

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** December 9, 2009

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a Major Subdivision, a Grading Permit, and certification of a Final Environmental Impact Report (FEIR), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.25-acre subject site into 27 legal parcels for development of 25 single-family dwellings, a proposed conservation area (Lot A), and “tot-lot” (Lot B), which includes a main private access road, and an Emergency Vehicle Access road to provide additional fire access. The project site is accessed from Bel Aire Road north of Ascension Drive.

**PROPOSAL**

The proposed project is to subdivide six legal parcels, which make up the project site, into 27 legal parcels, of which 25 will be developed with single-family residences, as allowed by the existing R-1/S-8 Zoning District. The proposed new parcels would range in size from 10,120 sq. ft. to 17,590 sq. ft. and would be orientated along both sides of a new private main access road in a loop configuration.

The project will include a “tot-lot,” an 8,365 sq. ft. playground facility located near the project site’s main entrance on one of the remaining parcels. A 19,602 sq. ft. area at the southwest corner of the project site comprises the other remaining parcel. This large parcel is adjacent to Bel Aire Road and Ascension Drive, and is proposed as a conservation easement in order to contain and address the existing erosion problem located in that area. The remaining 4.12 acres will have conservation easements placed on them and will be utilized as common areas. These common areas will surround the southern and western portions of the project site. Two trails are also proposed as part of the project, one on the north portion of the project site, and the second near the southwest corner.

Due to the design of the subdivision and topography, an Emergency Vehicle Access (EVA) road is required in order to provide secondary emergency fire access within the subdivision. This EVA, to be used only by emergency vehicles, will connect the interior private street loop with Ascension Drive. The 20-foot wide roadway will have a maximum 20% slope and multi-level retaining walls in order to negotiate the hillside down to the egress point on Ascension Drive.

## **RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. Adopt a resolution adopting a Statement of Overriding Considerations.
3. Adopt a resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
4. Approve the vesting tentative map for a major subdivision, the grading permit, and the removal of four significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

## **SUMMARY**

The applicant has proposed the aforementioned major subdivision project for the Planning Commission's consideration. Staff has reviewed the project for conformance to the County General Plan, Zoning Regulations and Grading Ordinance. The proposed tentative map is consistent with the County General Plan, in which the 27 proposed parcels will conform to the use and density stipulated by the Medium Low Density Residential General Plan land use designation. The site is physically suitable for residential development as the proposed parcels are of sufficient size and shape to support single-family residences, as allowed and regulated by the current the R-1/S-8 Zoning District. Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance.

The applicant has proposed the aforementioned major subdivision project for the Planning Commission's consideration. Given the nature of the project and its potential impact, an Environmental Impact Report was required to evaluate significant environmental effects and proposed mitigation measures to reduce those effects to a less than significant impact. The Draft Environmental Impact Report (DEIR) that was published in June 2009 identified 15 individual significant impacts, with proposed mitigation measures, and discussed issues and concerns raised at the public scoping held December 2003. During the DEIR's public commenting period between June 22, 2009 and September 9, 2009, staff received 70 letters, which raised issues including air quality, landslides, construction phasing, traffic impacts, and erosion. The Final Environmental Impact Report (FEIR) was published for public review on November 20, 2009 and responds to comments received relevant to general and specific environmental impacts covered within the DEIR. In addition to the comments received on the DEIR, many of the comments also express general opposition towards the project.

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**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** December 9, 2009

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Major Subdivision, pursuant to Section 7010 of the County Subdivision Ordinance and the State Subdivision Map Act, a Grading Permit, pursuant to Section 8600 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.25-acre subject site into 27 legal parcels for development of 25 single-family dwellings, a proposed conservation area (Lot A), "tot-lot" (Lot B), a main private access road, and an Emergency Vehicle Access road to provide additional fire access. The project site is accessed from Bel Aire Road north of Ascension Drive.

County File Number: PLN 2002-00517  
(O'Rourke/San Mateo Real Estate and Construction)

**PROPOSAL**

The applicant is proposing to subdivide a collection of six parcels, which make up the project site situated on a hillside, into 27 parcels, of which 25 will be developed with single-family residences, as allowed by the existing R-1/S-8 Zoning District. The proposed new parcels would range in size from 10,120 sq. ft. to 17,590 sq. ft. and would be orientated along both sides of a new private main access road in a loop configuration.

The project will include a "tot-lot," an 8,365 sq. ft. playground facility located near the subject site's main entrance on one of the remaining parcels. A 19,602 sq. ft. parcel at the southwest corner of the subject site, adjacent to Bel Aire Road and Ascension Drive, is proposed as a protected area through the implementation of a conservation easement in order to contain and address the existing erosion located in that area. The remaining 4.12 acres will be utilized as common areas, which will surround the southern and western portions of the subject site. Two trails are also proposed as part of the project, one on the north portion of the subject site, and the second near the southwest corner.

Due to the design of the subdivision and topography, an Emergency Vehicle Access (EVA) road is required in order to provide secondary emergency fire access within the subdivision. This

EVA, to be used only by emergency vehicles, would connect the interior private street loop with Ascension Drive. The 20-foot wide roadway will have a maximum 20 percent slope and multi-level retaining walls in order to negotiate the hillside down to the egress point on Ascension Drive. Grading for the two roads and general site preparation will require the removal of four significant size trees.

The specific applications which require Planning Commission action include:

1. Certification of the Final Environmental Impact Report as complete, correct, and adequate in accordance with the California Environmental Quality Act (CEQA).
2. Subdivision of the six parcels that make up the subject site to create 25 new residential parcels, two non-development parcels, in accordance with the proposed tentative subdivision map contained in Attachment C.
3. Issuance of a grading permit for the EVA road, new private street, and site preparation in anticipation of the issuance of building permits for development of the 25 residential lots.

### **RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. Adopt a resolution adopting a Statement of Overriding Considerations.
3. Adopt a resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
4. Approve the vesting tentative map for a major subdivision, the grading permit, and the removal of four significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

### **BACKGROUND**

Report Prepared By: James A. Castañeda, Project Planner, Telephone 650/363-1853

Applicant: San Mateo Real Estate and Construction

Owner: John O'Rourke

Location: Six contiguous parcels of property (APNs 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111-320, and 041-111-360), consisting of a total of approximately 13.25 acres (gross), located in the unincorporated area of San Mateo County known as the San Mateo

Highlands. The subject site is bordered to the west by Bel Aire Road, Ascension Drive to the south, and existing single-family development to the north and west.

Parcel Sizes: 041-111-130: 16,117 sq. ft.  
041-111-160: 10,890 sq. ft.  
041-111-270: 70,567 sq. ft.  
041-111-280: 61,855 sq. ft.  
041-111-320: 194,278 sq. ft.  
041-111-360: 229,997 sq. ft.

Existing Zoning: R-1/S-8 (Single-Family Residential/7,500 sq. ft. minimum lot size)

General Plan Designation: Medium Low Density Residential (2.4 – 6.0 dwelling units/acre)

Environmental Evaluation: Draft Environmental Impact Report (DEIR) published June 22, 2009; the public review period ended on September 9, 2009. The Final Environmental Impact Report (FEIR) was published on November 20, 2009.

Setting: The subject site is located at the northeast corner of the intersection of Bel Aire Road and Ascension Drive. It is situated on a hillside with average slopes of 40 percent. The subject site is surrounded by single-family dwellings, including the Baywood Park neighborhood to the northeast, the Enchanted Hills neighborhood to the southeast and southwest, and the Starlite Heights neighborhood to the northwest. The College of San Mateo campus is located less than 1/4 mile northeast of the subject site via Parrott Drive. At the center of the subject site is an existing potable water tank owned and operated by the California Water Service Company located on a separate 22,500 sq. ft. parcel. The water tank is also used for mounting cellular communication facilities by various operators. This separate parcel is not part of the proposed project. The site was graded over 40 years ago, which consisted of excavating the sides of the hill for the construction of Ascension Drive and Bel Aire Road. Eight-foot wide benches at 30-foot intervals were created along Ascension Drive as a result. Surface runoff from these benches has eroded the slope over the years. The site is predominately characterized by grassland, small brush and trees such as oak, pine and eucalyptus. A small grove of eucalyptus trees is located on the southeast side of the site and pine trees have been planted around the water tank facility.

Existing Land Use: The property is undeveloped.

Water Supply: Domestic water service would be provided to the project site by California Water Service Company (Cal Water). The existing on-site water lines to the existing water tank would be relocated to accommodate the new proposed development. Upon approval of the project, the applicant would be responsible for the installation of the required infrastructure providing water service to each parcel, as well as securing permits with Cal Water to perform installation.

Sewage Disposal: Sanitary sewer service would be provided to the subject site by the Crystal Springs County Sanitation District (CSCSD), with sewage flowing through lines owned by the Town of Hillsborough and City of San Mateo before being treated at the Wastewater Treatment Plant owned and operated by the City of San Mateo. The proposed on-site sewer system would

consist of the development of underground sanitary sewer pipelines, gravity lines, risers, clean-outs and manholes. All sewer lines leaving the site would be gravity fed, while the on-site lines would consist of a pressure system. There are two off-site sewer line extensions proposed and both would connect into the existing CSCSD system. The sewer ejector pumps proposed on-site would be pre-manufactured, all-inclusive pumps with battery backup, high water alarm, and would have industry-standard holding capacities.

Flood Zone: Zone C (Area of Minimal Flooding); Community Panel No. 060311-0140B, effective date July 5, 1984.

#### Chronology:

<u>Date</u>	<u>Action</u>
February 2002	- Pre-application workshop.
May 2002	- Second pre-application workshop.
August 28, 2002	- Application submitted.
December 4, 2003	- Public EIR Scoping Session held.
September 2004	- Administrative Draft Environmental Impact Report publish for staff review.
March 14, 2005	- County Fire required the applicant to propose a secondary fire access road.
July 16, 2007	- Revised site plans and updated materials provided reflecting a proposed Emergency Vehicle Access (EVA) route.
September 2008	- Second Administrative Draft Environmental Impact Report published, updated to include EVA route and other materials, for staff review.
June 22, 2009	- Draft Environmental Impact Report (DEIR) published, CEQA-mandated public comment period ends August 5, 2009.
August 3, 2009	- DEIR public comment period extended to September 9, 2009.
September 9, 2009	- Public hearing held to discuss DEIR and take public comments.
November 20, 2009	- Final Environmental Impact Review (FEIR) published and released.
December 9, 2009	- Planning Commission meeting to consider certification of the FEIR and approval of the project.

## **DISCUSSION**

### **A. COMPLIANCE WITH COUNTY GENERAL PLAN**

The County General Plan designates the project site as Medium Low Density Residential, which allows for development of 2.4 to 6.0 dwelling units (d.u.) per acre. The proposed land division has a density of 2.037 dwelling units per acre and is in compliance with this designation. The proposal is consistent with the relevant policies set forth by the General Plan, including and particular the following elements:

Chapter 1 - Vegetative, Water, Fish and Wildlife Resources. The project is consistent with the policies within this chapter, particularly Policies 1.20 (*Importance of Sensitive Habitats*), 1.22 (*Regulate Development to Protect Vegetative, Water, Fish, and Wildlife Resources*), 1.23 (*Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources*), and Policy 1.24 (*Protect Vegetative Resources*). No special-status animal or bird species were identified on the project site. The proposed project would result in the removal of 37 trees, of which none have been identified as heritage status and only four are significant size, per the County tree removal ordinances. Based upon survey results and the heavily disturbed nature of the existing project site, it has been determined that the project site is unlikely to support a majority of the special-status plant species recorded from the project site vicinity. But, the EIR consultant has determined that individual special-status plant species such as caper-fruited tropidocarpum, Hillsborough chocolate lily, and fragrant fritillary could have a medium to low potential to be supported by the non-native grasslands. Mitigation measures (Conditions 10 and 11) have been proposed to ensure the project would not result in any significant impact to sensitive habitats or resources.

Chapter 2 - Soil Resources. In regard to Policies 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*), 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Actives Against Accelerated Soil Erosion*), 2.25 (*Regulate Topsoil Removal Operations Against Accelerated Soil Erosion*), and 2.29 (*Promote and Support Soil Erosion Stabilization and Repair Efforts*), the project is consistent with these policies as mitigated. The proposed project will incorporate design measures to improve soil erosion control over existing conditions. Per County standards, no grading shall be allowed during the winter season to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The project site currently has extensive soil erosion on portions of the site. This surface erosion will be repaired as part of the project. Overall, the proposed storm drainage infrastructure will improve site conditions relative to current conditions.

Chapter 4 - Visual Quality. The project will not result in any significant aesthetic impacts that will be in conflict with the policies contained within this chapter. The final project design (i.e., residential homes and lighting plans) will comply with all applicable General Plan Policies, Subdivision Regulations and Zoning Ordinance Regulations, as well as Bel Aire Lighting District standards, and will be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes, roadways, streetlights, and associated lighting plans will be designed and constructed to be compatible with the

surrounding area. All utilities (i.e., electricity, natural gas, water, and sewer) associated with the proposed project will be placed underground. While post-project conditions would be noticeable from County-designated scenic roadways (e.g., Polhemus Road), the currently undeveloped hillside would be replaced with single-family homes similar to the surrounding area. However, considering the length of the roadways, the project site is only visible for a very short distance. Conditions have been included in Attachment A to reduce, to the extent possible, noticeable effects over the long-term, including Conservation Easements, Tree Mitigation and Monitoring Plan and Tree Replacement Program.

Chapter 8 - Urban Land Use. The proposal is consistent with the surrounding residential land uses, per Policies 8.14 (*Land Use Compatibility*) and 8.35 (*Uses*), respectively. The proposed project also complies with Policy 8.29 (*Infilling*), which encourages the infilling of urban areas where infrastructure and services are available.

#### B. COMPLIANCE WITH COUNTY ZONING REGULATIONS

The subject property is currently zoned R-1/S-8 (Single-Family Residential), which allows for single-family residential development with a minimum lot size of 7,500 sq. ft. The R-1/S-8 Zoning District requirements are listed below:

<b>Development Standard</b>	<b>Required</b>
Minimum Lot Size (sq. ft.)	7,500
Minimum Lot Width (ft.)	50
Maximum Lot Coverage	40%
Height Limit	3 stories/36 ft.
Setbacks (ft.)	
Front	20
Sides	5
Rear	20

All development on the proposed parcels will be required to adhere to aforementioned regulations at the time of development. The tentative vesting map complies with the minimum parcel size and width indicated above and demonstrates that the proposed parcels are capable of development under the current zoning development standards.

#### C. COMPLIANCE WITH COUNTY SUBDIVISION REGULATIONS

The proposed subdivision would result in the creation of 27 parcels. Of those, 25 parcels are designed and proposed for development of single-family dwellings. The remaining two parcels will be utilized for non-residential uses ancillary to the developed parcels. A “tot-lot,” an 8,365 sq. ft. playground facility located near the subject site’s main entrance is proposed for Lot B on the tentative map. Lot A, a 19,602 sq. ft. area at the southwest

corner of the subject site is proposed as a protected area through the implementation of a conservation easement in order to contain and address the existing erosion located in that area.

1. Compliance with General Subdivision Design and Parcel Design Requirements

Section 7020 of the County Subdivision Regulations establishes subdivision design parameters and parcel design requirements. Staff has determined, based on the information provided by the EIR and the recommended mitigation measures which will be applied as conditions of project approval, the proposed subdivision complies with all of these requirements. The proposed single-family residential lots will be a minimum of 7,500 sq. ft. in size, 50 feet in width and 100 feet in depth.

2. Compliance with Design Requirements for Special Areas

Section 7021 of the Subdivision Regulations contains design requirements for special areas, including areas with open or forested ridgelines and skylines. The proposed project would result in an impact to the existing open ridgeline, particularly during preparation of the site. This preparation will involve substantial grading, removal of existing drainage structures, vegetation and trees, and repair of an area of erosion. Mitigation measures have been proposed in the EIR, which include conservation easements, tree mitigation and monitoring planting, and tree replacement. Given the topography and measures required to develop the site, no other alternatives exist that would lessen the visual impacts on the open ridgeline in the same manner. Staff therefore concludes that, as conditioned, the proposed project would adhere to design requirements for special areas.

3. Compliance with Street Design and Improvement Requirements

Sections 7022 and 7023 of the Subdivision Regulations set forth standard requirements for subdivision street design and improvements. The proposed project includes approximately 98,102 sq. ft. of on-site private roadways, including the main private access road, the Emergency Vehicle Access (EVA) road, and the new water tank access road. On-site circulation along this street would consist of a closed loop system, with a majority of the proposed 25 parcels situated on either side of this street. The private street system would consist of a 50-foot wide right-of-way throughout. The majority of associated street segments would have the following characteristics: a 32-foot wide paved street surface with curbs and gutters where appropriate; 5.5-foot sidewalks along each side of the street; and curbside parking available. A section of the private street loop along the eastern portion of the site, near the water tank parcel and Lots 7 and 17, would include a narrow 22-foot wide street, with gutters where appropriate. No parking or sidewalk would be developed along this segment of the street. The street grades within the system would range from 11 to 20 percent with cross slopes of approximately 2 percent. Street sections with greater than 15 percent grade would consist of concrete, while all other sections would be asphalt.

The EVA road would be constructed within the southeastern portion of the site, which would connect the main access street to an egress point on Ascension Drive. This roadway would include a 20-foot wide street surface, vehicle turnout, multiple level (5 to 10 feet high) keystone block retaining walls, and maximum street grades of 20 percent with 2 percent cross slopes. The road is provided for the exclusive use of Emergency Vehicles and no other use is permitted.

The proposed street system is compliant with the requirements listed in Sections 7022 and 7023 of the County Subdivision Regulations.

4. Compliance with Park Dedication Requirements

Section 7055 of the County Subdivision Regulations requires the dedication of parkland or the payment of an in-lieu fee as a condition of subdivision approval. When the proposed subdivision contains 50 parcels or less, an in-lieu fee only may be required of the subdivider. Based on the current assessed value of the property, the in-lieu fee owed prior to recordation of the final map is \$13,554.22. However, Section 7055.4 allows for credit to be given against the payment of an in-lieu fee, if open space and improvements for park and recreational purposes are provided in a planned development, provided certain standards are met. The tot lot, conservation area, and the trails proposed by the applicant would qualify for credit against the in-lieu fee. The amount of the credit to be given will be calculated by staff upon submittal of further information regarding the value of those improvements, but in no case may it exceed 50 percent of the total in-lieu fee amount, as specified in Section 7055.4a. A worksheet showing the prescribed calculation appears as Attachment G.

5. Findings for Subdivision Approval

Section 7013.3b of the County Subdivision Regulations specifies the findings for subdivision map approval. All of these findings can be made as described further below:

a. **That the proposed map, along with the provisions for its design and improvements, is consistent with the San Mateo County General Plan.**

The Department of Public Works and Current Planning Section staff have reviewed the tentative map and found that it complies, as conditioned in Attachment A of this report, with State and County land division regulations. The project is consistent with the County General Plan as discussed in Section A of this report.

The applicant shall provide for the extension of existing sewer, water, gas, electric, and cable television lines to service the new parcels. Sewer, water, and gas lines will be run underground to each of the lots. Water will be provided to the parcels by the California Water Service Company, sewer services by the Crystal Springs County Sanitation District (CSCSD), storm drainage services by

the County of San Mateo, fire protection services by Cal-Fire, telephone services by AT&T, and gas and electric services by Pacific Gas and Electric.

**b. That the site is physically suitable for residential development.**

As conditioned, the proposed parcels indicated for development are physically suited for single-family residential development for the following reasons: (1) the proposed parcels conform to the minimum building site and lot width requirements of the R-1/S-8 Zoning District, (2) existing water and sanitary services will be available to serve the newly created parcels, and (3) each parcel can be accessed with the proposed subdivision configuration.

**c. That the site is physically suitable for the proposed density of development.**

The parcels are relatively flat and capable of being served by water, sewer and other necessary utilities. The subdivision would allow for a maximum density of 2.037 dwelling units per acre, which conforms to the 6.0 dwelling units per acre maximum stipulated by the Medium Low Density Residential General Plan land use designation.

**d. That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife in their habitat.**

There is no evidence to suggest that the project will create a serious public health problem or cause substantial environmental damage as conditioned. As previously discussed in Section A of this report in response to the Vegetative, Water, Fish and Wildlife Resources Element, the design of the subdivision and the proposed improvements will not substantially impact wildlife as conditioned. The site is not located within 100 feet of a creek or stream. Additionally, Planning staff has included conditions of approval in Attachment A to require that the project minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines.

**e. That the design of the subdivision or type of improvements will not cause serious public health problems.**

As conditioned, the project will present negligible impact to public health. The EIR thoroughly examines potential impacts and proposes mitigation measures to reduce any possible impact to a less than significant level.

- f. **That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

There are no existing easements on the subject properties other than a private access road to the existing water tank. This road provides access for both the water tank as well as to the existing wireless facilities located at the tank site. The proposed subdivision configuration will continue to provide authorized access via the main loop street at an ingress located on the southeast portion of the subject site.

- g. **That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.**

The project was referred to the Crystal Springs County Sanitation District (CSCSD) and has proposed mitigation measures that will present a zero-net increase in order to avoid contributing to any potential occurrence of a violation the existing sewer system may experience. Staff notes that the City of San Mateo Department of Public Works has stated that the city will not approve the additional flow that would result from the proposed project. The City of San Mateo would, however, consider granting approval for the additional flow that would result from the proposed project provided that the CSCSD pays the amount due and the CSCSD presents an acceptable plan that assures sufficient revenues necessary to meet the current costs and the future additional costs as defined in the Sanitary Sewer Agreement. These matters, however, do not affect the whether the waste would result in a violation of existing requirements imposed by the State Regional Water Quality Control Board.

As mitigated, staff believes that this finding can be made based on the analysis provided by the EIR and the application of the recommended mitigation measures.

- h. **That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act).**

The subject property is not under a Williamson Act contract.

