the property. A few individuals of sea fig (*Carpobrotus chilensis*) are present in the dense fig-marigold-mats. In the past, this species was thought to be native (Howell 1970, Thomas 1961; Munz 1968), however recent research has confirmed that sea-fig is native to South Africa, as are the majority of the "iceplants."

Hydrophytic Vegetation. Areas where soils remain ponded and/or saturated for a prolonged period of time support plant species that are adapted to various degrees of anaerobicity (oxygen-depleted soils). Such species, comprising hydrophytic vegetation, are present in the eastern portion of the POST property.

This easternmost portion, bordered by an existing, off-site drainage ditch/channel to the east, is

Wildlife Habitat

The Whaler's Cove property consists of upland and coastal marine habitats that each support distinct wildlife communities. Table A lists all of the wildlife species observed during our survey.

Terrestrial Habitats. In its current, disturbed state, the upland areas on the site provide limited habitat for wildlife species. During our survey numerous unidentified butterflies and bumblebees were seen foraging among the flowering plants. Upland bird species that were observed on the property included barn swallow, black phoebe, song sparrow, American goldfinch, and house finch. The adjacent, fallow agricultural field also supports many of these upland bird species and a flock of red-winged and tricolored blackbirds were observed foraging in this field during the survey. These birds represent both insectivorous and seed-eating species that will use these uplands and the surrounding agricultural fields for foraging and, in some cases, nesting. Both red-winged and tricolored blackbirds may nest in the tall wetland vegetation in the off-site drainage ditch that borders the southeastern side of the property. They may also nest in tall upland vegetation that was present in the ruderal field southeast of the property. We observed one peregrine falcon flying east of the property. This species, as well as other predatory birds, may occasionally hunt for birds or small mammals on the uplands and on the beaches of the adjacent State Parks property. No mammals were observed in the uplands, however, rodent burrows are visible in the sparsely vegetated sections on the western side of the property.

Coastal and Marine Habitats. The coastline and marine habitats on the adjacent State Parks property along the edge of the POST property, including the beaches and off-shore rocks, provide habitat for the greatest diversity of wildlife species on or near the property. As reflected in Table A, many of the wildlife species seen during our survey are associated with the marine environment and most of the bird species observed are generally restricted to offshore habitats.

The beaches are probably used periodically by many species of shorebirds for resting and foraging. Harbor seals were seen foraging near shore and hauling out on the off-shore rocks during this survey. They and California sea lions may also use the beaches on the property. The off-shore algal

The San Mateo County Local Coastal Program (LCP) defines sensitive habitats to include wetlands and riparian habitats and "habitats containing or supporting 'rare and endangered' species as defined by the State Fish and Game Commission" and "coastal areas used by migratory and resident water-associated birds for resting areas and feeding." Under the LCP, only limited activities compatible with protection of the resources in the sensitive habitats and associated buffers is permitted (see discussion below). Specific habitats that require protection by the LCP and that are confirmed or potentially present on the POST or adjacent State Parks property include marine habitats (Pigeon Point is listed specifically in the LCP as an important marine habitat area), sea cliffs where nesting occurs, all habitats of rare and endangered species, and one wetland area.

The San Mateo County LCP defines wetlands as areas "where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils, or to support the growth of plants which are normally found to grow in water or wet ground" (San Mateo County 1998, section 7.14). In other words, the County LCP has two requirements for a wetland: 1) wetland hydrology sufficient to 2) form hydric soils or support the growth of hydrophytic vegetation.

The San Mateo County LCP also states:

In San Mateo County, wetlands typically contain the following plants: cordgrass, pickleweed, jaumea, frankenia, marsh mint, tule, bulrush, narrow-leaf cattail, broad-leaf cattail, pacific [sic] silverweed, salt rush, and bog rush. To qualify, a wetland must contain at least 50% of some combination of these plants, unless it is a mudflat.

This condition appears to limit wetlands under the County LCP definition to areas supporting at least 50 percent of some of the listed plants. The listed plants are all typically associated with wetlands which have semi-permanently to permanently flooded or saturated conditions. These areas are commonly recognized as marshes and bogs. The first four listed plants and salt rush are typical salt marsh plants associated with tidal and other estuarine marshes and coastal strand habitats. Tule and

consisting of trails and an observation deck are consistent with the allowable uses for sea cliffs (policy 7.30b), wetland buffers (policy 7.19), rare plants (policy 7.42), and for unique species (policy 7.44). Following are general discussions of the potential impacts of the proposed actions on the site.

Plants.

- Removal of existing plants, including potential special-status species.
- Disturbance to vegetation as a result of increased human use of the property.
- Temporary reduction in available habitat area as a result of the installation of various structures, including trails.

The proposed seating area, overlook, and 770 feet or 55 percent of the proposed trail will be within the previously disturbed portions of the property that are dominated by ruderal vegetation that is occasionally mixed with native coastal bluff scrub vegetation. The remainder of the trail, approximately 630 feet, lies within areas dominated by a greater occurrence of native vegetation. Assuming an approximately 6 foot wide trail, the loss of native habitats will be approximately 3,800 square feet (0.09 acre). Native species will undoubtedly be affected by/during the construction of the various features on the property. It is expected that some native plants will be disturbed or removed during construction, but the disturbance will be in a small portion of the property.

The temporary decrease in areal extent of habitat available for native plants/plant communities will result in a reduction of such vegetation on the site. This will be compensated for through removal of exotic species and planting of natives.

Wildlife.

- Temporary Disturbance during vegetation removal and construction of trails and observation areas will cause the greatest short-term disturbance. In particular, activities such as clearing

10. *List and discuss all probable impacts to threatened, rare, endangered, or unique species either listed or proposed by the Local Coastal Program, a federal or state agency, or the California Native Plant Society, both on-site and within an area of one quarter-mile radius from the project location.*

Plants

Table B lists 13 special-status plant species with a potential to occur on the POST property, *i.e.*, only those species for which habitat is present on the site are included in the table. The table also includes protective status, habitat requirements and blooming periods for each species, and an assessment of the potential for occurrence on the site, plus some comments. Two additional species (Monterey Indian paintbrush and beach strawberry) are discussed below.

One species, Point Reyes meadowfoam (*Limnanthes douglasii* ssp. *sulphurea*) is State-listed as endangered, the remainder are on CNPS' List 1B, indicating that the plants are considered rare, threatened, or endangered in California and elsewhere. None of the species is federally-listed.

Three species observed by LSA during the August 2002 survey are briefly discussed below. Two of the species were tentatively identified as:

- San Francisco gumplant (*Grindelia hirsutula* var. *maritima*)
- Monterey Indian paintbrush (*Castilleja latifolia*)

In addition, beach strawberry, a common species, occurs on the property and is listed as a species of concern in the LCP.

- Beach strawberry (California wild strawberry) (*Fragaria chiloensis*)

Santa Cruz, Monterey, and San Luis Obispo counties in the *Inventory of Rare and Endangered Plants of California* (Tibor 2001). However, based on distinguishing character states, including fleshy leaves and widely obovate bracts, LSA tentatively identified it as Monterey Indian paintbrush. This species should be further investigated when in full bloom.

Monterey Indian paintbrush is a hemiparasitic, perennial herb in the figwort family (Scrophulariaceae). It occurs in sandy openings in closed-cone coniferous forests and woodlands, and in coastal dunes and scrubs.

Beach Strawberry. The Local Coastal Program (San Mateo County 1998) includes "California wild strawberry", a common species, as a taxon of concern because of its importance to the commercial strawberry industry. Less than 25 plants of beach strawberry were observed in the grassland/native scrub on the bluff in the southeastern portion of the site.

Beach strawberry is a perennial herb in the rose family (Rosaceae). It is easily identified by its dark green, shiny leaves with three leaflets and the large, white-petaled flowers. It occurs on ocean beaches and in grassland along the west coast of North America as well as in parts of South America.