D. COMPLIANCE WITH COUNTY GRADING REGULATIONS

Grading activities include cut and fill of earth, creation of engineered slopes and stepped foundations, and installation of retaining walls. Approximately 131,480 cubic yards of material would be graded for the proposed project on slopes averaging 40 percent. Specifically, the grading phase of the proposed project would require approximately 96,000

cubic yards of cut material (with a maximum depth of 25 feet) and 35,480 cubic yards of fill material (with a maximum depth of 10 feet). Approximately 60,520 cubic yards of soil would be exported from the site to an off-site location.

Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance (Section 8605). Specifically, the project must comply with the standards for erosion and sediment controls (Section 8605.1), and submittal of a geotechnical report (Section 8605.3). Geotechnical reports and supporting documents have been provided as part of the environmental review, and discussed within Section IV-D of the DEIR. As listed in the conditions of approval, the applicant will be required to implement an erosion and sediment control plan that has been reviewed and approved by both the Current Planning Section and the Department of Public Works, in accordance with County standards. In order to approve this project, the Planning Commission must make the required findings contained in the grading regulations. The findings and supporting evidence are outlined below:

**1. That the project will not have a significant adverse effect on the environment.**

The project will have a less than significant impact on the environment with the implementation of the mitigation measures proposed by the FEIR on elements identified as having a potential impact.

**2. That the project conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan.**

The project, as conditioned, conforms to the criteria for review contained in the Grading Ordinance. As outlined and discussed in Section A.1 of this report, the project conforms to the relevant General Plan elements.

**E. ENVIRONMENTAL REVIEW**

An environmental review of the project is required in accordance with the California Environmental Quality Act (CEQA). Based on the nature of the project, it was determined that the proposed project would necessitate an Environmental Impact Report to analyze the potential impacts of the project. A Draft Environmental Impact Report (DEIR) was circulated for public comment from June 22, 2009 through September 9, 2009. Following the close of the public review period, Christopher A. Joseph and Associates, in consultation with Planning staff, reviewed and prepared responses to comments received during the public commenting period, as well as those presented at the September 9, 2009 Planning Commission meeting. Those comments and responses are included in the Final Environmental Impact Report (FEIR) document, which was published November 20, 2009.

The DEIR discusses a number of topics and potential impacts generated by the proposed project. Potential environmental impacts fall into the following categories: scenic and visual impacts to the surrounding area, slope stability, health impacts during grading and

hauling of soil off-site, construction-related noise levels, hydrology and water quality, soil erosion, construction-related air quality emissions, greenhouse gas emissions, and potential project-related traffic impacts. As part of the DEIR, mitigation measures have been recommended to address the potential environmental impacts in order to reduce them to a less than significant level. These impacts and potential issues were identified during the public scoping session held December 2003. Various agencies have reviewed the project to determine the project's feasibility. Recommendations and conditions were provided by these agencies to contribute to the proposed mitigation measures included in the environmental document.

During the public commenting period between June 22, 2009 and September 9, 2009, staff received a total of 70 comment letters. The comments reiterated many of the same issues that were initially raised at the public scoping session in December 2003. The FEIR responds to each of the submitted letters, as well as to the testimony provided at the September 9, 2009 Planning Commission hearing. Responses to the comments provided either referenced topical responses included in the FEIR, or referenced specific sections within the DEIR where the issues were discussed. Minor corrections and additions to the DEIR are identified within the FEIR, and shall be included as part of the FEIR for the Planning Commission to consider for certification. It was determined that re-circulation of the DEIR was not required. New information added as part of the FEIR does not reveal that the project would cause new significant impacts not previously identified in the DEIR. Further, no significant new information has been added that changes the EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponents have declined to implement.

#### Draft EIR Overview

As previously mentioned, the Draft EIR (DEIR) discusses a number of potential impacts generated by the proposed project. A total of 15 individual significant impacts have been identified in the following areas: Aesthetics, Air Quality, Biological Resources, Geology/Soils, Hydrology and Water Quality, Noise, Public Services, and Transportation/Traffic, and Utilities and Service Systems. A summary of those impacts, along with corresponding proposed mitigations measures, is listed in Section II of the DEIR. With the proposed mitigation measures, 13 of the individual impacts are considered less than significant. The DEIR does identify two impacts which will result in significant unavoidable impacts, which are related to temporary short-term air quality and noise impacts during the construction phase (specifically the 34-44 day grading period).

As discussed in Section IV.B (*Air Quality*) of the DEIR, the project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD CEQA Guidelines recommend and provide evaluation criteria for determining the level of significance for project impacts within its jurisdiction. The BAAQMD's evaluation criteria for determining air quality impacts provide defined screening thresholds for emissions, of which projects that would generate emissions below the defined thresholds are considered to have a less-than-significant impact on air quality, and projects

that exceed the thresholds are considered to have a significant impact. The project would have a significant and unavoidable temporary impact to air quality during the construction and grading phase if the proposed mitigation measures are not implemented. With mitigations measures implemented, particulate matter (PM<sub>10</sub>) impacts would be reduced to a less-than-significant level. However, the BAAQMD threshold for mono-nitrogen oxides (NO<sub>x</sub>) will still be exceeded for the 34-44 day grading phase of the project. As a result, the DEIR concludes that this temporary impact would remain significant and unavoidable.

The second temporary short-term impact identified in the DEIR is discussed in Section IV.G (*Noise*) of the report. Based on this discussion, noise generated at the site and along the haul truck route during the construction/grading phase would constitute a significant, short-term noise impact. Mitigation measures are proposed to reduce the impact; however, it is possible that residences adjacent to the project site and along the roadways used by the haul trucks may experience a short-term noise increase, which the DEIR has concluded will remain significant and unavoidable.

The DEIR, per CEQA Guidelines, identifies and provides a brief evaluation of alternatives which are designed to reduce impacts while attempting to meet the general project objectives. Four alternatives were evaluated in Section VI (*Alternatives to the Proposed Project*). These alternatives examined changes to numbers and/or size of the proposed parcels, impervious surface area, and quantity of cut and fill for grading. The first alternative is a “No Project/No Build,” which would yield no impacts leaving the subject site as existing. The second alternative examined a 25-29 lot subdivision which would be consistent with the City of San Mateo’s R1-B Zoning District, which allows for 6,000 sq. ft. parcels and increases density. This alternative would eliminate the EVA road in favor of a new main access which complies with Cal-Fire and County standards. The third alternative calls for large-lot configuration, reducing the number of proposed parcels to six parcels ranging in size from 13,959 to 21,138 sq. ft. This would allow elimination of the EVA road and retain a majority of the undeveloped portion under a conservation easement. The final alternative is a 15-lot configuration which would include proposed parcels ranging in size from 7,549 to 9,054 sq. ft. Under this alternative, access to the site would be provided via a new single access roadway with a hammerhead turnout that provides access to the water tank. The main access would conform to Cal-Fire and County standards, and an EVA road would no longer be required. Further discussion and evaluation of each alternative is provided within the DEIR, but with all alternatives, it is assumed that impacts will be lessened by design and implementation of mitigation measures.

#### Final EIR Overview

The Final EIR (FEIR) was released on November 20, 2009. The FEIR responds to 70 comments made during the DEIR’s public commenting period. Written comments contained points and opinions relevant to the project’s merits, as well as points and opinions which were relevant to the environmental effects of the proposed subdivision. Those points relevant to a general or specific environmental impact covered within the DEIR were provided with a brief explanation and/or directed to specific areas of the DEIR where the comments/concerns were addressed or discussed in detail. Many of the issues

raised were done so repeatedly, and as such were responded in a topical, comprehensive manner. The FEIR, starting on page II-5, discusses nine topical responses which included air quality and health risks during construction, landslides and slope instability, standards for responses to comments and focus of review of commenters, re-circulation of the DEIR, construction phasing and schedule, construction traffic impacts, construction impacts, and erosion impacts. With the exceptions of the “Standards for Response” topical discussion in the FEIR, all comments reiterated elements already contained and discussed in greater detail in the DEIR.

It was concluded that based from the comments received and responses to comments, re-circulation of the DEIR was not required, as no significant new information has been added that compromises the EIR’s evaluation. The FEIR, which incorporates the DEIR, is presented as the final environmental document for the Planning Commission to consider for certification.

#### F. CLARIFIED ISSUES

As previously indicated in the FEIR overview, many concerns have been raised during the course of the DEIR’s review period. The FEIR attempts to respond and clarify issues that were previously discussed/addressed within the DEIR. To provide further clarification, staff has provided the following brief discussion of the contentious topics and/or items not discussed within the DEIR and FEIR.

##### 1. Grading/Site Preparation vs. Build Out

Numerous comments received by staff have indicated concerns over the length of time in which adjacent residences will be exposed to impacts as a result of earthwork and equipment used. The site preparation and grading activities will occur in one phase, consisting of three parts. The first, which is to be the most invasive and impactful in terms of air quality and noise (discussed in Section E of this report), is the grading of 131,480 cubic yards of earth. This is to be completed within 34-44 days. The second part will involve construction of the new private street which is to be completed within six months following the completion of grading activities. Finally, installation of utility stub outs to each proposed parcel will take place. The second and third part of the site preparation phase will require less equipment than the first part, and are therefore considered less impactful than the part one grading. The activities associated with site preparation are **not** synonymous with the term “build out,” which describes the process of constructing dwellings on every parcel after improvements to the subdivision are complete. The timeframe in which dwellings will be erected has not been determined, but it is estimated that complete build out can be expected within 4 1/2 to 5 years. Construction of individual dwellings will not be as impactful or invasive as the site preparation phase.

2. Construction Traffic/Haul Route

As discussed within the FEIR under Topical Response #7, haul trucks during the grading phase are limited to the following route: SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. The purpose is to minimize the number of residential streets used by trucks. Trucks will not be able to utilize Ascension Drive due to the steep grade. Concerns have been raised to the use of this route, due to student traffic from the College of San Mateo as well as other ongoing construction projects. Mitigation measures have been proposed to limit the hours in which trucks will be allowed to haul grading materials from the site, which is currently proposed as 10:00 a.m. to 3:00 p.m. Adjustment to further constrain this timeframe can be considered in attempts to accommodate peak traffic to and from the college. The question of haul truck maneuverability through the proposed route has been raised. On December 2, 2009, staff conducted a road test of the proposed route with a semi-end dump trailer similar to what would be used during the grading phase of the project. The equipment was able to safely maneuver and negotiate the route without any issues. At no point did the equipment encroach oncoming traffic lanes nor came in contact with any traffic islands or curbs.

3. Air Quality

As previously discussed in the Draft EIR Overview within Section E of this report, air quality during the site preparation phase will experience a significant and unavoidable short-term impact. Proposed mitigation measures (Conditions 17 and 18) will reduce particulate matter (PM<sub>10</sub>) related to construction equipment to a less-than-significant level. However, the BAAQMD threshold for NO<sub>x</sub> would exceed the BAAQMD operational thresholds. It should be noted that the BAAQMD CEQA Guidelines do not have a significance determination for NO<sub>x</sub> during the construction phase of any project. This significance determination is based on the conservative assumption to reduce NO<sub>x</sub> emissions as much as possible.

4. Health Risk Assessment

Given the concerns raised regarding air quality, it has been suggested that a Health Risk Assessment (HRA) be provided. A HRA is an evaluation of the potential a hazardous substance will negatively impact one's health. They are tools often used by regulators and other decision-makers to predict the risk related to a certain level of exposure. Unlike epidemiology studies that address the link between past exposures of a population of a chemical to disease, a HRA estimates the potential of current or future exposure to result in health risks to a broad population.

Risk analysis generally contains assumptions that tend to prevent them from underestimating the potential risks. These assumptions provide a margin of safety in the protection of human health. In accordance with Appendix E of the BAAQMD CEQA Guidelines (1999), toxic air contaminants may be produced by a variety of sources, including industrial facilities such as refineries, chemical plants and chrome

platers; commercial facilities such as dry cleaners and gasoline stations; and motor vehicles. Toxic air contaminants associated with motor vehicles are generally a result of diesel exhaust emissions. Additionally, the BAAQMD CEQA Guidelines identify the following potentially substantial sources of diesel exhaust emissions:

- Truck stop
- Warehouse/distribution center
- Large retail or industrial facility
- High volume transit center
- School with high volume of bus traffic
- High volume highway
- High volume arterial/roadway with high level of diesel traffic

As shown above, the guidelines only address sources from long-term operations and not temporary sources such as construction activities. It was determined that for a project of this scope, an HRA would not be performed due the short-term, temporary impacts that would be experienced during the site preparation.

## **REVIEWING AGENCIES**

Bay Area Air Quality Management District  
Baywood Plaza Community Association  
California Department of Conservation  
California Department of Fish and Game  
California Department of Forestry and Fire Protection  
California Regional Water Quality Control Board  
California Water Service Company  
City of San Mateo  
Committee for Green Foothills  
Crystal Springs County Sanitation District  
Highlands Recreation District  
Local Agency Formation Commission (LAFCo)  
Los Trancos Woods Community Association  
Pacific Gas and Electric Company  
Polhemus Heights Community Association  
SamTrans  
San Mateo County Building Inspection Section  
San Mateo County Department of Parks  
San Mateo County Department of Public Works  
San Mateo County Environmental Health Division  
San Mateo County Sheriff's Office  
San Mateo-Foster City School District  
San Mateo Highlands Community Association  
San Mateo Union High School District  
Town of Hillsborough

## **ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map for Ascension Heights Subdivision
- C. Proposed Vesting Tentative Map
- D. Aerial Photograph of the Subject Site
- E. Emergency Access Road Elevations
- F. Public Responses Post September 9, 2009
- G. In-Lieu Park Fee Worksheet
- H. Resolution Certifying the Final Environmental Impact Report
- I. Resolution Adopting Statements of Overriding Considerations
- J. Resolution Adopting (1) Mitigation Monitoring and Reporting, and (2) Adopting Statement of Findings and Facts in Support of Findings
- J-1. Resolution Exhibit A
- J-1. Resolution Exhibit B

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2002-00517

Hearing Date: December 9, 2009

Prepared By: James A. Castañeda

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

**Regarding the Environmental Review, Find:**

1. That the Final Environmental Impact Report (FEIR) is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County guidelines in accordance with California Public Resource Code Section 21081.1(c).
2. That the FEIR reflects the independent judgment of the County.
3. That the mitigation measures identified in the FEIR, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

**Regarding the Major Subdivision, Find:**

4. That the proposed map is consistent with the applicable County general and specific plans. The subdivision will create 27 parcels consistent with the use and density stipulated by the Medium Low Density Residential General Plan land use designation. The proposed density of 2.037 dwelling units per acre conform to the maximum allowed within the Medium Low Density Residential General Plan land use designation.
5. That the site is physically suitable for residential development. The 25 of the 27 parcels proposed for development are of sufficient size and shape to support single-family residences (the principally permitted use in the R-1/S-8 Zoning District) as prepared by the proposed grading. Upon completion of the proposed grading plan for the subdivision, all proposed residential parcels will be capable of supporting a single family residence.
6. That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and

avoidably injure fish or wildlife in their habitat as none are located within 100 feet of a creek or stream. Staff has included conditions of approval in Attachment A which require that the project minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines.

7. That the design of the subdivision or type of improvements will not cause serious public health problems. As conditioned, the project will present negligible impact to public health. The Environmental Impact Report thoroughly examines potential impacts and proposes mitigation measures to reduce any possible impact to a less than significant level.
8. That the design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no existing easements on the subject properties other than a private access road to the existing water tank, which will be reconfigured in order to continue providing authorized access to this area.
9. That the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. The project was referred to the Crystal Springs County Sanitation District (CSCSD) and has proposed mitigation measures for the project that will result in a zero-net increase in sanitary discharge.
10. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act). The property is not subject to any Williamson Act contracts.

Regarding the Grading Permit, Find:

11. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed by Planning staff and the Department of Public Works, which find the project can be completed without significant harm to the environment as conditioned.
12. That this project, as conditioned, conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan. Planning staff and the Department of Public Works have reviewed the project and have determined its conformance to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. The approval applies only to the proposal, documents and plans as described in this report and materials approved by the Planning Commission on December 9, 2009. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of and in substantial conformance with this approval.
2. This subdivision approval is valid for two years, during which time a final map shall be filed and recorded. An extension to this time period in accordance with Section 7013.5.c of the Subdivision Regulations may be issued by the Planning Department upon written request and payment of any applicable extension fees if required.
3. The map shall be recorded pursuant to the plans approved by the Planning Commission; any deviation from the approved plans shall be reviewed and approved by the Community Development Director or Planning Commission, as deemed necessary.
4. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines, including:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
  - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.
  - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.

- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - h. Performing clearing and earth moving activities only during dry weather.
  - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilizing designated access points.
  - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices.
5. The applicant shall submit an erosion and sediment control plan for the proposed utility and access improvements for Planning staff review and approval prior to installation of said utilities/improvements. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.
  6. Unless approved, in writing, by the Community Development Director, no grading shall be allowed during the winter season (October 15 to April 15) to avoid potential soil erosion. The applicant shall submit a letter to the Current Planning Section, a minimum of two (2) weeks prior to commencement of grading, stating the date when grading will begin.
  7. Prior to recordation of the final map, the applicant shall pay In-Lieu Park Fees to the San Mateo County Planning and Building Department pursuant to Section 7055.3 of the Subdivision Regulations. The current amount is \$13,554.22, but shall be calculated at time of recordation using the most recent assessed value of the parcel as required by Section 7055.3 of the Subdivision Regulations.
  8. All future structures to be built on the project site shall be designed to incorporate permanent stormwater control measures in conformance with Bay Area Stormwater Management Agencies Association (BASMAA) Guidelines. This requirement shall be included as a note on the final map and shall be recorded on all deeds for parcels created by this subdivision. Prior to the issuance of a building permit for any structure on the project site, all plans shall be reviewed by the Planning Department for conformance with this condition.
  9. Should cultural resources be encountered during site work, all work shall immediately be halted in the area of discovery and the applicant shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archaeologist and of any recording,

protecting, or curating shall be borne solely by the applicant. The archaeologist shall be required to submit to the Community Development Director for review and approval, a report of the findings and methods of curation or protection of the resources. No further site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

10. Building permits shall be applied for and obtained for the Building Inspection Section for any future construction on any of the 25 created parcels indicated for development after filing the final map.
11. The applicant must incorporate the use of pervious materials in the designs of driveways, patio areas, walkways, etc., for all future construction on the 25 parcels indicated for development. Pervious materials include, but are not limited to, pervious pavers on sand, turf block, pervious pavement, porous asphalt or gravel.
12. The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project. The fee shall be staff's cost, plus 10 percent required in the current Planning Service Fee Scheduled. Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 percent for contract administration.
13. All utilities serving the subdivision shall be installed underground.

#### EIR Mitigation Measures

Additional language added by Planning Staff in Italics.

14. In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.c, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan where landscaping shall be designed by the applicant's arborist in coordination with the County Planning and Building Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature. *The above referenced "Tree Replacement Program and Tree Mitigation and Monitoring Plan" shall be submitted by the applicant prior to recordation of the Final Map. Said Plan must be reviewed and approved by the Current Planning Section prior to recordation of the Final Map.*
15. To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.

16. To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
17. A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review *and approval*, prior to *recordation* of the Final Map.
18. Reflective glass or other glaring materials shall be discouraged. The exterior of the proposed dwellings shall be constructed of non-reflective materials such as, but not limited to: high-performance tinted non-reflective glass, metal panel, and pre-cast concrete or cast in-place or fabricated wall surfaces. The proposed materials will be reviewed and approved by the Planning and Building Director prior to approval of the Final Map.
19. Where streetlights or outdoor area lighting is proposed, the lighting shall be of a low-intensity variety. Residential lighting would be kept to a minimum to meet safety standards, reduce light and glare. Lighting paths, entranceways, and outdoor living areas shall be directed downward to reduce nuisance to adjacent properties. Selection of specific lighting standards for the development would be based on minimizing ambient light. *Prior to recordation of the Final Map, the applicant shall submit a street lighting plan for review and approval by the Current Planning Section. Said plan can be submitted as part of the subdivision improvement plans.*
20. In addition to Condition 14 (FEIR Mitigation Measure AES-1), tree planting shall be required along the internal roadways and within the project site where effective at softening the effects of light and glare from cars and structures.
21. Under BAAQMD CEQA Guidelines, implementation of the mitigation measures listed below is required during demolition, grading, and construction of the proposed project. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities will occur:
  - a. Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.
  - b. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
  - d. Sweep daily all paved access roads, parking areas and staging areas at construction sites.
  - e. Sweep streets daily if visible soil material is carried onto adjacent public streets.

- f. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
- g. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- h. Limit traffic speeds on unpaved roads to 15 miles per hour.
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- j. Replant vegetation in disturbed areas as quickly as possible.
- k. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
- l. Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas. Given wind conditions at the site, winds exceeding 25 miles per hour can be expected from time to time, so periods of suspended construction activity can be expected.
- m. Limit the area subject to excavation, grading and other construction activity at any one time.
- n. Construction equipment generates diesel exhaust, which is a known TAC that poses both a health and nuisance impact to nearby receptors. NO<sub>x</sub> from equipment exhaust contributes to regional O<sub>3</sub> formation. Though not required under the BAAQMD CEQA Guidelines, the control measures listed below should be implemented during the grading phase of the project to minimize diesel TAC and NO<sub>x</sub> emissions.
  - (1) Opacity is often an excellent indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
  - (2) Where possible, to control TACs and PM<sub>10</sub>, use reformulated or alternative diesel fuels. For equipment with engines built in 1994 or later, consider using B80 or B100 fuel, (80 percent or 100 percent biodiesel fuel). B100 reduces TAC emissions by approximately 80 percent to 90 percent. In pre-1994 engines, use B-20 fuel, (a mixture of 20 percent biodiesel and 80 percent fossil diesel fuel). If B20 is used, the fossil diesel component should be CARB low-sulfur fuel (less than 15 ppmw). Other fuels include synthetic diesel fuel and aqueous diesel fuel.