It is unlikely that any special-status plants occur outside the POST property to the north and to the east within 1/4 mile radius of the property; to the north is a cultivated field and the property to the east appears to have been graded and supports a monoculture of coast tarweed, a 'weedy' native species. It is not known if the coastline north of the Lighthouse provides suitable habitat for special-status species. No impacts to potentially suitable habitats in the vicinity of the site is expected to occur as a result of the proposed project on the POST property.

Wildlife

Table C lists 6 special-status wildlife species with a potential to occur on the POST property. Only those species for which habitat is present on the site are included in the table. The table also includes protective status, habitat requirements, and an assessment of the potential for

California Red-legged Frog (*Rana aurora draytoni*). The California red-legged frog is listed as a federally threatened species and occupies similar habitats to the San Francisco garter snake. The ditch on the eastern boundary and the wetland area provide potential habitat for this species. No significant impacts are anticipated if the wetland areas are avoided and appropriate buffer zones are retained.

Western Snowy Plover (*Charadrius alexandrinus nivosus*). The western snowy plover is listed as federally threatened and is a state Species of Special Concern. This species uses sandy beaches along the California coast for breeding as well as wintering habitat. No snowy plovers were observed during this survey. They have historically been recorded breeding at Pescadero State Beach, 6 miles to the north. This species is most likely to use the small beaches on the adjacent State Parks property temporarily during the winter. The most probable impact to this species will come from renewed human access to the beach via newly constructed trails from the bluff.

Bank Swallow (*Riparia riparia*). The bank swallow is listed as state threatened. They are generally found associated with riparian habitats and nest in vertical banks or cliffs near streams, rivers, lakes, and the ocean. No bank swallows were observed during this survey. This species has been observed nesting in the coastal cliffs at Ano Nuevo Point, 6 miles south of this property. Disturbance from construction and/or human activities during the breeding season is the most likely impact to this species if it is found breeding on the site. Also, following construction, there is the potential for disturbance of breeding by human activities on the beach and along the bluff-top trails.

Tricolored Blackbird (*Agelaius tricolor*). The tricolored blackbird is a state Species of Special Concern. This species typically nests in emergent vegetation of freshwater marsh habitat but will occasionally nest in tall, dense herbaceous vegetation in uplands. They forage for insects in nearby grasslands and agricultural areas. A small flock of tricolored blackbirds were observed during this survey foraging in the adjacent agricultural field. No suitable breeding habitat exists on the POST property, however, they are known to breed in the general area. The closest breeding location

Table D: Recommended Mitigation Measures

Project Impact	Mitigation Measure
Removal of sensitive plant species.	Conduct appropriately-timed surveys (April and May) to identify individuals/populations and mark locations. Avoid removal of these plants and establish applicable buffer zones.
Removal of and disturbance to native vegetation.	Minimize footprint of construction activities in areas supporting native plants. The trail location should be staked and then reviewed and relocated as necessary by a qualified biologist in consultation with the project proponent prior to construction. Staking prior to the sensitive plant species surveys would be desirable. Maintain well marked trails with signs encouraging visitors to remain on trails to minimize human impacts.
Disturbance to wildlife.	Minimize footprint of construction activities. Schedule construction to avoid the breeding season, particularly if special-status species are discovered breeding on site. Restrict visitation to site or particular areas on site, if special-status species are discovered breeding or otherwise using property.
Degradation of marine habitats.	Implement erosion control Best Management Practices to prevent erosion and degradation of adjacent marine habitats. Minimize noise and construction activity impacts to wildlife using marine environment.
Temporary loss of habitat area.	Loss of plant communities/habitat due to improvements will be compensated for by the overall enhancement to native communities/habitats on the property.

Table A: Wildlife Species Observed on and around the POST Property at Pig Mateo County, California on August 8, 2002

Species	Number Observed
Insects	
Unidentified bumblebees	3
Unidentified butterflies	2
Birds	
Double-crested cormorant	1
Brandt's cormorant	15 (flying by south to north)
Pelagic cormorant	1
Brown pelican	31
Peregrine falcon	1?
Black oystercatcher	4
Killdeer	1
Western gull	7 (two recent fledglings)
Pigeon guillemot	8
Mourning dove	3
Rock dove	4
Black phoebe	2 (one juvenile)

Status* (Federal/State)	Habitat Requirements	Suitable Habitat Present on Site
FE/-	Native grasslands with natural or artificial patches/areas of bare soil. Specific to Watsonville and Bonnydoon soil series	Unlikely
FT	Freshwater marshes, ponds, and slow moving streams. Dense cover, pools with depths ≥ 1 foot, and adjacent upland areas are important habitat components.	Maybe
FE/SE	Freshwater marshes, ponds, and slow moving streams. Dense cover, pools with depths ≥ 1 foot, and adjacent upland areas are important habitat components.	Maybe
FT/CSC	Coastal dunes, beaches, and mudflats	Yes
-/ST	Riparian habitats. Nests in vertical banks/cliffs with fine textured sandy soils near streams, rivers, lakes, and ocean.	Maybe
-/CSC	Breeds near freshwater, usually in emergent vegetation with dense cattails or tules, but also in thickets of upland vegetation. Feeds in grassland and cropland habitats.	Yes

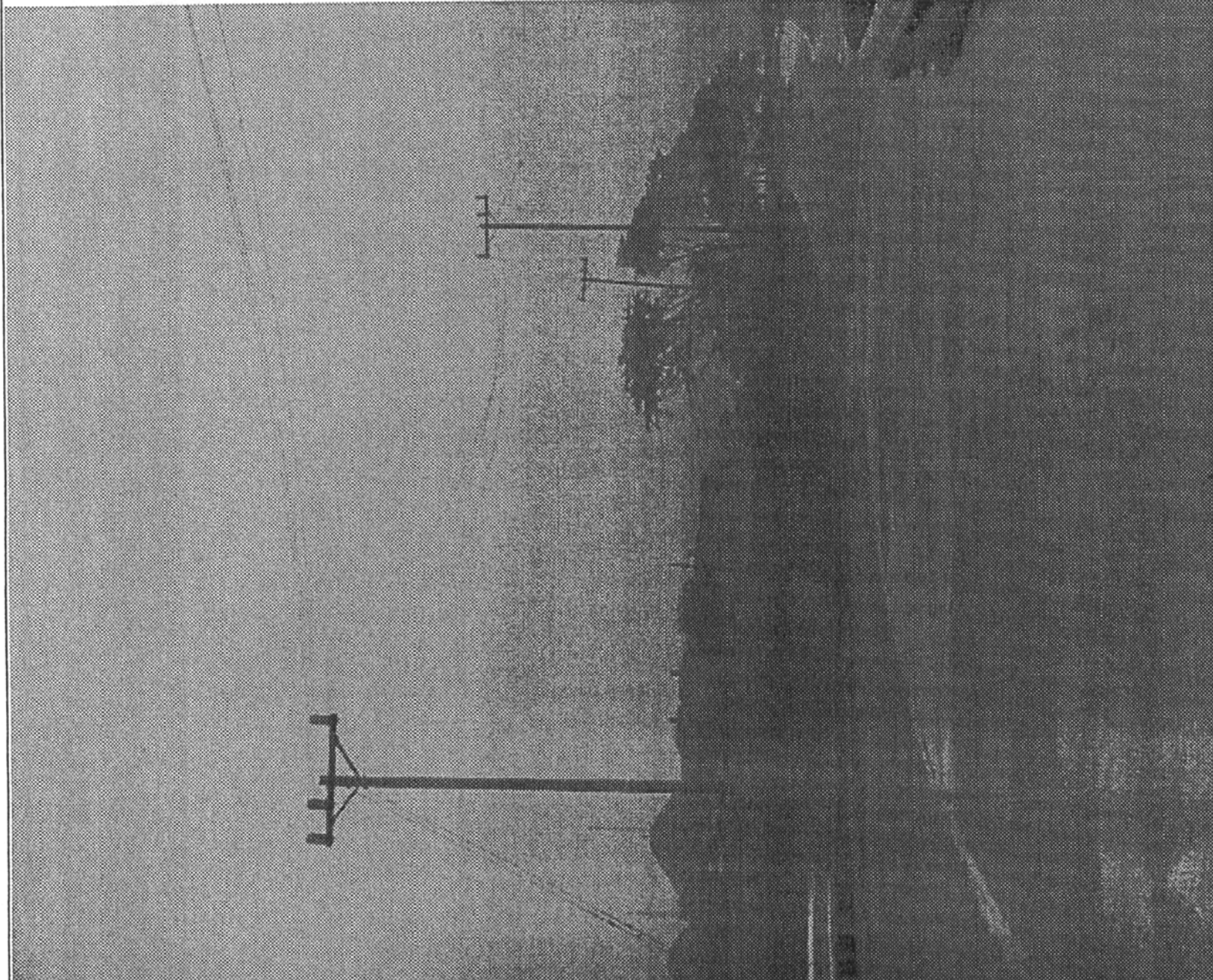
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occurring on Peninsula Open Space Trust Property