- (3) If a certified unit is available for an individual piece of equipment, the contractor shall utilize an oxidation catalyst or catalytic particulate filter on all diesel powered equipment rated above 50 horsepower. These systems require CARB low-sulfur diesel fuel. Commercial fossil diesel fuel is available with near-zero sulfur levels. Biodiesel is also CARB certified as low-sulfur (near-zero ppmw).
  - (4) Where possible, the contractor shall use Purinox additive or equivalent. Depending on equipment, this reduces emissions of both NO<sub>x</sub> and PM<sub>10</sub> by 20 percent to 40 percent.
  - (5) The contractor shall install temporary electrical service whenever possible to avoid need for independently powered equipment (e.g., compressors).
  - (6) Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site.
  - (7) Properly tune and maintain equipment for low emissions.
  - (8) The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent landowners of construction activities and schedule, and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.
22. Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department. *Said testing shall occur prior to the issuance of the grading permit hard card and prior to any site disturbance.* If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan, including methods for control of airborne dust, shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR's "CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents," Appendix 2. These include water wetting and/or chemical sealant application, excavation only during calm periods, rinsing of vehicles and equipment, covering loads of excavated material, vegetative reclamation, and asphalt cement paving.
  23. To avoid substantial adverse affects to special-status plants as a result of project construction, a focused survey shall be conducted in late February or March to determine the

presence or absence of special-status plants within the project site. The surveys shall be conducted by a qualified biologist and will follow survey protocols acknowledged by the CNPS, CDFG, and USFWS. A qualified biologist is an individual who possesses the following qualifications: (1) experience conducting floristic field surveys; (2) knowledge of plant taxonomy and plant community ecology; (3) familiarity with the plants of the area, including rare, threatened and endangered species; (4) familiarity with the appropriate state and federal statutes related to plants and plant collecting; and (5) experience with analyzing impacts of development on native plant species communities.

Following the completion of the surveys, a survey results report shall be prepared and provided to the County. *Said survey report must be prepared and submitted to the County prior to the issuance of the grading permit hard card or any other site disturbance.* This report shall be a condition of project approvals and shall include, but shall not be limited to, the following: (1) a description of the survey methods; (2) a discussion of the survey results; and (3) a map showing the development area and the location of any special-status plants encountered.

If no special-status plants are encountered in the development area, no further mitigation would be required, unless additional measures are required by the resource and regulatory agencies as a condition of their permit approvals. However, if special-status plant species are encountered, a Mitigation Program shall be prepared by the qualified biologist and shall include measures such as revising the proposed development plans to allow for avoidance and protection of the on-site population, providing permanent protection of an existing on- or off-site population of the species in the region at a 2:1 acreage ratio, or transplanting the individuals (or, if annuals, collecting and storing seeds) to permanent preserved habitat on- or off-site at a 1:1 acreage ratio. The Mitigation Program shall also outline measures to ensure the protection and management of the population prior to, during, and following project construction if the population will be avoided, including a mechanism to ensure permanent protection of the population from development (e.g., conservation easement) and/or, if applicable, measures for transplanting or protecting, managing, and monitoring the population on- or off-site.

24. *Prior to recordation of the Final Map or submittal of the subdivision improvement plans, the project applicant shall redesign the portion of the proposed project that would be developed in proximity to the existing population of summer lupine to avoid removal of the plant species. The redesigned site plan shall be reviewed and approved by the Current Planning Section and the Department of Public Works prior to finalizing project site plans. The applicant shall provide a detailed map of summer lupine occurrences within the project site as part of their redesign submittal. This map will be reviewed in order to determine if any changes to the project design are necessary to avoid removal of the butterfly host plant. Such changes to be considered shall include, but are limited to, any one or combination of the following:*
  - Move all or a portion of the southwestern lot lines for Lots 22 and 23 to not include the summer lupine.

- Relocate the proposed drainage infrastructure that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
  - Relocate the proposed trail that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
  - Relocate the proposed Emergency Vehicle Access (EVA) road to avoid removal of the summer lupine.
  - The project applicant shall include MBB larval host plant species of lupine in the conservation easement on the project site.
  - Prior to issuance of a grading permit *hard card* by the County of San Mateo, the project applicant shall consult with USFWS to ensure that project implementation will not result in a “take” of the MBB. Mitigation Measures listed above could meet some or all of USFWS’s permit requirements. However, if avoidance of lupine is not possible, it is possible that USFWS will need to issue an incidental take authorization and/or require additional mitigation such as a financial contribution to an existing habitat conservation plan for the MBB, placing a conservation easement over preserved portions of the project site where the lupine is being avoided, or some other conservation plan to protect the viability of the species and its habitat.
25. To avoid impacting nesting birds and/or raptors, **one** of the following must be implemented:
- a. Conduct vegetation removal and other ground disturbance activities associated with construction during September through March, when birds are not nesting; or
  - b. Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season. A qualified wildlife biologist shall conduct a pre-construction raptor survey no more than 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site). If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFG and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area. A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the County prior to initiation of grading in the nest-setback zone.

26. To avoid impacting breeding or hibernating bats, tree and snag removal shall occur in September and October after the bat-breeding season, and before the bat hibernation season. If snag and tree removal is to take place outside of this time frame, a pre-construction bat survey shall be conducted. If no roosting bats are found during the survey, no further mitigation would be required. If bats are detected, a 50-foot buffer exclusion zone shall be established around each occupied snag or tree until the roosting activities have ceased.
27. Prior to project implementation, the project applicant shall retain a certified arborist or other qualified professional (approved by the County of San Mateo) to prepare an application for a Significant and/or Heritage Tree Removal Permit. The arborist shall verify and update tree survey data collected in August 2003 in order to confirm the accuracy of tree's size (circumference), tree health and other pertinent data collected within the project site. Based on the updated tree survey data, and an overlay of current project development plans on the map of existing trees for the project site, the applicant's arborist shall provide a map and census of trees to be removed by the proposed project that will accompany the tree removal application. The applicant's arborist shall also prepare a Tree Replacement Plan and determine the appropriate tree replacement ratio in coordination with the County Planning and Building Director.
28. Prior to commencement of construction activities, a certified arborist or other County approved professional shall review the final project plans to determine the potential for damage to occur to any trees that are not proposed for removal. If the arborist determines that any Significant and/or Heritage tree would be adversely affected by the project either through immediate damage or through damage that affects the long-term health of the tree eventually causing disease or death, the project applicant shall replace these identified trees on or near the project site in compliance with the County's tree replacement requirements; the appropriate tree replacement ratio will be determined in coordination with the County Planning and Building Director. The following measures shall be implemented to avoid and/or minimize for potential indirect impacts to preserved trees before, during, and following construction activities:

#### *Pre-Construction*

- Fencing: Protective fencing at least 3 feet high with signs and flagging shall be erected around all preserved trees located adjacent to proposed vegetation clearing and grubbing, grading or other construction activities. The protective fence shall be installed at a minimum of 5 feet beyond the tree canopy dripline. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.

- Pre-Construction Meeting: A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish the purpose of mitigation measures.

#### *During Construction*

- Fence Monitoring: The protective fence shall be monitored weekly during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately.
- Equipment Operation and Storage: Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the protected zones unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist.
- Materials Storage and Disposal: Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. However, the contractors shall leave the duff, mulch, chips and leaves around the retained trees for water retention and nutrient supply. In addition, contractors shall avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet and that equipment/vehicle refueling occur at least 100 feet from fenced tree protection zones to avoid the possibility of leakage of equipment fluids into the soil.
- Grade Changes: Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further and decrease both water and air availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond.

- Trenching: Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. A registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp to minimize ripping, tearing and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary.
- Erosion Control: Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved protected trees during and after project construction. Erosion control materials shall be certified as weed free.
- Inspection: A registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the project. A report summarizing site conditions, observations, tree health and recommendations for minimizing tree damage, shall be submitted by the registered consulting arborist following each inspection.

#### *Post-Construction*

- Mulch: The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided, as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible.
- Watering Adjacent Plant Material: All installed landscaping plants near the protected tree zones shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays.

- Monitoring: A registered consulting arborist shall inspect the trees preserved on the site adjacent to construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the County. Additionally, any tree mortality shall be noted and any tree dying during the two-year monitoring period shall be replaced at a minimum 2:1 ratio on-site in coordination with the County.
29. Mitigation for the approximately 2.8 acres of Coast Live Oak Woodland that would be removed by project construction shall be accomplished through one or a combination of the following mitigation options:
- Establish Oak Woodland Conservation Easement: Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by conserving existing oak woodland habitat. For every acre of oak woodland impacted on the project site, one acre of the same oak woodland type shall be protected off-site in perpetuity through a conservation easement or fee title dedication, to be approved by the County and CDFG. The proposed open space areas would be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement would specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat, shall include a baseline report documenting the existing habitat conditions (i.e., a tree survey conducted by a registered professional forester or a certified arborist), shall include a habitat monitoring plan, shall include an oak woodland education program for project residents, shall designate the party responsible for all actions related to management and maintenance, and shall specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).
  - Plant Replacement Trees On-site and Prepare/Implement Mitigation and Monitoring Plan: Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by planting an appropriate number of trees, including maintaining the plantings and replacing dead or diseased trees. Mitigation for the approximately 2.8 acres of oak woodland that would be removed by project construction shall be accomplished through planting replacement trees at a ratio to be determined in coordination with the County Planning and Building Director (refer to Mitigation Measure BIO-2a). As part of the proposed project, conservation areas will be set aside to accommodate replacement tree plantings. These areas will be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement shall specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat. It shall also specify limitations and restrictions on

land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

A Tree Mitigation and Monitoring Plan will be prepared by an arborist or other County-approved professional showing the species, size, spacing and location of plantings and the location and species of established vegetation. The plan shall be subject to approval by the County. The mitigation oaks shall be maintained for a period of no less than seven years from the date of planting, and replaced if mortality should occur during that seven-year period. Irrigation shall be required for the first five years following planting; the trees should be able to survive without irrigation for the last two years of the seven-year maintenance period. During the seven-year maintenance period, dead or dying trees shall be replaced with trees of the same species and size in order to achieve an 80 percent survival rate at the end of the seven-year period. If an 80 percent survival rate is not achieved at the end of the seven-year period, all dead or dying trees at that time shall be replaced.

The Tree Mitigation and Monitoring Plan shall identify who is responsible for maintaining and replacing trees during the maintenance period. The property owner or other party responsible for maintaining the replacement trees shall submit an annual report to the County on or before July 1st of each year documenting the condition of the trees, and identifying which trees have been replaced or will need to be replaced. An agreement to maintain the replacement trees in accordance with the Tree Mitigation and Monitoring Plan shall be signed by the owner of the property on which the trees are located, and by any other party who has been designated as responsible for maintaining the replacement trees, and by the applicant if the trees are planted off the project site, and a security shall be provided to the County in an amount sufficient for the County to maintain and potentially replace the trees for a seven-year period if the responsible party fails to do so. The security may be in the form of a letter of credit, certificate of deposit or other security as approved by the County. The amount of the security shall be determined by an estimate from a professional landscaper submitted by the property owner, or the applicant for the cost of maintaining the trees and potentially replacing them over the seven-year maintenance period plus 10 percent to administer said maintenance and tree replacement contract, or in an amount established by the County after professional consultation. During the seven-year maintenance period, if the responsible party fails to maintain the replacement trees as required herein, the County shall be authorized to use the security to fund replacing dead or dying trees or maintenance of the trees. At the end of the seven-year maintenance program, the certified arborist shall conduct an inspection of the replacement trees. If the required 80 percent survival rate has not been achieved, all dead or dying trees shall be replaced and any funds remaining in the security shall be forfeited. If the required 80 percent survival rate has been achieved, any funds remaining in the security shall be released.

- Contribute to Oak Woodlands Conservation Funding: Contribute a fee to the California Wildlife Conservation Board's Oak Woodlands Conservation Fund or other mitigation fund established by the County using the following formula:

[fee = 1.0 x acres of impacted oak woodland x current land value]. All contributions to the State Oak Woodlands Conservation Fund, or other mitigation fund, shall specify that these moneys will be used to purchase mitigation oak woodlands in the County. An administration fee equal to 10 percent of the mitigation fee shall also be required to cover the County's costs associated with this option. The in-lieu fee shall be prorated for the development plans and collected at the time of project approval. The determination of appropriate fund contribution shall be approved by the County and CDFG, and shall be contributed prior to the initiation of project construction.

30. The applicant shall retain a qualified engineering geologist to observe all excavations for evidence of weak zones, adverse bedding and joints, within bedrock. Weak zones can be identified by: (1) adversely oriented bedding, joints or shears, or (2) the presence of sheared clayey material typical of the melange matrix. Any weak zones shall be evaluated to determine whether they present a potential zone for future landsliding based on planned final site grades and appropriate mitigation shall be included. Additionally, such zones shall be protected from groundwater derived from infiltrating rainfall, irrigation, and leaking pipes by installing appropriate subdrains and sloping surface grades.
31. Where new fill slopes are planned on residential lots, the applicant shall retain a qualified engineering geologist to perform settlement and slope stability analyses to evaluate the static and seismic performance of the proposed sloped fill. Where encountered, the potential hazard posed by these conditions shall be evaluated from a standpoint of temporary and permanent slope stability. Also, the engineering geologist shall provide technical input and review surface and subsurface drainage plans and specifications for compliance with the geologist's recommendations.
32. All unnecessary fill utilized during site grading shall be removed off-site after construction activities are completed.
33. The applicant shall retain a qualified engineering geologist to provide technical input and review of the surface and subsurface drainage systems for the purpose of reducing the potential for adverse impacts, such as shallow and deep-seated landslides, on and adjacent to site. Common design issues that may require technical input include: (1) the location of surface and subsurface drainage alignments, especially within filled slopes, (2) selection of water discharge locations, (3) separation of surface and subsurface water collection pipes, (4) location of pipe cleanouts, and (5) recommendations for controlling groundwater flow through trench backfill.
34. The site stormwater drainage system (including individual systems for each residence) shall include redundancies to prevent discharge of uncontrolled runoff onto the site slopes in the event one or more components of the stormwater system becomes clogged or otherwise incapacitated. Concentrated runoff shall not be allowed to flow over graded slopes or over areas of thick soil, colluvium or fill.
35. One or more of the following methods shall be incorporated into the final site grading plan, subject to approval by the County Planning and Building Director:

- Excavate and remove materials affected by erosion in areas where the topography allows a cut to daylight at acceptable inclinations.
- Excavate a key at the base of the slope or resistant rock in the erosion area. Rebuild the slope with compacted, drained, engineered fill over a geogrid to allow for slope reconstruction at a steep inclination.
- Construct structural retaining walls or terrace walls in the erosion areas. A wall can be constructed at the top of the eroded area and then trim the erosional features away from below the wall.

Additionally, all of the following measures shall be implemented:

- Permanent erosion control measures shall be placed on all slopes, including all slopes shall be hydroseeded.
  - The project geotechnical consultant shall be involved in reviewing the final grading and drainage plans, as well as perform construction observation services during grading to ensure that erosion control mitigation measures are performed. Based on the results of design-level investigations, more aggressive permanent erosion control measures shall be evaluated to minimize surface runoff velocities and erosion potential. Additionally, a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared with the grading plans to fulfill regulatory requirements.
36. To ensure the applicant's geotechnical consultant is given the opportunity to participate in the final design and construction phases of the project, the applicant's consultant (registered geotechnical engineer and registered engineering geologist) shall review and approve the final grading, drainage, and foundation plans and specifications. Also, upon completion of construction activities, the applicant's consultant shall provide a final statement indicating whether the work was performed in accordance with project plans and specifications, and the consultant's recommendations. All mitigations and final design recommendations will be reviewed and approved by the County prior to issuance of applicable permits and approval of the final map.
  37. In accordance with the State of California's General Permit for Construction Activities (General Permit), the applicant shall prepare a SWPPP. The SWPPP shall comply with the requirements of the General Permit and be incorporated into the construction documents. The SWPPP would provide specific information regarding BMPs for both the construction and post-construction stormwater management that would be incorporated into the project. As part of the coverage under the General Permit, the applicant would file a NOI with the SWRCB within 30 days prior to the start of construction.
  38. The project applicant shall replace the existing 15-inch pipe that crosses Ascension Drive and Enchanted Way with a new 21-inch storm drain pipe.

39. The project applicant shall replace the existing 30-inch outfall that crosses Polhemus Road with a 36-inch pipe sloped at 2 percent.
40. The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:
  - a. Construction activity shall be limited to the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.
  - b. No machinery shall be cleaned past 6:00 p.m. or serviced past 6:45 p.m., Monday through Friday.
  - c. To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 a.m. and 3:00 p.m.
  - d. No construction shall be allowed on Sundays and holidays or without permission from the County.
41. Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.
42. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.
43. Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.
44. All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.
45. Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential streets.
46. The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.

47. A “noise disturbance coordinator,” who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor’s representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.
48. Flagmen shall be utilized to facilitate the traffic flow until construction is complete, specifically if there are partial closures to streets surrounding the project site.
49. The project applicant shall submit building plans and plot plans to the County, San Mateo City Fire Department, and County of San Mateo Fire Department/Cal-Fire to provide appropriate fire hazard management recommendations for inclusion as project conditions of approval. Recommendations may include, but not be limited to, the following:
- Pro-active fire prevention measures pertaining to property maintenance, vegetation management, and building construction using non-combustible materials in accordance with the Wildland Urban Interface Building Standards, to be evaluated by the County upon submittal of detailed building plans; and
  - The San Mateo City Fire Department recommends that all homes have fire sprinkler systems and hydrants with 4.5” x 2” x 2.5” outlets spaced at 300 feet, with roads a minimum of 26 feet wide. These specifications shall be included in building plans and confirmed by the County Building Inspection Section.
50. Prior to the issuance of grading permits, the County shall review the project’s phasing plans to determine when the EVA road shall be installed in relationship to the development of on-site homes. The EVA improvements shall be included in the corresponding final map improvement plans, as reviewed by the County. In addition, the EVA road shall be designed to adhere to County of San Mateo Fire Department/Cal-Fire standards/guidelines, as shown below:
- Parking shall be restricted to one side where the project road is less than 30 feet.
  - A driveway with a hammerhead/T turnaround to serve Lot 11 (flag lot) shall be provided. The top of the “T” shall be 70 feet in length. Alternatively, a 20-foot wide driveway with a hammerhead/T turnaround to serve both Lot 10 and Lot 11 (flag lots) shall be provided. The top of the “T” shall be 70 feet in length.
  - The San Mateo County Fire Department/Cal-Fire shall require a plan and profile of all roads within the project, including the primary and secondary access roads and all roads, dead-end driveways and fire turnarounds within the subdivision.

At building permit submittal, San Mateo County Fire Department/Cal-Fire shall require a report of findings justifying the greater than 15 percent slope throughout the project as specified by County Ordinance and a request for exemption.

51. The new private main access road is planned to be 32 feet in width in most areas and 22 feet in width at the east side of the project. Given the grades and curves, this width is inadequate to allow parking on both sides. Therefore, parking shall be allowed on one side of the road along all 32-foot segments. Additionally, parking shall not be allowed on the 22-foot wide section.
52. The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
53. Construction activity shall be limited to the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. No activity or staging shall occur outside these hours.
54. To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 a.m. and 3:00 p.m.
55. Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
56. No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
57. Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
58. Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.
59. If construction or haul trucks driving to and/or from the project site cause any substantial damage to private driveways in the immediate vicinity of the project site, such damage shall be repaired by, or paid for by, the project applicant.
60. As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.
61. The applicant shall mitigate the project-generated increase in sewer flow such that there is a “zero net increase” in flow during wet-weather events, by reducing the amount of existing Inflow and Infiltration (INI) into the CSCSD sewer system. This shall be achieved through

the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the construction of the residences.

62. The applicant shall prepare and submit a facility recycling program for the collection and loading of recyclable materials prepared in response to the California Solid Waste Reuse and Recycling Access Act of 1991 as described by the CIWMB, Model Ordinance, Relating to Areas for Collecting and Loading Recyclable Materials in Development Projects, March 31, 1993. Adequate space or enclosures for recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

#### Building Inspection Section

63. Building permits shall be applied for and obtained from the Building Inspection Section for any future construction on the parcels created as a result of the filing of the final parcel map for this project.
64. All new construction shall comply with the most recent County Green Building Ordinance in effect at the time of building permit submittal.

#### Department of Public Works

65. The provisions of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site.
66. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.
67. The applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing the driveway access to each parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20 percent) and to County standards for driveways at property line being the same elevation as the center of the access roadway. When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
68. The applicant shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans and submitted to the Department of Public Works for review. Upon completion of this review, the applicant or his engineer shall have these approved plans signed by the Crystal Springs County Sanitary District.

69. Any potable water system work required by the appropriate district within the County right-of-way shall not be commenced until County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Department of Public Works prior to the issuance of the permit.
70. The applicant shall submit written certification from the appropriate energy and communication utilities to the Department of Public Works and the Planning Department stating that they will provide energy and communication services to the proposed parcels of this subdivision.
71. Prior to the issuance of future building permits, the applicant will be required to provide payment of “roadway mitigation fees” based on the square footage (assessable space) of the proposed buildings per Ordinance #3277.
72. The applicant shall submit to the project planner (for recordation) legal descriptions of the reconfigured parcels. The project planner will review these descriptions and forward them to Public Works for approval.
73. The applicant shall submit a permanent stormwater management plan in compliance with the County’s Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.
74. Prior to recordation of the final map, the applicant will be required to submit to the Department of Public Works a complete set of improvement plans including all provisions for roadways, driveway, utilities, storm drainage, and stormwater treatment, all in accordance with the County Subdivision Regulations, County Standard Details, County Drainage Policy and NPDES permit. Improvement plans must be accompanied by a plan review deposit in the amount of \$1,000.00 made payable to the County of San Mateo Department of Public Works.