e/	Habitat Requirements	Blooming Period	Potential for Occurrence on Site/Comments
B	Coastal bluff scrub, coastal dunes, coastal prairie; in sandy or gravelly soil close to rocks, often in nutrient-poor soil with sparse vegetation.	May-Jul	Potentially present. Closest recorded CNDDDB occurrence near Columbia Beach, about 1.2 miles south of site.
B	Coastal bluff scrub, woodland, grassland.	Mar-Jun	Highly unlikely. No CNDDDB records from vicinity of site.
B	Coastal bluff scrub, coastal prairie, coastal scrub, upland forest; on mesic sites.	Mar-Jul	Highly unlikely. No CNDDDB records from vicinity of site.
B	Coastal dunes, coastal scrub, maritime chaparral; in sandy openings.	Feb-Jun	Potentially present. One CNDDDB record from Ano Nuevo.
1B	Coastal bluff scrub, coastal scrub, grassland; on sandy (or serpentine) slopes and sea bluffs.	Aug-Sep	Potentially present. Species difficult to identify. One individual observed during LSA's survey likely to be target plant. Closest recorded CNDDDB occurrence from Ocean Bluff, north of Half Moon Bay.
1B	Coastal scrub, chaparral, close-cone coniferous forest; in openings on old dunes and coastal sandhills.	Apr-Sep	Potentially present. One CNDDDB record from near Swanton Road south of site.
1B	Coastal bluff scrub, coastal scrub, coastal dunes.	Jan-Nov	Highly unlikely. No CNDDDB records from vicinity of site.

List 1B	Vernal pools, freshwater marsh, coastal prairie, meadows and seeps, woodland; in vernal wet depressions in open, rolling terrain.	Mar-May	Highly unlikely. Marginally suitable habitat. One CNDDB inland record from Butano Creek Canyon, southeast of site.
List 1B	Coastal bluff scrub, coastal prairie.	May	Unlikely. One historic CNDDB record from Pebble Beach, south of Pescadero. Species recently resurrected.
List 1B	Coastal bluff scrub.	Apr-Jun	Unlikely. Two historic CNDDB records from near Pescadero north of site. Species recently resurrected.
List 1B	Coastal prairie, coastal scrub, chaparral; on mesic sites.	Mar-Jun	Highly unlikely. No CNDDB records from vicinity of site.
List 1B	Coastal bluff scrub, coastal scrub, coastal prairie, chaparral, grassland.	Mar-Aug	Unlikely. All recorded CNDDB occurrences from near Swanton Road, east of Hwy 1.
List 1B	Coastal prairie, coastal scrub, chaparral, broadleaved and coniferous forests; on loose or disturbed soil in open areas, on seaward slopes.	Apr-May	Potentially present. All CNDDB records for this species in vicinity of site are near Davenport.

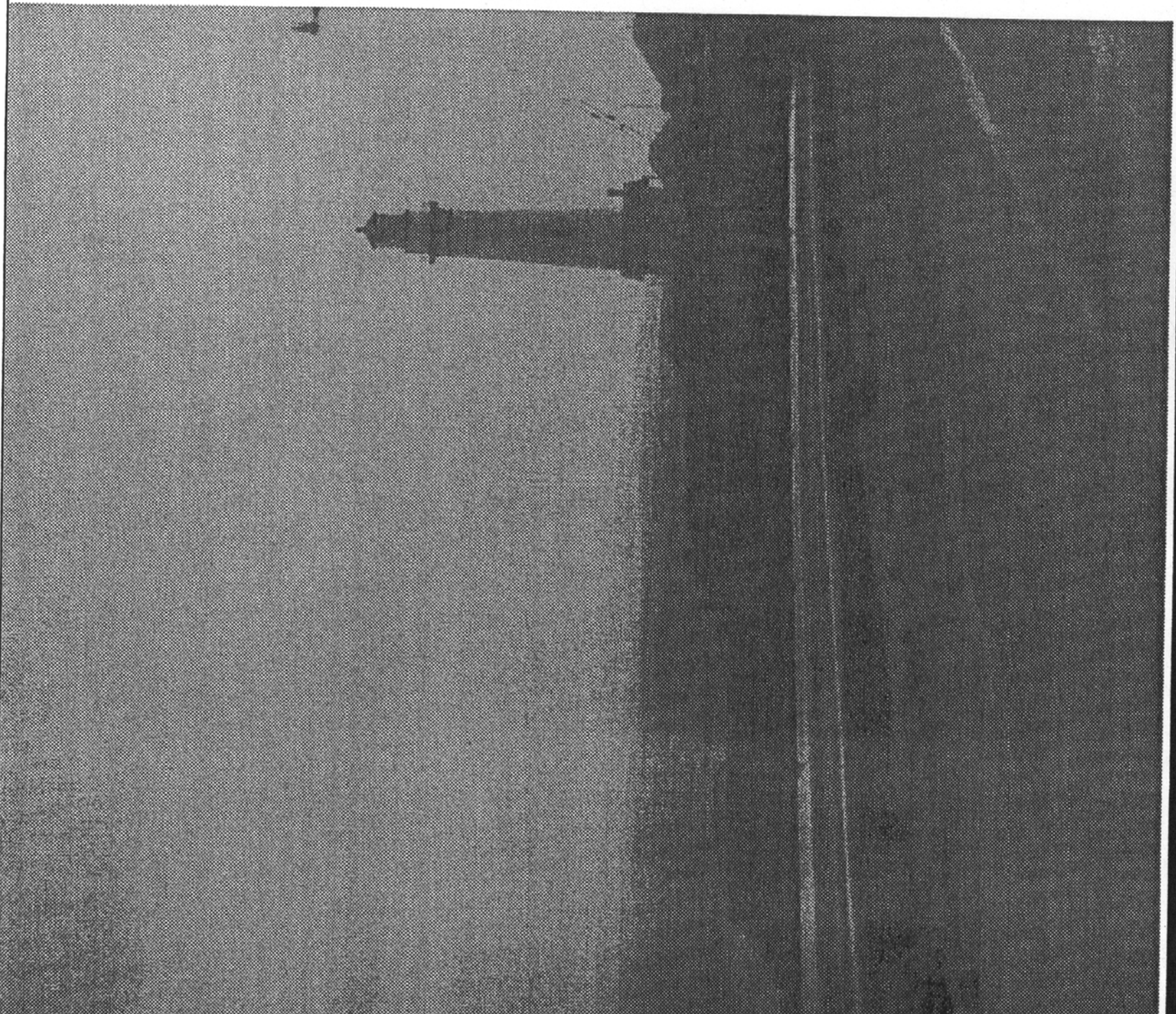
are, threatened, or endangered in California and elsewhere.