Upon the Department of Public Works’ approval of the improvement plans, the applicant will be required to execute a Subdivision Improvement Agreement and post securities with the Department of Public Works as follows:

- a. Faithful Performance – 100 percent on the estimated cost of constructing the improvements.
  - b. Labor and Materials – 50 percent of the estimated cost of constructing the improvements.
75. The applicant shall record documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.

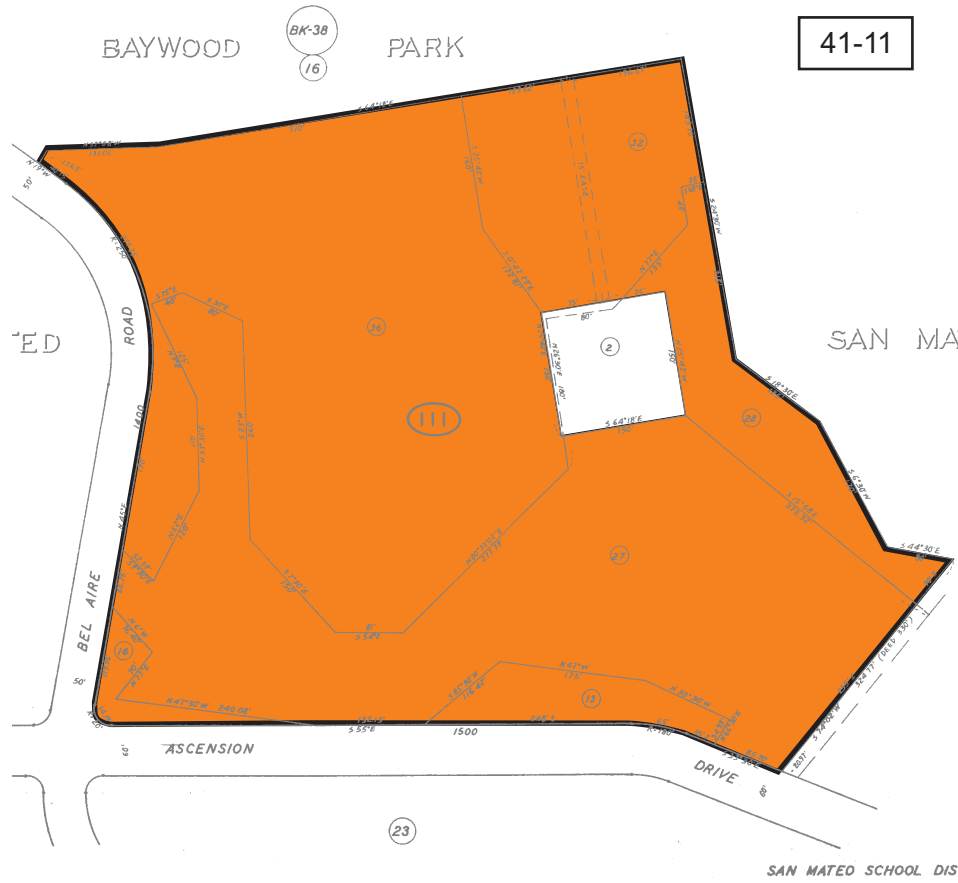
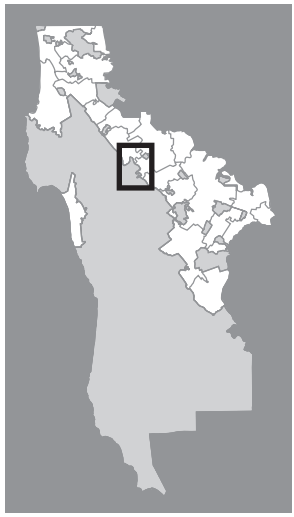
76. The property owner shall dedicate sanitary sewer easements for any portion of the sewer main which lies outside of existing public sanitary sewer easements, if applicable.
77. "As-Built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "As-Built" plans shall be accompanied by a written certification from the engineer that all private facilities have been completed in conformance with the approved plans.
78. It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.
79. The applicant shall submit a parcel map to the Department of Public Works for review and recordation.

#### Cal-Fire

80. When receiving water service for fire protection (hydrants, fire sprinkler systems) from a public or municipal water purveyor, written certification from the water company that hydrants will be installed or the existing water system is capable of meeting the project conditions is required to be presented to Cal-Fire for verification to show that required upgrades to the system will be installed and that existing fire flows will meet the project requirements.
81. The required fire flow shall be available from a County Standard 6" Wet Barrel Fire Hydrant; the configuration of the hydrant shall have a minimum of one each 4 1/2" outlet and one each 2 1/2" outlet located not less than 30 feet nor more than 200 feet from the building, measured by way of approved drivable access to the project site.
82. An approved automatic fire sprinkler system meeting the requirements of NFPA-13D is required to be installed in your project. Plans shall include attached garages and detached garages at or above 1,000 sq. ft. Plans shall be designed by a licensed sprinkler system designer and submitted to the San Mateo County Building Inspection Section for review and approval by Cal-Fire. Building plans will not be reviewed until the required sprinkler plans are received by the Building Inspection Section.
83. At the time of building permit submittal, smoke detectors are required to be installed in accordance with Section 310.9 of the Uniform Building Code. This includes the requirement for hardwired, interconnected detectors equipped with battery backup and placement in each sleeping room in addition to the corridors and on each level of the residence.
84. Maintain around and adjacent to such buildings or structures a fuel break/firebreak made by removing and clearing away flammable vegetation for a distance of not less than 30 feet and up to 100 feet around the perimeter of all structures, or to the property line, if the property line is less than 30 feet from any structure.

85. All landscaping plans shall comply with Public Resource Codes 4291, California Code of Regulations, Title 19, Section 3.07 and the San Mateo County Fire Ordinance Section 3.84.370 for fire safety clearance.
86. All buildings that have a street address shall have the number of that address on the building, mailbox, or other type of sign at the driveway entrance in such a manner that the number is easily and clearly visible from either direction of travel from the street. An address sign shall be placed at each break of the road where deemed applicable by Cal-Fire. Numerals shall be contrasting in color to their background and shall be no less than 4 inches in height, and have a minimum 1/2-inch stroke.
87. Cal-Fire is required to set a minimum fire flow requirement for the remodel and construction of all buildings using the procedure established in the San Mateo County Fire Ordinance. A fire flow of 500 gpm for 2 hours with a 20-psi residual operating pressure must be available as specified by additional project conditions to the project site.
88. Street signs shall be posted at each intersection conforming to the standards of the Department of Public Works.

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## San Mateo County Planning Commission's Meeting

Owner/Applicant: **O'Rourke/San Mateo Real Estate & Construction**

Attachment: **B**

File Numbers: **PLN 2002-00517**



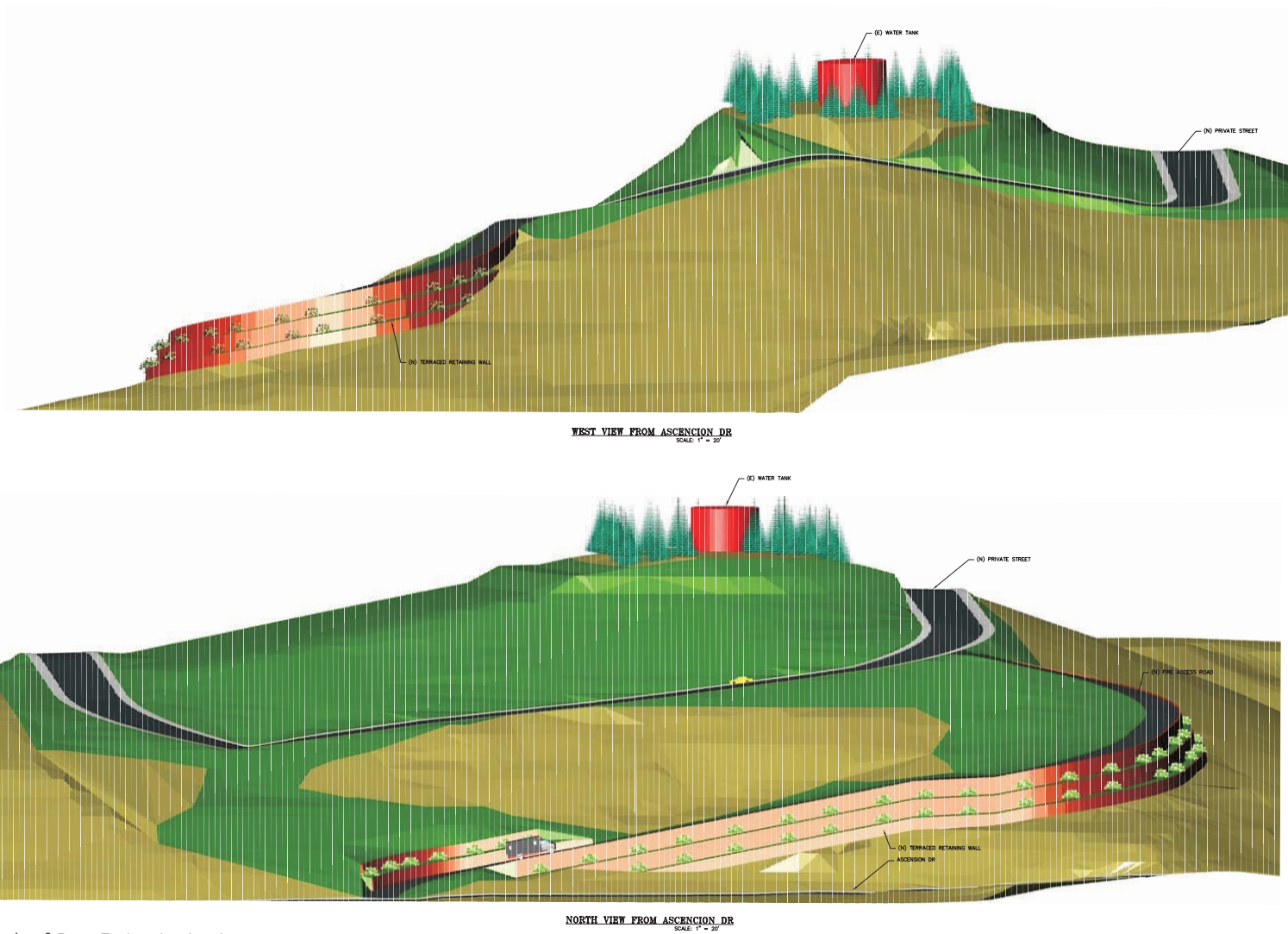


## San Mateo County Planning Commission's Meeting

Owner/Applicant: O'Rourke/San Mateo Real Estate & Construction

Attachment: D

File Numbers: PLN 2002-00517



Source: Lea & Braze Engineering, Inc. January, 2006

Figure III-16  
Emergency Access Road Elevations

## San Mateo County Planning Commission's Meeting

Owner/Applicant: **O'Rourke/San Mateo Real Estate & Construction**

Attachment: **E**

File Numbers: **PLN 2002-00517**

## James Castaneda - Fwd: Tank Hill Proposed Building Site

---

**From:** Lisa Grote  
**To:** Geoff Reilly; James Castaneda  
**Date:** 11/5/2009 08:54  
**Subject:** Fwd: Tank Hill Proposed Building Site

---

fyi. Thanks.



>>> "wendy woodard" <woodard.wendy@gmail.com> 11/5/2009 8:52 AM >>>  
Dear Ms. Grote,

I beg you to visit this area and consider the horrific ramifications of overbuilding in our neighborhood. We can not support 25 more houses, 50 more cars and 100 more people. Not to mention several years of trucks going up and down our hills and streets and the environmental impact on our neighborhood.

No one in our area wants this development and we ask you to help us STOP IT.

Thank you for your attention to this matter.

Wendy Woodard  
1367 Parrott Drive  
San Mateo, Ca 94402

## James Castaneda - Fwd: Proposed Building Site Tank Hill - San Mateo

---

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 11/9/2009 08:44  
**Subject:** Fwd: Proposed Building Site Tank Hill - San Mateo

---

James, Please print out and include in PC packet. Thanks.

jke



Save Paper. Think Before You Print.

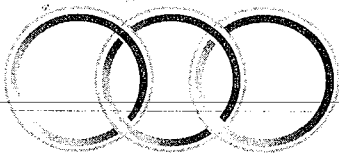
>>> "Sue Barnes" <sueabarnes@gmail.com> 11/8/2009 7:20 AM >>>

Dear Mr Eggemeyer,

I would like to request your support to stop the proposed building of new homes on Tank Hill near College of San Mateo (CSM). If you are unfamiliar with the area I encourage you to drive through the area and consider the ramifications of building on this site. The community surrounding this site is already suffering from the increased commute traffic resulting from the expansion of CSM. In addition, all of our businesses, parks and roads are at capacity. This project will include erecting 25 more houses, which will introduce at least 50 more cars and 100 more people into our community. There are also a number of environmental concerns associated with this project. No one in our area wants this development and we ask you to help us STOP IT.

Thank you for your attention to this matter.

Sue Barnes  
1367 Parrott Drive  
San Mateo, CA 94402



*James  
Five*

Cañada College, Redwood City  
College of San Mateo, San Mateo  
Skyline College, San Bruno

## SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT

Office of the Chancellor

November 16, 2009

Lisa Grote  
Director of Planning  
County of San Mateo  
455 County Center  
Redwood City, CA 94063

Dear Ms. Grote,

We recently became aware of the fact that a Draft Environmental Impact Report has been circulated regarding a 25-29 home subdivision on 13 acres ("Ascension Heights"), which is adjacent to College of San Mateo. We have several concerns about this project:

- 1) The scoping meeting for this project was held in December of 2003—six years ago. We are not aware that an additional scoping meeting was held before the DEIR was circulated and believe that, since that time, a number of different impacts might be identified. For example, since 2003 the College District opened College Vista, a 44-unit apartment project, which has added traffic to the area. CSM also has several very large construction projects under way which has added considerable construction traffic in the area. Finally, the old Visa Headquarters site on Hillsdale—which was vacant in 2003—has been renovated and is now occupied, which has also added traffic that should be considered in the study. Finally, in six years, a number of homes adjacent to the development have changed ownership and none of the new owners have been allowed the opportunity to participate in scoping.
- 2) The project does not incorporate the standard BAAQMD control measures for construction emissions (Impact AQ-1) and the project applicant does not acknowledge that these need to be implemented. The project will have significant and unavoidable impacts on air quality during the grading process which is estimated to last 45 days.
- 3) The project incorporates more than 100,000 cubic yards of grading and off haul of 60,000 cubic yards over a 45 day period. The route for the off haul will be Parrot Drive to CSM Drive to Hillsdale Boulevard to Highway 92, which will put these trucks in the middle of College traffic. We have more than 12,000 students who attend College of San Mateo and have very heavy traffic flows from 8 am to 1 pm and again in the evening.

In addition to student traffic, the College has several very large construction projections underway and we anticipate that this construction/modernization will continue through 2012. The contractors and subcontractors working on College projects have already contributed to larger than normal traffic flows, causing significant delays during high volume times (8 am to 1 pm). We are very

concerned that the additional traffic generated by this project during the construction period will significantly impact traffic in and around CSM.

The DEIR proposes use of 20 cubic yard trucks which are very large; we are also concerned that these trucks many not be able to negotiate the island/turn from CSM Drive to Hillsdale, which is a narrow sharp turn.

The mitigation measure regarding repair of roadways calls for the applicant to repair any street damage caused by its trucks to be made to the "satisfaction of the San Mateo County Department of Public Works." CSM Drive and Hillsdale Boulevard are San Mateo City streets; it seems logical that they should be involved in assessing damage and setting standards for repair, but the mitigation measure does not allow for this.

4) Impact BIO-1 is given a significance level of "less than significant," even though the appropriate study has not yet been conducted to determine if there are special status plants on the site. This study is called for in a February-April timeframe. We believe the DEIR should not be certified before this study is completed.

To summarize, we are very concerned about the traffic and air quality impacts of this project, and would request changes in the mitigation measures to alleviate our concerns.

Sincerely,



Ron Galatolo  
Chancellor

C: Mark Church  
Carole Groom  
Gary Heap  
John Nibbelin  
Larry Patterson

November 23, 2009

County Planning Commission

400 County Center

Redwood City, CA 94063

Dear Sirs:

Re: Water Tank Hill, San Mateo

PROJECT FILE

SAN MATEO COUNTY  
PLANNING DIVISION

2009 NOV 25 A 11:18

RECEIVED

We are definitely **against** your constructing homes on our beautiful hill. I used to walk up there a lot when I was younger, even with my pets. It is a beautiful view now from our whole area, and you want to take away a large part of the earth and trees in order to flatten it for building. That would be a tragedy. We do not need more population in San Mateo or in California, as the state cannot even meet its expenses now!

We are also worried about the **health risks** from the great quantity of dust and diesel fuel pollutants. That can cause heart attacks, strokes, asthma, and even death.

Besides, the many large trucks passing through our narrow streets all the time will **endanger** children, old people, pets, and careless people. They will also cause great traffic congestion in a highly populated area.

There is also the long time during which all this will be going on and the huge amounts of soil to be excavated with the danger of **landslides** and their great cost to this area's homeowners.

You also need to think about the **shortage of water** in California. Everyone is being asked to cut 20% already without any further homes that will be using lots of water as it gets scarcer.

I am sure the builders are out to make lots of money, but please consider those whose homes are here and who cannot get away for protection. We are old and seldom even go anywhere except to doctors and our dentist.

We are **very much** against this project, as our most of our neighbors.

Very truly yours, Winnie and Ronald Green

*Winnie & Ronald Green*

1644 Ascension Drive, San Mateo 94402

*PS If this is not the correct address, please forward this letter.*

## **For Immediate Release**

### **Baywood Park Homeowners' Association**

#### **Lethal Dust Clouds to Threaten CSM – Area Neighborhoods** **September 30, 2009**

Construction of the 25-29 unit Ascension Heights project by San Mateo Developer Dennis Thomas's project will disperse lethal dust and gas within an older established residential area and College of San Mateo (CSM), the San Mateo County Planning Commission learned for the first time on September 9<sup>th</sup>.

The County's own environmental report prepared by its staff and a paid outside consultant report failed to reveal full information on impacts of enormous grading and thousands of truck trips to tear out area hilltop resulting in excessive truck traffic and dangerously degraded air quality levels, which exceed state environmental limits by eight fold.

According to research studies and the expert testimony of Gerard Ozanne, MD, who is also President of the Baywood Park Homeowners Association: "a building project of this magnitude will result in *immediate* increases in risks to health, including death, due to excessive truck pollution and soil dust." Experts for BPHA documented an inadequate environmental study of Thomas's five-year construction project. Consulting geology experts Cotton, Shires & Associates stated that Thomas's project does not meet Bay Area construction standards.

Serious risk to health and lives of residents of the local neighborhoods extends to nearby neighborhoods of San Mateo Oaks, Highlands, Baywood Plaza and Crystal Springs Shopping Center, and College of San Mateo.

Because of the environmental report's incomplete and absent disclosures, unsubstantiated conclusions, avoidance of obvious mitigation measures, project instability, lack of definitive project descriptions, and life threatening hazards, neighbors requested the Planning Commission direct the study be revised and recirculated in its entirety.

Mr. McClellan of BPHA Board stated: "We formally submitted these concerns seven years ago. Neighbors are terrified that County management has allowed this study to be so profoundly inadequate. In addition, BPHA and area communities have been confronted this month with another similar inadequate environmental study ignoring community and expert information. Our only recourse now is to ask the Planning Commission and Board of Supervisors require genuine community involvement and direct proper environmental studies to ensure safe and reasonable developments in our neighborhood."

Media Contact:  
Dr. Gerard Ozanne  
President, Baywood Park Homeowners' Association  
Cell: 650- 787-1127

Caron Tabb  
Cell: 650-539-5454

County of San Mateo  
Planning and Building Department

### In-Lieu Park Fee Worksheet

[This formula is excerpted from Section 7055 of the County's Subdivision Regulations]

This worksheet should be completed for any residential subdivision which contains 50 or fewer lots. For subdivisions with more than 50 lots, the County may require either an in-lieu fee or dedication of land.

1. **For the parcel proposed for subdivision, look up the value of the land on the most recent equalized assessment roll. (Remember you are interested in the land only.)**

Value of Land      =      \$1,014,480.00

2. **Determine the size of the subject parcel in acres.**

Acres of Land      =      13.25 ac.

3. **Determine the value of the property per acre.**

- a. **Set up a ratio to convert the value of the land given its current size to the value of the land if it were an acre in size.**

<b><u>Formula:</u></b>	
<u>Parcel Size in Acres (From Item 2)</u> 1 Acre of Land	<u>Value of Subject Parcel (From Item 1)</u> Value of Land/Acre
<b><u>Fill Out:</u></b>	
<u>13.25 ac.</u> 1 Acre	<u>\$1,014,480.00</u> Value of Land/Acre

- b. **Solve for X by cross multiplying.**

<b><u>Formula:</u></b>				
Value of Land	=	<u>Value of the Subject Parcel (From Item 1)</u> <u>Size of the Subject Parcel in Acres (From Item 2)</u>	=	<u>          </u>
<b><u>Fill Out:</u></b>				
Value of Land	=	<u>\$1,014,480.00</u> <u>13.25 ac.</u>	=	<u>\$76,564.53</u>

4. **Determine the number of persons per subdivision.**

<b>Formula:</b>				
Number of New Lots Created*	X	2.81**	=	Number of Persons Per Subdivision
*Example = A 2-lot split would = 1 newly created lot.				
<b>Fill Out::</b>				
21	X	2.81**	=	59.01
** Average number of persons per dwelling unit according to the most recent federal census (1990).				

5. **Determine the parkland demand due to the subdivision.**

<b>Formula:</b>				
Number of Persons Per Subdivision (From Item 4)	X	.003*** Acres/Person	=	Parkland Demand
<b>Fill Out::</b>				
59.01	X	.003*** Acres/Person	=	0.17703
*** Section 7055.1 of the County's Subdivision Ordinance establishes the need for .003 acres of parkland property for each person residing in the County.				

6. **Determine the parkland in-lieu fee.**

<b>Formula:</b>				
Parkland Demand (From Item 5)	X	Value of the Land/Acre (From Item 3.b)	=	Parkland In-Lieu Fee
<b>Fill Out::</b>				
0.17703	X	76,564.53	=	\$13,554.22

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FRM00276.DOC (1/10/07)

RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

**A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE ASCENSION HEIGHTS SUBDIVISION PROJECT AS COMPLETE,  
CORRECT AND ADEQUATE AND PREPARED IN ACCORDANCE WITH THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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**WHEREAS**, the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County CEQA Guidelines provide that the County must certify that a final environmental report prepared for a project that may have significant environmental effects has been completed in compliance with CEQA; and

**WHEREAS**, on September 25, 2003, the County prepared an Initial Study of the Ascension Heights Subdivision Project which determined that it was a project subject to CEQA and concluded that an Environmental Impact Report (EIR) should be prepared to address the potentially significant environmental impact of the project; and

**WHEREAS**, on October 10, 2003, the County prepared, published and circulated, pursuant to the requirements of CEQA and the State CEQA Guidelines, a Notice of Preparation in order to obtain comments from interested persons and agencies on the proposed scope of the EIR; and

**WHEREAS**, a scoping session was held on December 4, 2003, to solicit public comment on issues to be addressed in the Draft EIR (DEIR); and

**WHEREAS**, on June 22, 2009, the County completed the Draft EIR (DEIR) and the DEIR was published and distributed to the State Clearinghouse, State and local agencies and special districts, public libraries, other known interested parties, and was made available to the general public, thereby commencing a 80-day period for public

review and comment on the adequacy and contents of the DEIR in accordance with the requirements of CEQA. A Notice of Completion of the DEIR specifying the public review and comment period and hearing date was posted and circulated in accordance with the requirements of CEQA; and

**WHEREAS**, on September 9, 2009, the San Mateo County Planning Commission, an appointed commission of the San Mateo County Board of Supervisors, held a public hearing on the Ascension Heights Subdivision Project and received written and verbal comments on the DEIR which were received by the County and were made a part of the record of comments on the DEIR; and

**WHEREAS**, other written comments on the DEIR were received by the County during the public review period and were made a part of the record of comments on the DEIR; and

**WHEREAS**, on September 9, 2009, the 80-day public comment period on the DEIR terminated; and

**WHEREAS**, on November 20, 2009, the County completed and published the Final EIR (FEIR) containing all comments received by the County on the DEIR, responses to those comments raising environmental issues and revisions to the DEIR text made thereby, changes to mitigation measures in connection therewith, and additional environmental information with respect thereto; and

**WHEREAS**, the FEIR was made available to the public and distributed in accordance with the requirements of CEQA, and was made available to those public agencies that had submitted comments on the DEIR; and

**WHEREAS**, on September 9, 2009, the Planning Commission held public hearings on the Ascension Heights Subdivision Project, accepted public testimony concerning the DEIR, and a written transcript was made of the hearings as part of the record of proceedings concerning the DEIR; and

**WHEREAS**, the County received and the Planning Commission has heard, and has been presented with and is familiar with all of the information in the administrative record, has reviewed and considered the information in the DEIR and the FEIR for completeness and compliance with CEQA, the State CEQA Guidelines and the County's CEQA Guidelines, and has independently reviewed and analyzed the FEIR.

**NOW, THEREFORE, BE IT RESOLVED** by the San Mateo County Planning Commission that, based on the foregoing facts and circumstances, and the administrative record concerning the EIR, which includes the public written and oral testimony received on the DEIR and the FEIR, the Planning Commission finds and determines that:

1. The Ascension Heights Subdivision Project Final EIR (FEIR) is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act.
2. The FEIR consists of the following documents:
  - a. The DEIR.
  - b. The FEIR, which includes (1) revisions to the DEIR made in response to comments, (2) comments received from the public, written and oral, and written responses to public comments, and (3) the Mitigation Monitoring and Reporting Program.
  - c. Supplemental responses to public comments.

3. All comments made on the DEIR that raised environmental issues were responded to adequately in the FEIR and in supplemental responses pursuant to the requirements of CEQA, and the FEIR does not contain significant new information requiring additional public review.
4. The FEIR reflects the independent judgment of the County.
5. The FEIR has been completed and processed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the County's CEQA Guidelines.

\* \* \* \* \*

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RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

**RESOLUTION ADOPTING STATEMENTS OF OVERRIDING CONSIDERATION  
PURSUANT TO CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT  
REPORT FOR THE ASCENSION HEIGHTS SUBDIVISION PROJECT**

---

**RECITALS**

**WHEREAS**, it is the policy of the State of California and the County of San Mateo, as provided in the provisions of the California Environmental Quality Act of 1970, as amended, and the provisions of Title XIV, California Administrative Code, Guidelines for Implementation of the California Environmental Quality Act (hereinafter “CEQA” and “Guidelines,” respectively), that the County should not approve a project if it would result in a significant environmental impact if there are alternatives or feasible mitigation measures available which would substantially lessen the significant effects of such projects; and

**WHEREAS**, a Final Environmental Impact Report (hereinafter “FEIR”) analyzing the potential significance of impacts associated with the proposed Ascension Heights Subdivision Project has been prepared and circulated, pursuant to the requirements of CEQA, the Guidelines and the County CEQA Guidelines; and

**WHEREAS**, prior to approving a Tentative Map for a Major Subdivision and Grading Permit, the Planning Commission has certified the FEIR as being complete, correct and adequate, and prepared in accordance with all applicable State and County guidelines.

**WHEREAS**, the Planning Commission, in Resolution No. \_\_\_\_\_, has made certain findings, pursuant to the requirements of CEQA and Section 15091 of the Guidelines, pertaining to the significant impacts associated with development of the

Ascension Heights Subdivision Project and has identified those significant impacts which, by virtue of mitigation measures described in the FEIR and conditions listed in Resolution No. \_\_\_\_\_, have been mitigated to less than significant levels, as well as those impacts which are infeasible to mitigate and for which feasible project alternatives are not available; and

**WHEREAS**, facts and evidence, relied on by this Commission in making its determination regarding the environmental impacts, are found in the staff reports and public hearing records, as well as in the FEIR; and

**WHEREAS**, Section 15093 of the Guidelines requires the County to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project; and

**WHEREAS**, Section 15093 requires, where the decision of the County allows the occurrences of significant effects which are identified in the FEIR but are not feasible to mitigate, the County must state in writing the reasons to support its action based on the FEIR and/or other information in the record.

**WHEREAS**, as described in the DEIR on page IV.B-17, the Ascension Heights Subdivision Project will result in a significant unavoidable air quality impact (AQ-1) as the BAAQMD threshold for mono-nitrogen oxides (NOx) will still be exceeded for the 34-44 day grading phase of the project. While the DEIR identifies a mitigation measure (AQ-1) on pages IV.B-20, which would reduce potential impacts, it is concluded that this temporary impact would remain significant and unavoidable for the duration of the grading phase. The second temporary short-term impact identified in the DEIR is discussed in section IV.G (Noise) of the report. Based on this discussion, noise generated at the site and along the haul truck route during the construction/grading phase would constitute a significant, short-term noise impact. Mitigation measures are proposed to reduce the impact; however, it is possible that residences adjacent to the project site and along the roadways used by the haul trucks may experience a short-term noise

increase, which the DEIR has concluded will remain significant and unavoidable.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the County of San Mateo makes the following statements of Overriding Consideration in support of its action, and as required by the Guidelines:

1. The General Plan Housing Chapter was approved by the Board of Supervisors on October 8, 1991, and certified by the State Department of Housing and Community Development. Included within the General Plan Housing Chapter is the following policy:

14.2     Ensure Sufficient Production of New Housing

Strive to ensure that there is sufficient production of new housing of affordable cost and diverse size to accommodate the housing needs of all persons who reside, work, or who can be expected to work or reside in the County.

2. In State Government Code Section 65580, the State Legislature finds that:  
(1) the availability of housing is of vital statewide importance and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order; (2) the attainment of this goal requires the cooperation of all levels of government and the private sector; and (3) local governments have a responsibility to use their powers to facilitate the improvement and development of housing to meet the housing needs of all economic segments of the community, while considering economic, environmental, fiscal factors and community goals set forth in the General Plan.

3. State Government Code Section 65584 requires the Association of Bay Area Governments (ABAG) to determine the existing and projected housing needs for the nine-county Bay area, and to determine each county's and city's share of the regional housing need for housing at all income levels.
4. The unavoidable change in temporary significant and unavoidable air quality and noise impact at the site is outweighed by the social benefits of the project in that it provides single-family housing in accordance with state and local goals and policies as described above.

\* \* \* \* \*

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RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

**A RESOLUTION (1) ADOPTING THE MITIGATION MONITORING AND  
REPORTING PROGRAM FOR THE ASCENSION HEIGHTS SUBDIVISION  
PROJECT, AND (2) ADOPTING THE STATEMENT OF FINDINGS AND  
FACTS IN SUPPORT OF FINDINGS REGARDING THE ASCENSION  
HEIGHTS SUBDIVISION PROJECT**

---

**RECITALS**

Public Resources Code Section 21081.6 requires that when a public agency adopts findings, pursuant to Public Resources Code Section 21081 (concerning potential significant environmental impacts that will be generated by a project being approved), the public agency must adopt a monitoring or reporting program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

The San Mateo County Planning Commission, by adoption of this resolution, makes findings pursuant to Public Resources Code Section 21801 for the Ascension Heights Subdivision Project, and for actions that may be undertaken to implement that project.

The Ascension Heights Subdivision Project incorporates as changes to the project, and makes a condition of approval of actions that may be undertaken to implement the project, mitigation measures recommended to lessen or alleviate significant environmental effects. The Mitigation Monitoring and Reporting Program for the Ascension Heights Subdivision Project is designed to ensure that mitigation measures are implemented in a timely and organized manner and in accordance with certain specifications.

The Planning Commission makes findings of fact concerning, and to set forth in a cogent and comprehensive manner, the process that has occurred relative to the Ascension Heights Subdivision Project.

**NOW, THEREFORE,** the San Mateo County Planning Commission finds, determines and orders as follows:

1. That the Mitigation Monitoring and Reporting Program for the Ascension Heights Subdivision Project, a copy of which is attached to this resolution as Exhibit A, is adopted.
2. That the Statement of Findings and Facts in Support of Findings regarding the Ascension Heights Subdivision Project, attached to this resolution as Exhibit B, is adopted.
3. That all mitigation measures identified in the FEIR are adopted as conditions of project approval.

\* \* \* \* \*

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RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

EXHIBIT A  
MITIGATION MONITORING PROGRAM PROCEDURES

---

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, §15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The County of San Mateo (the “County”) is the Lead Agency for the Ascension Heights Subdivision Project and is therefore responsible for enforcing and monitoring the mitigation measures in this Mitigation Monitoring Program (MMP).

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to mitigate potential impacts identified to a level where no significant impact on the environment would occur. This MMP is designed to monitor implementation of the required and recommended mitigation measures and conditions set forth for project approval for the Ascension Heights Subdivision Project as identified in the Draft Environmental Impact Report (DEIR) and the Final Environmental Impact Report (FEIR). The required and recommended mitigation measures as well as the conditions set forth for project approval are listed and categorized by either Section and/or impact area, with an accompanying identification of the following:

Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored:

- Pre-Construction, including the design phase
- Construction
- Occupancy (post-construction)

Implementing Party, the party responsible for implementing the mitigation measure.

The Enforcement Agency, the agency with the power to enforce the mitigation measure.

The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMP for Ascension Heights Subdivision Project will be in place throughout all phases of the project. The project applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The County will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

Generally, each certification report will be submitted to the County in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The County shall assure that project construction occurs in accordance with the MMP. Departments listed below are all departments of the County unless otherwise noted.

## **AESTHETICS**

### **Required Mitigation Measures**

#### ***AES-1 Substantially Damage Scenic Resources***

- In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.C, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan, where landscaping shall be designed by the Applicant's arborist in coordination with the County Planning and Building Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature.
- To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.
- To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
- A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review, prior to approval of the Final Map.

#### **Monitoring Phase**

#### **Implementing Party**

#### **Enforcement Agency**

#### **Monitoring Agency**

Pre-Construction/Construction/Operation

Applicant/Contractor/Home Owner's Association

Planning and Building Department

Planning and Building Department

#### ***AES-3 New Source of Substantial Light or Glare***

- Reflective glass or other glaring materials shall be discouraged. The exterior of the proposed building shall be constructed of non-reflective materials such as, but not limited to: high-performance tinted non-reflective glass, metal panel, and pre-cast concrete or cast in-place or fabricated wall surfaces. The proposed materials will be reviewed and approved by the Planning and Building Director prior to approval of the Final Map.
- Where streetlights or outdoor area lighting is proposed, the lighting shall be of a low-intensity variety. Residential lighting would be kept to a minimum to meet safety standards, reduce light

and glare. Lighting paths, entranceways, and outdoor living areas shall be directed downward to reduce nuisance to adjacent properties. Selection of specific lighting standards for the development would be based on minimizing ambient light.

- In addition to Mitigation Measure AES-1, tree planting shall be required along the internal roadways and within the project site where effective at softening the effects of light and glare from cars and structures.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction/Construction/Operation  
Applicant/Contractor/Home Owner's Association  
Planning and Building Department  
Planning and Building Department

## **AIR QUALITY**

### **Required Mitigation Measures**

#### ***AQ-1 Construction/Demolition Emissions***

##### *Construction Phase*

Under BAAQMD CEQA Guidelines, implementation of the mitigation measures listed below is required during demolition, grading, and construction of the proposed project. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

1. Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.
2. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily if visible soil material is carried onto adjacent public streets.
6. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
8. Limit traffic speeds on unpaved roads to 15 miles per hour.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.

12. Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas. Given wind conditions at the site, winds exceeding 25 miles per hour can be expected from time to time, so periods of suspended construction activity can be expected.
13. Limit the area subject to excavation, grading and other construction activity at any one time.

#### *Grading Equipment Exhaust Mitigations*

Construction equipment generates diesel exhaust, which is a known TAC that poses both a health and nuisance impact to nearby receptors. NO<sub>x</sub> from equipment exhaust contributes to regional O<sub>3</sub> formation. Though not required under the BAAQMD CEQA Guidelines, the control measures listed below should be implemented during the grading phase of the project to minimize diesel TAC and NO<sub>x</sub> emissions.

1. Opacity is often an excellent indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
2. Where possible, to control TACs and PM<sub>10</sub>, use reformulated or alternative diesel fuels. For equipment with engines built in 1994 or later, consider using B80 or B100 fuel, (80 percent or 100 percent biodiesel fuel). B100 reduces TAC emissions by approximately 80 percent to 90 percent. In pre-1994 engines, use B-20 fuel, (a mixture of 20 percent biodiesel and 80 percent fossil diesel fuel). If B20 is used, the fossil diesel component should be CARB low-sulfur fuel (less than 15 ppmw). Other fuels include synthetic diesel fuel and aqueous diesel fuel.
3. If a certified unit is available for an individual piece of equipment, the contractor shall utilize an oxidation catalyst or catalytic particulate filter on all diesel powered equipment rated above 50 horsepower. These systems require CARB low-sulfur diesel fuel. Commercial fossil diesel fuel is available with near-zero sulfur levels. Biodiesel is also CARB certified as low-sulfur (near-zero ppmw).
4. Where possible, the contractor shall use Purinox additive or equivalent. Depending on equipment, this reduces emissions of both NO<sub>x</sub> and PM<sub>10</sub> by 20 percent to 40 percent.
5. The contractor shall install temporary electrical service whenever possible to avoid need for independently powered equipment (e.g., compressors).
6. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site.
7. Properly tune and maintain equipment for low emissions.
8. The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land owners of construction activities and schedule and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log

shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.

#### *Naturally Occurring Asbestos*

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR's CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods
- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Construction  
Applicant/Contractor  
BAAQMD  
Planning and Building Department

## **BIOLOGICAL RESOURCES**

### **Required Mitigation Measures**

#### ***BIO-1***

##### ***BIO-1a Special-Status Plant Species***

To avoid substantial adverse affects to special-status plants as a result of project construction, a focused survey shall be conducted in late February or March to determine the presence or absence of special-status plants within the project site. The surveys shall be conducted by a qualified biologist and will follow survey protocols acknowledged by the CNPS, CDFG, and USFWS.<sup>1,2,3</sup> A qualified biologist is an

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<sup>1</sup> California Native Plant Society (CNPS). 2001. CNPS botanical survey guidelines. Pages 38-40 in California Native Plant Society's inventory of rare and endangered vascular plants of California (D.P. Tibor, editor). Sixth edition. Special Publication No. 1, California Native Plant Society, Sacramento, 387 pp.

individual who possesses the following qualifications: (1) experience conducting floristic field surveys; (2) knowledge of plant taxonomy and plant community ecology; (3) familiarity with the plants of the area, including rare, threatened, and endangered species; (4) familiarity with the appropriate state and federal statutes related to plants and plant collecting; and (5) experience with analyzing impacts of development on native plant species communities.

Following the completion of the surveys, a survey results report shall be prepared and provided to the County. This report shall be a condition of project approvals and shall include, but shall not be limited to, the following: (1) a description of the survey methods; (2) a discussion of the survey results; and (3) a map showing the development area and the location of any special-status plants encountered.

If no special-status plants are encountered in the development area, no further mitigation would be required, unless additional measures are required by the resource and regulatory agencies as a condition of their permit approvals. However, if special-status plant species are encountered, a Mitigation Program shall be prepared by the qualified biologist and shall include measures such as revising the proposed development plans to allow for avoidance and protection of the on-site population, providing permanent protection of an existing on- or off-site population of the species in the region at a 2:1 acreage ratio, or transplanting the individuals (or, if annuals, collecting and storing seeds) to permanent preserved habitat on- or off-site at a 1:1 acreage ratio. The Mitigation Program shall also outline measures to ensure the protection and management of the population prior to, during, and following project construction if the population will be avoided, including a mechanism to ensure permanent protection of the population from development (e.g., conservation easement) and/or, if applicable, measures for transplanting or protecting, managing, and monitoring the population on- or off-site.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-construction/Construction  
Applicant/Botanist/Contractor  
Planning Services Division/CDFG/USFWS  
Planning and Building Department

#### *BIO-1b Special-Status Wildlife Species*

The project applicant shall redesign the portion of the proposed project that would be developed in proximity to the existing population of summer lupine to avoid removal of the plant species. Prior to finalizing project site plans, the Applicant shall provide a detailed map of summer lupine occurrences within the project site. This map will be reviewed in order to determine if any changes to the project design are necessary to avoid removal of the butterfly host plant. Such changes to be considered shall include, but are limited to, any one or combination of the following:

- Move all or a portion of the southwestern lot lines for Lots 22 and 23 to not include the summer lupine.
- Relocate the proposed drainage infrastructure that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.

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<sup>2</sup> California Department of Fish and Game (CDFG). 2000. *Guidelines for assessing the effects of proposed projects on rare, threatened, and endangered plants and natural communities. (Revision of 1983 guidelines.)* Sacramento, California, 2 pp.

<sup>3</sup> U.S. Fish and Wildlife Service (USFWS). 1996a. *Guidelines for conducting and reporting botanical inventories for federally listed, proposed, and candidate plants. Sacramento, California, 2 pp.*

- Relocate the proposed trail that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
- Relocate the proposed Emergency Vehicle Access (EVA) road to avoid removal of the summer lupine.
- The project applicant shall include MBB larval host plant species of lupine in the conservation easement on the project site.
- Prior to issuance of a grading permit by the County of San Mateo, the project Applicant shall consult with USFWS to ensure that project implementation will not result in a “take” of the MBB. Mitigation Measures listed above could meet some or all of USFWS’s permit requirements. However, if avoidance of lupine is not possible, it is possible that USFWS will need to issue an incidental take authorization and/or require additional mitigation such as a financial contribution to an existing habitat conservation plan for the MBB, placing a conservation easement over preserved portions of the project site where the lupine is being avoided, or some other conservation plan to protect the viability of the species and its habitat.

**Monitoring Phase**

**Implementing Party**

**Enforcement Agency**

**Monitoring Agency**

Pre-construction/Construction/Operation

Applicant/Biologist/Contractor/Homeowner’s Association

Public Works/ Planning and Building Department/CDFG/USFWS

Planning and Building Department

*BIO-1c Birds*

To avoid impacting nesting birds and/or raptors, one of the following must be implemented:

- Conduct vegetation removal and other ground disturbance activities associated with construction during September through March, when birds are not nesting;

**- OR -**

- Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season. A qualified wildlife biologist shall conduct a pre-construction raptor survey no more than 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site). If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFG and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area. A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the County prior to initiation of grading in the nest-setback zone.