Attachment J

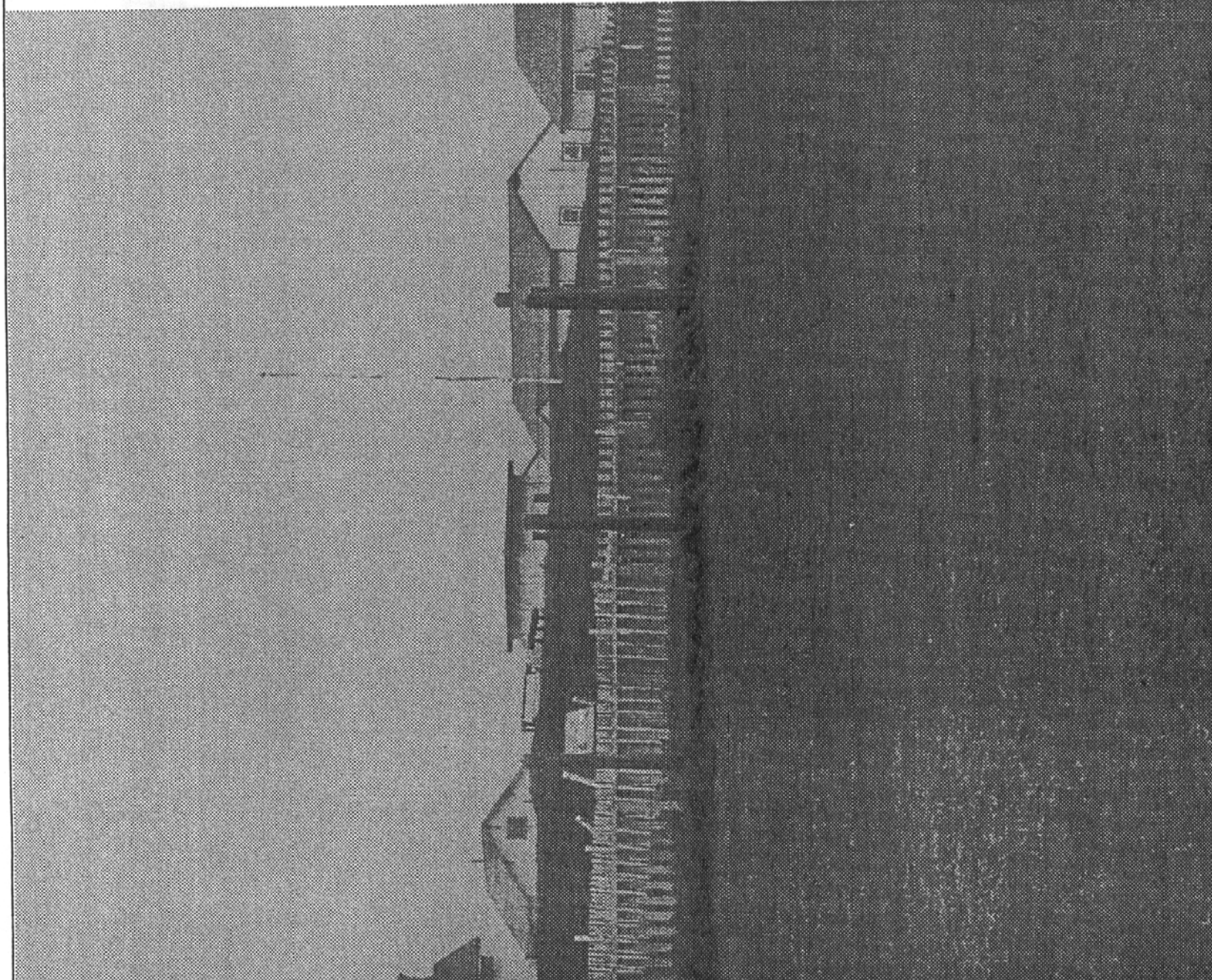
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