**Monitoring Phase**

**Implementing Party**

**Enforcement Agency**

**Monitoring Agency**

Pre-construction/Construction/Operation

Applicant/Biologist/Contractor/Homeowner’s Association

Planning and Building Department/CDFG

Planning and Building Department

*BIO-1d Mammals*

To avoid impacting breeding or hibernating bats, tree and snag removal shall occur in September and October, after the bat breeding season and before the bat hibernation season. If snag and tree removal is to take place outside of this time frame, a pre-construction bat survey shall be conducted. If no roosting bats are found during the survey, no further mitigation would be required. If bats are detected, a 50-foot buffer exclusion zone shall be established around each occupied snag or tree until the roosting activities have ceased.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-construction/Construction  
Applicant/Biologist/Contractor  
Planning and Building Department /CDFG  
Planning and Building Department

*BIO-2*

*BIO-2a Tree Removal*

Prior to project implementation, the project Applicant shall retain a certified arborist or other qualified professional (approved by the County of San Mateo) to prepare an application for a Significant and/or Heritage Tree Removal Permit. The arborist shall verify and update tree survey data collected in August 2003 in order to confirm the accuracy of tree's size (circumference), tree health, and other pertinent data collected within the project site. Based on the updated tree survey data and an overlay of current project development plans on the map of existing trees for the project site, the Applicant's arborist shall provide a map and census of trees to be removed by the proposed project that will accompany the tree removal application. The Applicant's arborist shall also prepare a Tree Replacement Plan and determine the appropriate tree replacement ratio in coordination with the County Planning and Building Director.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-construction  
Applicant/Biologist/Contractor  
Planning and Building Department  
Planning and Building Department

*BIO-2b Indirect Effects to Preserved Trees*

Prior to commencement of construction activities, a certified arborist or other County-approved professional shall review the final project plans to determine the potential for damage to occur to any trees that are not proposed for removal. If the arborist determines that any Significant and/or Heritage tree would be adversely affected by the project either through immediate damage or through damage that affects the long-term health of the tree eventually causing disease or death, the project applicant shall replace these identified trees on or near the project site in compliance with the County's tree replacement requirements; the appropriate tree replacement ratio will be determined in coordination with the County Planning and Building Director. The following measures shall be implemented to avoid and/or minimize for potential indirect impacts to preserved trees before, during, and following construction activities.

*Pre-Construction*

- Fencing: Protective fencing at least 3 feet high with signs and flagging shall be erected around all preserved trees located adjacent to proposed vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of 5 feet beyond the

tree canopy dripline. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.

- Pre-Construction Meeting: A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish the purpose of mitigation measures.

#### *During Construction*

- Fence Monitoring: The protective fence shall be monitored weekly during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately.
- Equipment Operation and Storage: Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the protected zones, unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist.
- Materials Storage and Disposal: Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. However, the contractors shall leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrient supply. In addition, contractors shall avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet, and that equipment/vehicle refueling occur at least 100 feet, from fenced tree protection zones to avoid the possibility of leakage of equipment fluids into the soil.
- Grade Changes: Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further, and decrease both water and air availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond.
- Trenching: Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction

forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. A registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers, or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary.

- Erosion Control: Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved protected trees during and after project construction. Erosion control materials shall be certified as weed free.
- Inspection: A registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the project. A report summarizing site conditions, observations, tree health, and recommendations for minimizing tree damage shall be submitted by the registered consulting arborist following each inspection.

#### *Post-Construction*

- Mulch: The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible.
- Watering Adjacent Plant Material: All installed landscaping plants near the protected tree zones shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays.
- Monitoring: A registered consulting arborist shall inspect the trees preserved on the site adjacent to construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the County. Additionally, any tree mortality shall be noted and any tree dying during the two-year monitoring period shall be replaced at a minimum 2:1 ratio on-site in coordination with the County.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-construction/Construction/Operation  
Applicant/Biologist/Contractor  
Planning and Building Department  
Planning and Building Department

*BIO-2c Oak Woodland*

Mitigation for the approximately 2.8 acres of Coast Live Oak Woodland that would be removed by project construction shall be accomplished through **one** or **a combination of** the following mitigation options:

- **Establish Oak Woodland Conservation Easement:** Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by conserving existing oak woodland habitat. For every acre of oak woodland impacted on the project site, one acre of the same oak woodland type shall be protected off-site in perpetuity through a conservation easement or fee title dedication, to be approved by the County and CDFG. The proposed open space areas would be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement would specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat, shall include a baseline report documenting the existing habitat conditions (i.e., a tree survey conducted by a registered professional forester or a certified arborist), shall include a habitat monitoring plan, shall include an oak woodland education program for project residents, shall designate the party responsible for all actions related to management and maintenance, and shall specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).
- **Plant Replacement Trees On-site and Prepare/Implement Mitigation and Monitoring Plan:** Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by planting an appropriate number of trees, including maintaining the plantings and replacing dead or diseased trees. Mitigation for the approximately 2.8 acres of oak woodland that would be removed by project construction shall be accomplished through planting replacement trees at a ratio to be determined in coordination with the County Planning and Building Director (refer to Mitigation Measure BIO-2a). As part of the proposed project, conservation areas will be set aside that to accommodate replacement tree plantings. These areas will be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement shall specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat. It shall also specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

A Tree Mitigation and Monitoring Plan will be prepared by an arborist or other County-approved professional showing the species, size, spacing and location of plantings and the location and species of established vegetation. The plan shall be subject to approval by the County. The mitigation oaks shall be maintained for a period of no less than seven years from the date of planting, and replaced if mortality should occur during that seven-year period. Irrigation shall be required for the first five years following planting; the trees should be able to survive without irrigation for the last two years of the seven-year maintenance period. During the seven-year maintenance period, dead or dying trees shall be replaced with trees of the same species and size in order to achieve an 80 percent survival rate at the end of the seven-year period. If an 80

percent survival rate is not achieved at the end of the seven-year period, all dead or dying trees at that time shall be replaced.

The Tree Mitigation and Monitoring Plan shall identify who is responsible for maintaining and replacing trees during the maintenance period. The property owner or other party responsible for maintaining the replacement trees shall submit an annual report to the County on or before July 1<sup>st</sup> of each year documenting the condition of the trees and identifying which trees have been replaced or will need to be replaced. An agreement to maintain the replacement trees in accordance with the Tree Mitigation and Monitoring Plan shall be signed by the owner of the property on which the trees are located and by any other party who has been designated as responsible for maintaining the replacement trees and by the applicant if the trees are planted off the project site, and a security shall be provided to the County in an amount sufficient for the County to maintain and potentially replace the trees for a seven-year period if the responsible party fails to do so. The security may be in the form of a letter of credit, certificate of deposit or other security as approved by the County. The amount of the security shall be determined by an estimate from a professional landscaper submitted by the property owner or the applicant for the cost of maintaining the trees and potentially replacing them over the seven-year maintenance period plus 10 percent to administer said maintenance and tree replacement contract or in an amount established by the County after professional consultation. During the seven-year maintenance period, if the responsible party fails to maintain the replacement trees as required herein, the County shall be authorized to use the security to fund replacing dead or dying trees or maintenance of the trees. At the end of the seven-year maintenance program, the certified arborist shall conduct an inspection of the replacement trees. If the required 80 percent survival rate has not been achieved, all dead or dying trees shall be replaced and any funds remaining in the security shall be forfeited. If the required 80 percent survival rate has been achieved, any funds remaining in the security shall be released.

Contribute to Oak Woodlands Conservation Funding: Contribute a fee to the California Wildlife Conservation Board's Oak Woodlands Conservation Fund or other mitigation fund established by the County using the following formula: [Fee = 1.0 x acres of impacted oak woodland x current land value]. All contributions to the state Oak Woodlands Conservation Fund or other mitigation fund shall specify that these moneys will be used to purchase mitigation oak woodlands in the County. An administration fee equal to 10 percent of the mitigation fee shall also be required to cover the County's costs associated with this option. The in-lieu fee shall be prorated for the development plans and collected at the time of project approval. The determination of appropriate fund contribution shall be approved by the County and CDFG, and shall be contributed, prior to the initiation of project construction.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-construction/Construction  
Applicant/Biologist/Contractor  
Planning and Building Department/CDFG  
Planning and Building Department

## **GEOLOGY & SOILS**

### **Required Mitigation Measures**

#### ***GEO-2      Landslides & Soil Instabilities***

- The applicant shall retain a qualified engineering geologist to observe all excavations for evidence of weak zones, adverse bedding and joints, within bedrock. Weak zones can be

identified by: (1) adversely oriented bedding, joints or shears, or (2) the presence of sheared clayey material typical of the melange matrix. Any weak zones shall be evaluated to determine whether they present a potential zone for future landsliding based on planned final site grades and appropriate mitigation shall be included. Additionally, such zones shall be protected from groundwater derived from infiltrating rainfall, irrigation, and leaking pipes by installing appropriate subdrains and sloping surface grades.

- Where new fill slopes are planned on residential lots, the applicant shall retain a qualified engineering geologist to perform settlement and slope stability analyses to evaluate the static and seismic performance of the proposed sloped fill. Where encountered, the potential hazard posed by these conditions shall be evaluated from a standpoint of temporary and permanent slope stability. Also, the engineering geologist shall provide technical input and review surface and subsurface drainage plans and specifications for compliance with the geologist's recommendations.
- All unnecessary fill utilized during site grading shall be removed off-site after construction activities are completed.
- The applicant shall retain a qualified engineering geologist to provide technical input and review of the surface and subsurface drainage systems for the purpose of reducing the potential for adverse impacts, such as shallow and deep-seated landslides, on and adjacent to site. Common design issues that may require technical input include: (1) the location of surface and subsurface drainage alignments, especially within filled slopes, (2) selection of water discharge locations, (3) separation of surface and subsurface water collection pipes, (4) location of pipe cleanouts, and (5) recommendations for controlling groundwater flow through trench backfill.
- The site storm water drainage system (including individual systems for each residence) shall include redundancies to prevent discharge of uncontrolled runoff onto the site slopes in the event one or more components of the storm water system becomes clogged or otherwise incapacitated. Concentrated runoff shall not be allowed to flow over graded slopes or over areas of thick soil, colluvium or fill.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction  
Applicant/Geologist  
Planning and Building Department  
Planning and Building Department

### ***GEO-3 Soil Erosion or Loss of Topsoil***

One or more of the following methods shall be incorporated into the final site grading plan, subject to approval by the County Planning and Building Director:

- Excavate and remove materials affected by erosion in areas where the topography allows a cut to daylight at acceptable inclinations.
- Excavate a key at the base of the slope or resistant rock in the erosion area. Rebuild the slope with compacted, drained, engineered fill over a geogrid to allow for slope reconstruction at a steep inclination.

- Construct structural retaining walls or terrace walls in the erosion areas. A wall can be constructed at the top of the eroded area and then trim the erosional features away from below the wall.

Additionally, all of the following measures shall be implemented:

- Permanent erosion control measures shall be placed on all slopes, including all slopes shall be hydroseeded.
- The project geotechnical consultant shall be involved in reviewing the final grading and drainage plans, as well as perform construction observation services during grading to ensure that erosion control mitigation measures are performed. Based on the results of design-level investigations, more aggressive permanent erosion control measures shall be evaluated to minimize surface runoff velocities and erosion potential. Additionally, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared with the grading plans to fulfill regulatory requirements.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction/Construction  
 Applicant/Geologist  
 Planning and Building Department  
 Planning and Building Department

#### ***GEO-4***

To ensure the applicant's geotechnical consultant are given the opportunity to participate in the final design and construction phases of the project, the applicant's consultant (Registered Geotechnical Engineer and Registered Engineering Geologist) shall review and approve the final grading, drainage, and foundation plans and specifications. Also, upon completion of construction activities, the applicant's consultant shall provide a final statement indicating whether the work was performed in accordance with project plans and specifications, and the consultant's recommendations. All mitigations and final design recommendations will be reviewed and approved by the County prior to issuance of applicable permits and approval of the Final Map.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction  
 Applicant/Geologist  
 Planning and Building Department  
 Planning and Building Department

### **HYDROLOGY & WATER QUALITY**

#### **Required Mitigation Measures**

##### ***HYDRO-1 Water Quality Standards***

In accordance with the State of California's General Permit for Construction Activities (General Permit) the applicant shall prepare a SWPPP. The SWPPP shall comply with the requirements of the General Permit and be incorporated into the construction documents. The SWPPP would provide specific information regarding BMPs for both the construction and post-construction stormwater management that would be incorporated into the project. As part of the coverage under the General Permit the applicant would file a NOI with the SWRCB within 30 days prior to the start of construction.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction  
Applicant/Engineer  
Planning and Building Department  
Public Works/Planning and Building Department

#### ***HYDRO-4 Runoff Water***

- The project applicant shall replace the existing 15-inch pipe that crosses Ascension Drive and Enchanted Way with a new 21-inch storm drain pipe; and
- The project applicant shall replace the existing 30-inch outfall that crosses Polhemus Road with a 36-inch pipe sloped at 2 percent.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Construction  
Applicant  
Public Works/Planning and Building Department  
Public Works/Planning and Building Department

## **NOISE**

### **Required Mitigation Measures**

#### ***NOISE-1 Temporary Increases in Noise (Construction Noise)***

1. The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:
  - a. Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday.
  - b. No machinery shall be cleaned past 6:00 PM or serviced past 6:45 PM, Monday through Friday.
  - c. To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
  - d. No construction shall be allowed on Sundays and holidays or without permission from the County.
2. Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.
3. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools

themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.

4. Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.
5. All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.
6. Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential, streets.
7. The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.
8. A "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Construction  
Applicant/Contractor  
Planning and Building Department  
Planning and Building Department

## **PUBLIC SERVICES**

### **Required Mitigation Measures**

#### ***PS-2***

##### ***PS-2a Fire Services***

Flagmen shall be utilized to facilitate the traffic flow until construction is complete, specifically if there are partial closures to streets surrounding the project site.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Construction  
Applicant  
Planning and Building Department  
Public Works/Planning and Building Department

*PS-2b Fire Services*

The project applicant shall submit building plans and plot plans to the County, San Mateo City Fire Department, and County of San Mateo Fire Department/CALFIRE to provide appropriate fire hazard management recommendations for inclusion as project conditions of approval. Recommendations may include, but not be limited to, the following:

- Pro-active fire prevention measures pertaining to property maintenance, vegetation management, and building construction using non-combustible materials in accordance with the Wildland Urban Interface Building Standards, to be evaluated by the County upon submittal of detailed building plans; and

The San Mateo City Fire Department recommends that all homes have fire sprinkler systems and hydrants with 4.5" x 2" x 2.5" outlets spaced at 300 feet, with roads a minimum of 26 feet wide. These specifications shall be included in building plans and confirmed by the County Building Department.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction/Construction  
Applicant/Contractor  
Planning and Building Department  
Planning and Building Department

*PS-2c Fire Services*

Prior to the issuance of grading permits, the County shall review the project's phasing plans to determine when the EVA road shall be installed in relationship to the development of on-site homes. The EVA improvements shall be included in the corresponding Final Map improvement plans, as reviewed by the County. In addition, the EVA road shall be designed to adhere to County and County of San Mateo Fire Department/CALFIRE standards/guidelines, as shown below:

- Parking shall be restricted to one side where the project road is less than 30 feet.
- A driveway with a hammerhead/T turnaround to serve Lot 11 (flag lot) shall be provided. The top of the "T" shall be 70 feet in length. Alternatively, a 20-foot wide driveway with a hammerhead/T turnaround to serve both Lot 10 and Lot 11 (flag lots) shall be provided. The top of the "T" shall be 70 feet in length.
- The San Mateo County Fire Department/CALFIRE shall require a plan and profile of the all roads within the project, including the primary and secondary access roads and all roads, dead end driveways and fire turnarounds within the subdivision.
- At building permit submittal, San Mateo County Fire Department/CALFIRE shall require a report of findings justifying the greater than 15 percent slope throughout the project as specified by County Ordinance and a request for exemption.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction/Construction  
Applicant/Contractor  
Planning and Building Department  
Planning and Building Department

## TRANSPORTATION/TRAFFIC

### Required Mitigation Measures

#### ***TRANS-3      Site Access***

The new private main access road is planned to be 32 feet in width in most areas and 22 feet in width at the east side of the project. Given the grades and curves, this width is inadequate to allow parking on both sides. Therefore, parking shall be allowed on one side of the road along all 32-foot segments. Additionally, parking shall not be allowed on the 22-foot wide section.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Construction  
Applicant  
Public Works/Planning and Building Department  
Public Works/Planning and Building Department

#### ***TRANS-6      Construction***

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.
- If construction or haul trucks driving to and/or from the project site cause any substantial damage to private driveways in the immediate vicinity of the project site, such damage shall be repaired by, or paid for by, the project applicant.
- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Pre-Construction/Construction  
Applicant  
Public Works/Planning and Building Department  
Public Works/Planning and Building Department

## **UTILITIES & SERVICE SYSTEMS**

### **Required Mitigation Measures**

#### ***UTIL-1***

The applicant shall mitigate the project-generated increase in sewer flow such that there is a "zero net increase" in flow during wet weather events, by reducing the amount of existing Inflow and Infiltration (INI) into the CSCSD sewer system. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the construction of the residences.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Operation/Construction  
Applicant/Contractor/Ground Water Consultant  
Planning and Building Department  
Planning and Building Department

#### ***UTIL-3     Solid Waste Disposal***

The applicant shall prepare and submit a facility recycling program for the collection and loading of recyclable materials prepared in response to the California Solid Waste Reuse and Recycling Access Act of 1991 as described by the CIWMB, Model Ordinance, Relating to Areas for Collecting and Loading Recyclable Materials in Development Projects, March 31, 1993. Adequate space or enclosures for recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

**Monitoring Phase**  
**Implementing Party**  
**Enforcement Agency**  
**Monitoring Agency**

Operation  
Applicant  
Environmental Health Services/Planning and Building Department  
Planning and Building Department

RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

**EXHIBIT B**  
**STATEMENT OF FINDINGS AND FACTS**

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The findings and determinations contained herein are prepared in accordance with CEQA and the state CEQA Guidelines. The findings are based on the competent and substantial evidence, both oral and written, contained in the entire record of proceeding relating to the proposed project and EIR. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole. Any findings made herein must be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings. If a finding fails to cross-reference or incorporate by reference any other part of these findings, it must be deemed to have been made if it appears in any portion of these findings or elsewhere in the record. These findings are only a summary of information in the record which supports the findings and all other information in support of the findings are incorporated herein by reference.

Pursuant to CEQA and the CEQA Guidelines, no findings are required for those impacts which are identified as less than significant in the Initial Study or EIR (Pub Res Code § 21081; CEQA Guidelines § 15091). So, these findings only address significant impacts of the proposed project.

Under CEQA, lead agencies must adopt findings before approving a Project for which an EIR is required. (See Pub. Resources Code, § 21081; CEQA Guidelines, § 15091.) For each significant environmental effect identified in an EIR for a proposed Project, the approving agency must issue a written finding reaching one or more of three permissible conclusions: (1) that "[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).); (2) that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd. (a)(2).); or (3) that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a Project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "[F]easibility" under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the Project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a Project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the Project if the agency adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the Project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development Project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (Goleta II, 52 Cal.3d at p. 576.)

The analysis and conclusions of the EIR, including but not limited to the responses to comments, are modified as set forth herein. As modified, the EIR and responses to comments are incorporated herein by this reference, and are hereby adopted as part of the findings. These findings constitute the best efforts to set forth the evidentiary and policy bases for the City's decision to approve the Project in a manner consistent with the requirements of CEQA. Below are the required findings under CEQA for each significant environmental impact of the proposed Project.

## **SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE REDUCED TO LESS-THAN-SIGNIFICANT LEVELS**

### **Construction/Demolition Emissions (Air Quality)**

The project would have a significant and unavoidable temporary impact to air quality during the construction and grading phase if the proposed mitigation measures are not implemented. With mitigations measures implemented, particulate matter (PM-10) impacts would be reduced to a less-than significant level. However, the BAAQMD threshold for mono-nitrogen oxides (NOx) will still be exceeded for the 34-44 day grading phase of the project. As a result, the DEIR concludes that this temporary impact would remain significant and unavoidable.

Mitigation Measure AQ-1: Under BAAQMD CEQA Guidelines, implementation of the mitigation measures listed below is required during demolition, grading, and construction of the proposed project. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

1. Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.
2. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily if visible soil material is carried onto adjacent public streets.

6. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
8. Limit traffic speeds on unpaved roads to 15 miles per hour.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
12. Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas. Given wind conditions at the site, winds exceeding 25 miles per hour can be expected from time to time, so periods of suspended construction activity can be expected.
13. Limit the area subject to excavation, grading and other construction activity at any one time.

#### *Grading Equipment Exhaust Mitigations*

Construction equipment generates diesel exhaust, which is a known TAC that poses both a health and nuisance impact to nearby receptors. NO<sub>x</sub> from equipment exhaust contributes to regional O<sub>3</sub> formation. Though not required under the BAAQMD CEQA Guidelines, the control measures listed below should be implemented during the grading phase of the project to minimize diesel TAC and NO<sub>x</sub> emissions.

1. Opacity is often an excellent indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
2. Where possible, to control TACs and PM<sub>10</sub>, use reformulated or alternative diesel fuels. For equipment with engines built in 1994 or later, consider using B80 or B100 fuel, (80 percent or 100 percent biodiesel fuel). B100 reduces TAC emissions by approximately 80 percent to 90 percent. In pre-1994 engines, use B-20 fuel, (a mixture of 20 percent biodiesel and 80 percent fossil diesel fuel). If B20 is used, the fossil diesel component should be CARB low-sulfur fuel (less than 15 ppmw). Other fuels include synthetic diesel fuel and aqueous diesel fuel.
3. If a certified unit is available for an individual piece of equipment, the contractor shall utilize an oxidation catalyst or catalytic particulate filter on all diesel powered equipment rated above 50 horsepower. These systems require CARB low-sulfur diesel fuel. Commercial fossil diesel fuel is available with near-zero sulfur levels. Biodiesel is also CARB certified as low-sulfur (near-zero ppmw).
4. Where possible, the contractor shall use Purinox additive or equivalent. Depending on equipment, this reduces emissions of both NO<sub>x</sub> and PM<sub>10</sub> by 20 percent to 40 percent.

5. The contractor shall install temporary electrical service whenever possible to avoid need for independently powered equipment (e.g., compressors).
6. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site.
7. Properly tune and maintain equipment for low emissions.
8. The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land owners of construction activities and schedule and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.

#### *Naturally Occurring Asbestos*

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR's CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods
- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving

Findings: Specific economic, legal, social, technological or other considerations, including considerations identified in the Statement of Overriding Considerations as noted in the Planning Commission Resolution certifying the EIR make infeasible additional mitigation measures or Project alternatives identified in the EIR. Temporary impacts to air quality, specifically those associated with the 34-44 day grading site preparation, would be significant and unavoidable.

Facts in Support of Finding: Due to the scope and complexity of the grading and utilities, all work proposed on the tentative map is proposed to be complete in one phase. The grading phase would require approximately 34 to 44 days for completion, with the appropriate utility infrastructure added after this phase. The construction of the new private street would require an additional 6 months post the grading phase. All utility stubouts would be completed as part of the one phase tract improvements. The building schedule and phasing of the individual houses has not yet been determined; however, it is assumed for this analysis that buildout would be completed in 4.5 - 5 years. Emissions from these phases of construction can vary considerably depending on the specific activities taking place, level of activity, soil conditions, and weather. Per BAAQMD existing guidance, the significance of these construction air

quality impacts is addressed through application of reasonable control measures to reduce PM<sub>10</sub> rather than detailed quantification of construction emissions. Other sources of construction-related emissions include exhaust emissions from gasoline or diesel powered construction equipment, solvents in construction materials, and gases emitted from asphalt for a short period of time after paving occurs. The BAAQMD accounts for a region-wide inventory of construction emissions in air quality planning efforts.

With mitigations measures implemented, particulate matter (PM<sub>10</sub>) impacts would be reduced to a less-than significant level. However, the BAAQMD threshold for mono-nitrogen oxides (NO<sub>x</sub>) will still be exceeded for the 34-44 day grading phase of the project. As a result, the DEIR concludes that this temporary impact would remain significant and unavoidable.

#### **Temporary Increases in Noise (Noise)**

The project would have a significant and unavoidable temporary impact to noise levels in the vicinity. Noise generated at the site and along the haul truck route during the construction/grading phase would constitute a significant, short-term noise impact. As a result, the DEIR concludes that this temporary impact would remain significant and unavoidable.

#### **Mitigation Measure NOISE-1:**

1. The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:
  - a. Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday.
  - b. No machinery shall be cleaned past 6:00 PM or serviced past 6:45 PM, Monday through Friday.
  - c. To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
  - d. No construction shall be allowed on Sundays and holidays or without permission from the County.
2. Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.
3. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.
4. Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.
5. All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.

6. Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential, streets.
7. The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.
8. A "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.

Findings: Specific economic, legal, social, technological or other considerations, including considerations identified in the Statement of Overriding Considerations as noted in the Planning Commission Resolution certifying the EIR make infeasible additional mitigation measures or Project alternatives identified in the EIR. Temporary impacts to noise, specifically those associated with the 34-44 day grading site preparation, would be significant and unavoidable.

Facts in Supporting of Findings: It is estimated that approximately 69 soil haul truck trips per day for approximately a maximum of 44 days (approximately 3,036 truck round trips for soil export) would be needed to complete the proposed project site grading. SR 92, West Hillsdale drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road are recommended in order to minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade. The typical noise levels generated by slow moving heavy duty trucks with and without implementation of control measures would be expected to range from 75 to 82 dB(A) and 69 to 76 dB(A) at a typical residential façade setback from the roadway centerline of 50 feet and 100 feet, respectively. If the number of haul trucks per hour leaving the site are considered to be relatively constant over the 44-day material removal period, then the average hourly noise levels at the residential facades along the haul routes would increase from current noise levels in the high 40 to low 50 dB(A) range to the mid to high 60 dB(A) range with and without implementation of control measures on haul trucks. Based on this analysis, noise produced by the soil haul trucks trips associated with project's construction period would cause average noise levels at land uses along the haul route to increase by more than 3 dB(A), producing a noticeable, but intermittent noise impact during the period of site grading requiring soil export. Noise generated along the soil haul truck route on local, residential roads during the projects construction period would constitute a *significant*, short-term noise impact.

## **SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT THROUGH MITIGATION**

### **Aesthetics**

**Impact AES-1:** The proposed project would result in a significant aesthetics impact if it would substantially damage scenic resources, including, but not limited to trees, rock outcroppings, or historic buildings within a State Scenic Highway. Implementation of the proposed project would result in considerable grading of the site, removal of the existing drainage structure and trees and sensitive vegetation communities (i.e., Coast Live Oak Woodland), repair of areas of erosion and, the development of 25 single-family homes with associated on-site roadways (main private road and EVA road) and landscaping on the project site. The removal of oak woodland represents a loss of approximately 85 percent of the total 3.3 acres of this community on the site. Mitigation has been included in the DEIR to reduce impacts to a less-than-significant level, including Conservation Easements, Tree Mitigation and Monitoring Plan and Tree Replacement Program.

**Findings:** Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### **Mitigation Measure AES-1:**

- In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.C, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan, where landscaping shall be designed by the Applicant's arborist in coordination with the County Planning and Building Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature.
- To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.
- To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
- A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review, prior to approval of the Final Map.

**Facts in Supporting of the Findings:** The final project design would comply with all applicable General Plan policies, Subdivision Regulations and County Ordinance Codes and would be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes and landscaping would be designed and constructed to be compatible with or contribute to the appearance and visual character of the surrounding area. Further, much of the lower elevations of the project site would be designated as conservation areas, with the exception of some grading to reduce erosion. Through compliance with aforementioned regulations, the project would fall under the definition of "attractive

urban development” and would contribute to the scenic nature of views seen from portions of the above County-designated scenic roadways, specifically from Polhemus Road. As such, although portions of the site with natural scenery would be removed, these areas would be replaced with “attractive urban development.” Overall, for the reasons stated above, the project would not have a substantial adverse effect on scenic resources. Thus, project impacts on scenic resources would be less than significant.

**Impact AES-3:** A significant impact may occur if a project introduces new sources of light or glare on the project site, which would be incompatible with the areas surrounding the project site or which pose a safety hazard, such as to motorists utilizing adjacent streets. There are currently no sources of light and glare on the project site as the project site is almost entirely undeveloped. Some increase in the illumination of the site would be unavoidable from the proposed project development. The proposed development would introduce evening light to the site through interior and exterior illumination of structures, associated infrastructure, street lights, and through light and glare from vehicles. Reflected light from buildings and vehicles would create an additional source of glare.

**Mitigation Measure AES-1:**

- Reflective glass or other glaring materials shall be discouraged. The exterior of the proposed building shall be constructed of non-reflective materials such as, but not limited to: high-performance tinted non-reflective glass, metal panel, and pre-cast concrete or cast in-place or fabricated wall surfaces. The proposed materials will be reviewed and approved by the Planning and Building Director prior to approval of the Final Map.
- Where streetlights or outdoor area lighting is proposed, the lighting shall be of a low-intensity variety. Residential lighting would be kept to a minimum to meet safety standards, reduce light and glare. Lighting paths, entranceways, and outdoor living areas shall be directed downward to reduce nuisance to adjacent properties. Selection of specific lighting standards for the development would be based on minimizing ambient light.
- In addition to Mitigation Measure AES-1, tree planting shall be required along the internal roadways and within the project site where effective at softening the effects of light and glare from cars and structures.

**Findings:** Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Facts in Support of the Finding:** The final project design would comply with all applicable General Plan policies, Subdivision Regulations and County Ordinance Codes, as well as Bel Aire Lighting District standards, and would be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes, roadways streetlights, and associated lighting plans would be designed and constructed to be compatible with the surrounding area. Therefore, project impacts related to light and glare would be less than significant. Although impacts would be less than significant, mitigation is recommended to further reduce any adverse impacts.

**Biological Resources**

**Impact BIO-1:**

*Special-Status Plant Species-* The Non-Native Annual Grassland within the project site has a low to medium potential to support three special-status plants that typically bloom in early spring (February to April): caper-fruited tropidocarpum, Hillsborough chocolate lily, and fragrant fritillary. Because these species were not yet identifiable during surveys conducted in mid May 2003 and late June 2008, their

presence or absence on-site has not yet been confirmed, and therefore the project has the potential to affect these species if present. If populations of these species are present, vegetation clearing and grubbing, grading, and construction could adversely affect the population(s), resulting in a potentially significant impact.

*Special-Status Wildlife Species* - A small population (15 to 20 plants) of one of the larvae host plants (summer lupine) for the endangered Mission blue butterfly (MBB) was found in one location on the steep west facing slope above Ascension Drive. In addition, one of the food plants (blue dicks) for the adult MBB was found throughout the site. A site survey was conducted at a time of the year the adult MBBs would be out and flying, although none were observed during the survey. However, according to the USFWS, the presence of the MBB is assumed if the larvae host plants are found and if the project site is within the range of the butterfly. Development components of the proposed project may result in the removal of a few individual larvae host plants associated with the MBB. The proposed plant palette that would be used to landscape this area has not yet been identified; however, the project applicant has indicated that native vegetation would be utilized. As such, it is possible that the project would replace the summer lupine that would be lost during project construction. However, according to the USFWS, removal of the existing population of lupine would constitute a potentially significant impact to the MBB.

Two special-status bird species have a “medium” potential to nest on-site, including Coopers hawk and white-tailed kite; in addition, several non special-status migratory species have a medium potential to nest in trees and shrubs on and adjacent to the project site. Bird nests with eggs or young are protected under the MBTA and the California Fish and Game Code. Construction activities including vegetation removal, noise and vibration have a potential to result in direct (i.e., death or physical harm) and indirect (i.e., nest abandonment) impacts to nesting birds; these impacts would be considered potentially significant.

Potentially suitable roost habitat is present for two special-status bat species (pallid bat and fringed myotis) on the project site and includes any mature (greater than 25-inch DBH) tree stand and any large snags or felled trees. Removal of roost habitat during the bat hibernation or maternity season has potential to result in harm, death, displacement and/or disruption of bats and/or nursery colony roosts; this impact would be potentially significant.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure BIO-1a: To avoid substantial adverse affects to special-status plants as a result of project construction, a focused survey shall be conducted in late February or March to determine the presence or absence of special-status plants within the project site. The surveys shall be conducted by a qualified biologist and will follow survey protocols acknowledged by the CNPS, CDFG, and USFWS. A qualified biologist is an individual who possesses the following qualifications: (1) experience conducting floristic field surveys; (2) knowledge of plant taxonomy and plant community ecology; (3) familiarity with the plants of the area, including rare, threatened, and endangered species; (4) familiarity with the appropriate state and federal statutes related to plants and plant collecting; and (5) experience with analyzing impacts of development on native plant species communities. Following the completion of the surveys, a survey results report shall be prepared and provided to the County. This report shall be a condition of project approvals and shall include, but shall not be limited to, the following: (1) a description of the survey methods; (2) a discussion of the survey results; and (3) a map showing the development area and the location of any special-status plants encountered. If no special-status plants are encountered in the development area, no further mitigation would be required, unless additional measures are required by the resource and regulatory agencies as a condition of their permit approvals. However, if special-status plant species are encountered, a Mitigation Program shall be prepared by the qualified biologist and shall include measures such as revising the proposed development plans to allow for

avoidance and protection of the on-site population, providing permanent protection of an existing on- or off-site population of the species in the region at a 2:1 acreage ratio, or transplanting the individuals (or, if annuals, collecting and storing seeds) to permanent preserved habitat on- or off-site at a 1:1 acreage ratio. The Mitigation Program shall also outline measures to ensure the protection and management of the population prior to, during, and following project construction if the population will be avoided, including a mechanism to ensure permanent protection of the population from development (e.g., conservation easement) and/or, if applicable, measures for transplanting or protecting, managing, and monitoring the population on or off-site.

Mitigation Measure BIO-1b: The project applicant shall redesign the portion of the proposed project that would be developed in proximity to the existing population of summer lupine to avoid removal of the plant species. Prior to finalizing project site plans, the Applicant shall provide a detailed map of summer lupine occurrences within the project site. This map will be reviewed in order to determine if any changes to the project design are necessary to avoid removal of the butterfly host plant. Such changes to be considered shall include, but are limited to, any one or combination of the following:

- Move all or a portion of the southwestern lot lines for Lots 22 and 23 to not include the summer lupine.
- Relocate the proposed drainage infrastructure that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
- Relocate the proposed trail that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
- Relocate the proposed Emergency Vehicle Access (EVA) road to avoid removal of the summer lupine.
- The project applicant shall include MBB larval host plant species of lupine in the conservation easement on the project site.
- Prior to issuance of a grading permit by the County of San Mateo, the project Applicant shall consult with USFWS to ensure that project implementation will not result in a “take” of the MBB. Mitigation Measures listed above could meet some or all of USFWS’s permit requirements. However, if avoidance of lupine is not possible, it is possible that USFWS will need to issue an incidental take authorization and/or require additional mitigation such as a financial contribution to an existing habitat conservation plan for the MBB, placing a conservation easement over preserved portions of the project site where the lupine is being avoided, or some other conservation plan to protect the viability of the species and its habitat.

Mitigation Measure BIO-1c: To avoid impacting nesting birds and/or raptors, **one** of the following must be implemented:

- Conduct vegetation removal and other ground disturbance activities associated with construction during September through March, when birds are not nesting;
- OR -
- Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season. A qualified wildlife biologist shall conduct a pre-construction raptor survey no more than 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site). If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFG and implemented to prevent abandonment of the active nest. At a

minimum, grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area. A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the County prior to initiation of grading in the nest-setback zone.

Mitigation Measure BIO-1d: To avoid impacting breeding or hibernating bats, tree and snag removal shall occur in September and October, after the bat breeding season and before the bat hibernation season. If snag and tree removal is to take place outside of this time frame, a pre-construction bat survey shall be conducted. If no roosting bats are found during the survey, no further mitigation would be required. If bats are detected, a 50-foot buffer exclusion zone shall be established around each occupied snag or tree until the roosting activities have ceased.

Mitigation Measure BIO-2: Prior to project implementation, the project Applicant shall retain a certified arborist or other qualified professional (approved by the County of San Mateo) to prepare an application for a Significant and/or Heritage Tree Removal Permit. The arborist shall verify and update tree survey data collected in August 2003 in order to confirm the accuracy of tree's size (circumference), tree health, and other pertinent data collected within the project site. Based on the updated tree survey data and an overlay of current project development plans on the map of existing trees for the project site, the Applicant's arborist shall provide a map and census of trees to be removed by the proposed project that will accompany the tree removal application. The Applicant's arborist shall also prepare a Tree Replacement Plan and determine the appropriate tree replacement ratio in coordination with the County Planning and Building Director.

Mitigation Measure BIO-2b: Prior to commencement of construction activities, a certified arborist or other County-approved professional shall review the final project plans to determine the potential for damage to occur to any trees that are not proposed for removal. If the arborist determines that any Significant and/or Heritage tree would be adversely affected by the project either through immediate damage or through damage that affects the long-term health of the tree eventually causing disease or death, the project applicant shall replace these identified trees on or near the project site in compliance with the County's tree replacement requirements; the appropriate tree replacement ratio will be determined in coordination with the County Planning and Building Director. The following measures shall be implemented to avoid and/or minimize for potential indirect impacts to preserved trees before, during, and following construction activities.

#### *Pre-Construction*

- Fencing: Protective fencing at least 3 feet high with signs and flagging shall be erected around all preserved trees located adjacent to proposed vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of 5 feet beyond the tree canopy dripline. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.
- Pre-Construction Meeting: A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving

sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish the purpose of mitigation measures.

#### *During Construction*

- Fence Monitoring: The protective fence shall be monitored weekly during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately.
- Equipment Operation and Storage: Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the protected zones, unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist.
- Materials Storage and Disposal: Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. However, the contractors shall leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrient supply. In addition, contractors shall avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet, and that equipment/vehicle refueling occur at least 100 feet, from fenced tree protection zones to avoid the possibility of leakage of equipment fluids into the soil.
- Grade Changes: Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further, and decrease both water and air availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond.
- Trenching: Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. A registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers, or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary.
- Erosion Control: Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved protected trees during and after project construction. Erosion control materials shall be certified as weed free.
- Inspection: A registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the project. A report

summarizing site conditions, observations, tree health, and recommendations for minimizing tree damage shall be submitted by the registered consulting arborist following each inspection.

#### *Post-Construction*

- Mulch: The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible.
- Watering Adjacent Plant Material: All installed landscaping plants near the protected tree zones shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays.
- Monitoring: A registered consulting arborist shall inspect the trees preserved on the site adjacent to construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the County. Additionally, any tree mortality shall be noted and any tree dying during the two-year monitoring period shall be replaced at a minimum 2:1 ratio on-site in coordination with the County.

Mitigation Measure BIO-2c: Mitigation for the approximately 2.8 acres of Coast Live Oak Woodland that would be removed by project construction shall be accomplished through **one** or **a combination of** the following mitigation options:

- Establish Oak Woodland Conservation Easement: Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by conserving existing oak woodland habitat. For every acre of oak woodland impacted on the project site, one acre of the same oak woodland type shall be protected off-site in perpetuity through a conservation easement or fee title dedication, to be approved by the County and CDFG. The proposed open space areas would be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement would specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat, shall include a baseline report documenting the existing habitat conditions (i.e., a tree survey conducted by a registered professional forester or a certified arborist), shall include a habitat monitoring plan, shall include an oak woodland education program for project residents, shall designate the party responsible for all actions related to management and maintenance, and shall specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

- Plant Replacement Trees On-site and Prepare/Implement Mitigation and Monitoring Plan: Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by planting an appropriate number of trees, including maintaining the plantings and replacing dead or diseased trees. Mitigation for the approximately 2.8 acres of oak woodland that would be removed by project construction shall be accomplished through planting replacement trees at a ratio to be determined in coordination with the County Planning and Building Director (refer to Mitigation Measure BIO-2a). As part of the proposed project, conservation areas will be set aside that to accommodate replacement tree plantings. These areas will be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement shall specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat. It shall also specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

A Tree Mitigation and Monitoring Plan will be prepared by an arborist or other County-approved professional showing the species, size, spacing and location of plantings and the location and species of established vegetation. The plan shall be subject to approval by the County. The mitigation oaks shall be maintained for a period of no less than seven years from the date of planting, and replaced if mortality should occur during that seven-year period. Irrigation shall be required for the first five years following planting; the trees should be able to survive without irrigation for the last two years of the seven-year maintenance period. During the seven-year maintenance period, dead or dying trees shall be replaced with trees of the same species and size in order to achieve an 80 percent survival rate at the end of the seven-year period. If an 80 percent survival rate is not achieved at the end of the seven-year period, all dead or dying trees at that time shall be replaced.

The Tree Mitigation and Monitoring Plan shall identify who is responsible for maintaining and replacing trees during the maintenance period. The property owner or other party responsible for maintaining the replacement trees shall submit an annual report to the County on or before July 1<sup>st</sup> of each year documenting the condition of the trees and identifying which trees have been replaced or will need to be replaced. An agreement to maintain the replacement trees in accordance with the Tree Mitigation and Monitoring Plan shall be signed by the owner of the property on which the trees are located and by any other party who has been designated as responsible for maintaining the replacement trees and by the applicant if the trees are planted off the project site, and a security shall be provided to the County in an amount sufficient for the County to maintain and potentially replace the trees for a seven-year period if the responsible party fails to do so. The security may be in the form of a letter of credit, certificate of deposit or other security as approved by the County. The amount of the security shall be determined by an estimate from a professional landscaper submitted by the property owner or the applicant for the cost of maintaining the trees and potentially replacing them over the seven-year maintenance period plus 10 percent to administer said maintenance and tree replacement contract or in an amount established by the County after professional consultation. During the seven-year maintenance period, if the responsible party fails to maintain the replacement trees as required herein, the County shall be authorized to use the security to fund replacing dead or dying trees or maintenance of the trees. At the end of the seven-year maintenance program, the certified arborist shall conduct an inspection of the replacement trees. If the required 80 percent survival rate has not been achieved, all dead or dying trees shall be replaced and any funds remaining in the security shall be forfeited. If the required 80 percent survival rate has been achieved, any funds remaining in the security shall be released.

Contribute to Oak Woodlands Conservation Funding: Contribute a fee to the California Wildlife Conservation Board's Oak Woodlands Conservation Fund or other mitigation fund established by the

County using the following formula: [Fee = 1.0 x acres of impacted oak woodland x current land value]. All contributions to the state Oak Woodlands Conservation Fund or other mitigation fund shall specify that these moneys will be used to purchase mitigation oak woodlands in the County. An administration fee equal to 10 percent of the mitigation fee shall also be required to cover the County's costs associated with this option. The in-lieu fee shall be prorated for the development plans and collected at the time of project approval. The determination of appropriate fund contribution shall be approved by the County and CDFG, and shall be contributed, prior to the initiation of project construction.

Facts in Support of the Findings: The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measure BIO-1a, b, c, d, and BIO-3a, b, c. The rationale for the above finding is set forth in Section IV.C, Biological Resources, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that impacts to vegetation, wildlife, special-status species, and sensitive natural communities as a result of development of the proposed Project would be less than significant.

## **Geology/Soils**

### **Impact GEO-2:**

#### *Deep-Seated Landslide Hazards*

It is expected that small localized areas of weak rock or sheared matrix material within the melange could be present at the project site. If slopes are not properly graded during site development, they could be subject to deep-seated failure where the localized "weak zones" extend beneath the sandstone. This concern is particularly relevant for the neighboring residences along the northeast project site boundary. The slope was previously cut steeply to create level back yards and proposed site grading includes placing fill in proximity to the cut slope. Therefore, project impacts related to deep-seated landslides would be significant.

#### *Shallow Landslide Hazards*

M&A concluded that a primary geotechnical consideration to increase the factor of safety with respect to shallow slope stability would involve the proposed repair of existing erosional features and improvement of drainage in these areas. It is anticipated that the proposed grading would remove most if not all of the remaining areas of active soil creep. Per T&R, if the deep soil, fill, or colluvium remains on-site, it may be susceptible to soil creep and small scale debris flows. Considering that relatively steep slope inclinations are planned for the new development, the project site could become susceptible to debrisflow type failures. Evidence of such failures was not observed in the aerial photographs. Although, the project would include the removal/repair of the existing drainage systems, as well as the development of an on-site storm drain system, consisting of County-approved underground pipes, inlets, drainage structures and retention systems, and concrete valley gutters; however, unexpected changes in drainage from the proposed site development could result in concentrated storm water runoff onto the project site slopes. This runoff would have the potential to trigger debris-flow type landslides that could endanger neighboring streets and properties. Additionally, localized minor "sliver" fills associated with the remnant construction roads could also be susceptible to creep and/or failure. Therefore, project impacts related to shallow landslide hazards would be significant.

### *Temporary Cut Slopes*

It is conceivable that adverse bedding and/or joints would be encountered one or more locations at the project site. Any adverse bedding that exists would increase the potential for landsliding. The presence of adverse bedding and joints would be primarily a concern during construction when steep temporary cuts into rock may expose unstable slabs or wedges of bedrock. Therefore, project impacts related to slope instabilities due to adverse bedding in temporary cut slopes would be significant.

### *Hazards to Adjacent Properties*

It should be recognized that while the project site bedrock conditions are relatively favorable from a deep-seated landslide standpoint, bedrock conditions beneath the neighboring properties are unlikely to be as favorable. Although, the project would include the removal/repair of the existing drainage systems, as well as the development of an on-site storm drain system, consisting of County-approved underground pipes, inlets, drainage structures and retention systems, and concrete valley gutters; it is possible that if runoff from the project site is not properly managed, the project could contribute surface and groundwater to the neighboring slopes, potentially resulting in slope and soil instabilities. Therefore, project impacts related to hazards to adjacent properties would be significant. Overall, the project site is subject to geologic and soil instabilities. Without proper soil conditioning, site preparation, subsurface drainage, and foundation design, the structures and infrastructure at the project site could sustain substantial damage. Project impacts related to geologic and soil instabilities would be significant.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### Mitigation Measure GEO-2:

- The applicant shall retain a qualified engineering geologist to observe all excavations for evidence of weak zones, adverse bedding and joints, within bedrock. Weak zones can be identified by: (1) adversely oriented bedding, joints or shears, or (2) the presence of sheared clayey material typical of the melange matrix. Any weak zones shall be evaluated to determine whether they present a potential zone for future landsliding based on planned final site grades and appropriate mitigation shall be included. Additionally, such zones shall be protected from groundwater derived from infiltrating rainfall, irrigation, and leaking pipes by installing appropriate subdrains and sloping surface grades.
- Where new fill slopes are planned on residential lots, the applicant shall retain a qualified engineering geologist to perform settlement and slope stability analyses to evaluate the static and seismic performance of the proposed sloped fill. Where encountered, the potential hazard posed by these conditions shall be evaluated from a standpoint of temporary and permanent slope stability. Also, the engineering geologist shall provide technical input and review surface and subsurface drainage plans and specifications for compliance with the geologist's recommendations.
- All unnecessary fill utilized during site grading shall be removed off-site after construction activities are completed.
- The applicant shall retain a qualified engineering geologist to provide technical input and review of the surface and subsurface drainage systems for the purpose of reducing the potential for adverse impacts, such as shallow and deep-seated landslides, on and adjacent to site. Common design issues that may require technical input include: (1) the location of surface and subsurface drainage alignments, especially within filled slopes, (2) selection of

water discharge locations, (3) separation of surface and subsurface water collection pipes, (4) location of pipe cleanouts, and (5) recommendations for controlling groundwater flow through trench backfill.

The site storm water drainage system (including individual systems for each residence) shall include redundancies to prevent discharge of uncontrolled runoff onto the site slopes in the event one or more components of the storm water system becomes clogged or otherwise incapacitated. Concentrated runoff shall not be allowed to flow over graded slopes or over areas of thick soil, colluvium or fill.

Facts in Support of the Findings: The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measure GEO-2. The rationale for the above finding is set forth in Section IV.D, Geology & Soil, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that geotechnical impacts as a result of development of the proposed Project would be less than significant.

### **Impact GEO-3:**

According to the NRCS Soil Survey, the soil conditions at the project site have high to very high potential for soil erosion. Without proper implementation of erosion control measures during construction and operation of the project, the project site could sustain substantial soil erosion and loss of topsoil. As discussed in Section IV.E (Hydrology & Water Quality), the proposed storm drain system would consist of County-approved underground pipes, inlets, drainage structures and retention systems, and concrete valley gutters. The proposed on-site pipeline system would include two separate storm drain pipelines that would be installed within the northern and southern portions of the site. Each individual lot would also have its own separate retention system comprising of a two large underground diameter pipes. Each lot retention system has been oversized in order to compensate for the runoff from the on site private roadway (i.e., Lot "C"). This system will retain stormwater runoff in each lot prior to entering the existing off-site municipal storm drain system via Lines A or B. Two separate on site continuous deflective separation (CDS) hydrodynamic separator runoff treatment devices would also be included as part of the drainage system. The project also would include the removal/repair of the existing drainage systems and eroded slopes on the site. Hence, the project would reduce the potential for erosion over the existing condition. Further, although the landscaping of the common areas/conservation areas is not determined at this time, the intent is to utilize drought-tolerant native vegetation in order to restore the area to a natural habitat, which would reduce the potential for erosion to occur over the lifetime of the project.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### **Mitigation Measure GEO-3:**

One or more of the following methods shall be incorporated into the final site grading plan, subject to approval by the County Planning and Building Director:

- Excavate and remove materials affected by erosion in areas where the topography allows a cut to daylight at acceptable inclinations.
- Excavate a key at the base of the slope or resistant rock in the erosion area. Rebuild the slope with compacted, drained, engineered fill over a geogrid to allow for slope reconstruction at a steep inclination.
- Construct structural retaining walls or terrace walls in the erosion areas. A wall can be constructed at the top of the eroded area and then trim the erosional features away from below the wall.

Additionally, all of the following measures shall be implemented:

- Permanent erosion control measures shall be placed on all slopes, including all slopes shall be hydroseeded.
- The project geotechnical consultant shall be involved in reviewing the final grading and drainage plans, as well as perform construction observation services during grading to ensure that erosion control mitigation measures are performed. Based on the results of design-level investigations, more aggressive permanent erosion control measures shall be evaluated to minimize surface runoff velocities and erosion potential. Additionally, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared with the grading plans to fulfill regulatory requirements.

Facts in Support of the Findings: The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measure GEO-3. The rationale for the above finding is set forth in Section IV.D, Geology & Soil, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that geotechnical impacts as a result of development of the proposed Project would be less than significant.

### **Hydrology & Water Quality**

**Impact HYDRO-1:** A significant impact may occur if a project discharges water that does not meet the quality standards of agencies, which regulate surface water quality and water discharge into storm water drainage systems. Significant impacts would also occur if a project does not comply with all applicable regulations with regard to surface water quality as governed by the SWRCB. These regulations include compliance with the NPDES, STOPPP and HMP requirements to reduce potential water quality impacts. Implementation of the proposed project could affect the quality of runoff from the project site.

#### *Construction-Related Impacts*

The proposed project has the potential to violate water quality standards or waste discharge requirements during the construction and demolition activities. Construction activities must meet the NPDES requirements for storm water quality and comply with all applicable regulations with regard to surface water quality as governed by the SWRCB. As discussed previously, the SWRCB mandates that projects that disturb one or more acres of soil or less than one acre, but are part of a larger development disturbing one or more acres must obtain coverage under the Statewide General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit). The General Permit requires that prior to construction activity project applicants file a NOI with the SWRCB and prepare a project-specific SWPPP that incorporates BMPs to control erosion and to protect the quality of surface water runoff during the construction period. Because the grading and excavation required for the proposed project would involve a footprint of greater than one acre, the proposed project would be required to file an NOI and prepare a SWPPP. Water quality impacts during construction of the proposed project could occur from potential chemical spills associated with construction equipment. Three general sources of short-term construction and demolition storm water pollution associated with the proposed project are: (1) the handling, storage, and disposal of construction and demolition materials containing pollutants; (2) earth moving activities which, when not controlled, may generate soil erosion and soil transportation, via storm runoff or via mechanical equipment; and (3) the maintenance and operation of construction equipment.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure HYDRO-1:** In accordance with the State of California's General Permit for Construction Activities (General Permit) the applicant shall prepare a SWPPP. The SWPPP shall comply with the requirements of the General Permit and be incorporated into the construction documents. The SWPPP would provide specific information regarding BMPs for both the construction and post-construction stormwater management that would be incorporated into the project. As part of the coverage under the General Permit the applicant would file a NOI with the SWRCB within 30 days prior to the start of construction.

**Facts in Support of the Findings:** The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measure HYDRO-1. The rationale for the above finding is set forth in Section IV.E, Hydrology & Water Quality, of the Draft EIR. Best Management Practices and a Stormwater Pollution Prevention Plan would reduce the amount of pollution from storm water runoff at Project sites throughout the project site, and impacts to hydrology and water quality would be less than significant.

**Impact HYDRO-4:** By increasing the amount of impervious area, development of the proposed homes and roadways would increase the volume and peak rate of surface runoff at the project site. According to studies conducted by Lea & Braze Engineering, Inc. for the proposed project, the proposed on-site drainage has adequate capacity to accommodate a 10-year storm event. Hence, the proposed storm drain system would be designed to be capable of accommodating 10 year runoff. However for CEQA analysis, the generally accepted threshold for impact analysis is a 100-year return period. Lea & Braze Engineering, Inc. did not provide post-development calculations for the 100-year storm event, including discharge to Polhemus Creek; therefore, as part of the DEIR analysis Schaaf & Wheeler provided 100-year calculations based on the 10-year spreadsheets provided by the Lee & Braze Engineering, Inc. in their 2006 Hydrology Study (refer to Draft EIR Appendix G for calculation sheets).

Under existing conditions the 100-year discharge to Polhemus Creek would be 73 cfs with a velocity of 14.9 feet per second (fps) at the outfall. Capacity in the existing County storm drain system would be exceeded at two locations (refer to "P-6" and "P-12" within the Additional Peer Review of Revised Hydrology Studies for Ascension Heights Subdivision in San Mateo County prepared by Schaaf & Wheeler on January 21, 2009; Appendix G of the Draft EIR). The total estimated flow in excess of pipe capacity is 28 cfs. The applicant proposes to upsize these two storm drain segments, from 15-inch diameter to 21-inch diameter and from 30-inch diameter to 36-inch diameter, as mitigation. Post-developed 100-year storm drain capacity calculations include these proposed storm drain upgrades. A simplified volumetric calculation was used to model the effect of the applicant's proposal to store excess stormwater runoff storage and meter the release at individual home sites.

Once the proposed project is developed, the 100-year discharge to Polhemus Creek would be 72 cfs with a velocity of 10.2 fps at the outfall. Improved storm drain capacity would be exceeded at one location labeled "P-C9", but only by 0.5 cfs. The total estimated flow in excess of pipe capacity would drop from 28 cfs to almost zero. (It may be noted that by upsizing the existing 18-inch storm drain at this location to a 21-inch storm drain, estimated flow would not exceed storm drain capacity.) Very high flow velocities are predicted for both the 10-year and 100-year events, so precautions to protect against pipe damage and scour at the Polhemus Creek outfall should be incorporated as part of the final design.

**Findings:** Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### Mitigation Measure HYDRO-4:

- The project applicant shall replace the existing 15-inch pipe that crosses Ascension Drive and Enchanted Way with a new 21-inch storm drain pipe; and
- The project applicant shall replace the existing 30-inch outfall that crosses Polhemus Road with a 36-inch pipe sloped at 2 percent.

Facts in Support of Findings: The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measure HYDRO-4. The rationale for the above finding is set forth in Section IV.E, Hydrology & Water Quality, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that hydrological impacts as a result of development of the proposed Project would be less than significant.

#### **Public Services**

**Impact PS-2:** Implementation of the proposed project could result in an increased need for fire protection services during both the short-term construction phase and long-term operational phase.

##### *Construction*

Construction of the proposed project would increase the potential for accidental on-site fires from sources such as the operation of mechanical equipment and use of flammable construction materials. In most cases, the implementation of “good housekeeping” procedures by the construction contractors and the work crews would minimize these hazards. Good housekeeping procedures that would be implemented during construction of the proposed project include: the maintenance of mechanical equipment in good operating condition; careful storage of flammable materials in appropriate containers; and the immediate and complete cleanup of spills of flammable materials when they occur.

Construction activities also have the potential to affect fire protection, such as emergency vehicle response times, by adding construction traffic to the street network and potentially requiring partial lane closures during street improvements and utility installations. These impacts are considered to be less than significant for the following reasons:

- Construction impacts are temporary in nature and do not cause lasting effects;
- Partial lane closures, if determined to be necessary, would not greatly affect emergency vehicles, the drivers of which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic; and
- The project’s distance and response times to the project site meet the desired performance standards set by the JPA.

Based on the above information, construction of the proposed project would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new, expanded, consolidated, or relocated fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives set by the JPA. During demolition of the existing access road for the water tank/cell site, the project site would remain clean and unobstructed.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure PS-2a: Flagmen shall be utilized to facilitate the traffic flow until construction is complete, specifically if there are partial closures to streets surrounding the project site.

**Mitigation Measure PS-2b:** The project applicant shall submit building plans and plot plans to the County, San Mateo City Fire Department, and County of San Mateo Fire Department/CALFIRE to provide appropriate fire hazard management recommendations for inclusion as project conditions of approval. Recommendations may include, but not be limited to, the following:

- Pro-active fire prevention measures pertaining to property maintenance, vegetation management, and building construction using non-combustible materials in accordance with the Wildland Urban Interface Building Standards, to be evaluated by the County upon submittal of detailed building plans; and

The San Mateo City Fire Department recommends that all homes have fire sprinkler systems and hydrants with 4.5" x 2" x 2.5" outlets spaced at 300 feet, with roads a minimum of 26 feet wide. These specifications shall be included in building plans and confirmed by the County Building Department.

**Mitigation Measure PS-2c:** Prior to the issuance of grading permits, the County shall review the project's phasing plans to determine when the EVA road shall be installed in relationship to the development of on-site homes. The EVA improvements shall be included in the corresponding Final Map improvement plans, as reviewed by the County. In addition, the EVA road shall be designed to adhere to County and County of San Mateo Fire Department/CALFIRE standards/guidelines, as shown below:

- Parking shall be restricted to one side where the project road is less than 30 feet.
- A driveway with a hammerhead/T turnaround to serve Lot 11 (flag lot) shall be provided. The top of the "T" shall be 70 feet in length. Alternatively, a 20-foot wide driveway with a hammerhead/T turnaround to serve both Lot 10 and Lot 11 (flag lots) shall be provided. The top of the "T" shall be 70 feet in length.
- The San Mateo County Fire Department/CALFIRE shall require a plan and profile of the all roads within the project, including the primary and secondary access roads and all roads, dead end driveways and fire turnarounds within the subdivision.
- At building permit submittal, San Mateo County Fire Department/CALFIRE shall require a report of findings justifying the greater than 15 percent slope throughout the project as specified by County Ordinance and a request for exemption.

**Facts in Support of Findings:** The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures PS-2a, b, c. The rationale for the above finding is set forth in Section IV.H, Public Services, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that impacts of public services as a result of development of the proposed Project would be less than significant.

## **Transportation/Traffic**

**Impact TRANS-3:** The proposed project includes approximately 98,102 square feet (approximately 17 percent of the total project site) of on-site private roadways, including the main access road, the EVA road, and the new water tank access road.

### *Site Access*

As mentioned previously, access to the site would be provided via the new private main access road connecting to Bel Aire Road. Emergency vehicle access to the project would be provided via the new private main access road, as well as the new EVA road, which would connect to Ascension Drive.

### *Width/Grade of Access Points*

The EVA roadway would include the following features: a 20-foot wide street surface; a vehicle turn-out; multiple level (5 to 10 feet high) keystone block retaining walls (i.e., two walls on the north side of the street near Lot 21 and 22 and three walls along the eastern and southeastern portions of the street); and maximum street grades of approximately 20 percent, with 2 percent surface slopes. Twenty percent road grades are allowed by County design exception. Additionally, per correspondence with the current County of San Mateo Fire Department/CALFIRE Fire Marshal, the maximum proposed grade (i.e., 20 percent) for the EVA road would be acceptable based on documentation within their files, as well as the fact that the EVA road is a secondary access road. Therefore, impacts would be less than significant.

#### *Road Widths*

Per the Vesting Tentative Map, the new private main access road width would be 32 feet from curb-to-curb. There is one section that would be 22 feet wide from curb-to-curb. Because of the steep grades and curves onsite, it would be difficult for drivers to maneuver within 32 feet with parking located on both sides of the street. Therefore, parking should be allowed on only one side of the street. As stated previously, parking would not be allowed on the 22-foot wide section. This represents a significant impact.

#### *Road Grades*

As discussed above, the project includes a maximum proposed main access road grade of 20 percent. According to San Mateo County subdivision roadway standards, the typical maximum grade is 15 percent with up to 20 percent allowed by design exception. Thus, the proposed grades are acceptable by design exception. Per correspondence with the current County of San Mateo Fire Department/CALFIRE Fire Marshal, for the various maximum 20 percent grade segments within the main access road (unbroken grade greater than 150 feet) the County of San Mateo Fire Department/CALFIRE Fire Marshal has stated that this is not acceptable for primary access roads; however, the Department would allow this grade pending receipt of a finalized plan for all proposed roadway infrastructures. Therefore, impacts would be potentially significant.

**Findings:** Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure TRANS-3:** The new private main access road is planned to be 32 feet in width in most areas and 22 feet in width at the east side of the project. Given the grades and curves, this width is inadequate to allow parking on both sides. Therefore, parking shall be allowed on one side of the road along all 32-foot segments. Additionally, parking shall not be allowed on the 22-foot wide section.

**Facts in Support of Findings:** The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures TRANS-3. The rationale for the above finding is set forth in Section IV.I, Transportation/Traffic, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that traffic impacts as a result of development of the proposed Project would be less than significant.

**Impact TRANS-6:** The most noticeable traffic impact during construction of the proposed project would be hauling excavated soil from the project site. The project applicant's civil engineer estimated 60,520 cubic yards (cy) of soil would need to be exported from the project site. Per the 2008 Hexagon report, depending on the type of truck used, a haul truck can carry about 20 cy of soil per trip. Therefore, based on the estimated 60,520 cy of export material, approximately 3,036 total haul truck round trips would be needed for exporting soil. Per Section III (Project Description) of the DEIR, the grading is estimated to be completed in about 34 to 44 days, which calculates to be about 69 truck round trips per day. Per Hexagon, the haul routes should be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. Heavy trucks would not be recommended on Ascension Drive due to the steep grade.

The project applicant has stated that parking for construction vehicles and workers would be accommodated entirely within the project site. As such, there would not be a need to park on Bel Aire Road.

The grading and construction phase of the proposed project could overlap with other projects in the vicinity, particularly the new Crystal Springs Bypass Tunnel project and the various improvement projects at the College of San Mateo. Depending on the actual construction dates of the proposed project and various related projects, it is possible that heavy trucks required to import and/or export materials to the related project sites could use roads to be used by the soil haul trucks for the proposed project.

Although project construction traffic is a temporary condition, the additional trips on roadways could contribute to a noticeable traffic increase on Ascension Drive, Bel Aire Road, Laurie Lane, Parrott Drive, De Anza Boulevard, Polhemus Road, and CSM Drive. Given the amount of truck trips required for the proposed project, any additional truck traffic from the related projects would represent a potentially significant, but short-term cumulative traffic impact.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure TRANS-6:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.
- If construction or haul trucks driving to and/or from the project site cause any substantial damage to private driveways in the immediate vicinity of the project site, such damage shall be repaired by, or paid for by, the project applicant.
- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Facts in Support of Findings: The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures TRANS-6. The rationale for the above finding is set forth in Section IV.I, Transportation/Traffic, of the Draft EIR. In summary, implementation of

these mitigation measures would ensure that traffic impacts as a result of development of the proposed Project would be less than significant.

## **Utilities & Service Systems**

**Impact UTIL-1: Sewer Service** - Implementation of the proposed project would increase the amount of wastewater generated in the project area. The project would add wastewater produced by 25 single-family residential uses to the wastewater collection facilities of CSCSD, Hillsborough and the SMWTP. The proposed project would result in a total increase in permanent population of approximately 69 persons. As such, the amount of wastewater generated at the project site would increase. The site is currently undeveloped and does not produce any wastewater. The San Mateo County Department of Public Works in its capacity of administering the CSCSD uses the sewage generation rate of 220 gallons per day (gpd) per equivalent residential unit. Based on this generation rate of 220 gpd multiplied by the 25 proposed dwelling units, the proposed project is anticipated to generate approximately 5,500 gpd of wastewater, or approximately 0.0055 mgd. Wastewater from the proposed project site would be conveyed via proposed and existing wastewater infrastructure to the SMWTP. Currently, the SMWTP discharges an average daily flow of 12 mgd and has capacity to treat 15.7 mgd during the dry months (April 11 through October 31). This translates into a remaining capacity of 3.7 mgd at average daily flows that can be treated at the SMWTP during the most stressed time of the year (i.e., dry months). With an anticipated average daily wastewater generation of approximately 0.0055 mgd, the proposed project would represent approximately 0.0005 percent of the daily flows treated by the SMWTP and approximately 0.001 percent<sup>12</sup> of the excess treatment capacity presently available at the SMWTP. Hence, the SMWTP has sufficient capacity to accommodate wastewater generated by the proposed project. Additionally, the project does not have the potential to cause the SMWTP to exceed NPDES permit requirements.

### *Sewer Conveyance Infrastructure*

The proposed project would include installation of new wastewater infrastructure within the site to convey wastewater generated by the proposed uses to the existing off-site wastewater lines and to the SMWTP. The additional flow resulting from implementation of the proposed project would represent only 0.0005 percent of the existing average daily flow of 12 mgd discharged by SMWTP. According to County of San Mateo Public Works Department, there are no known sewer service problems or deficiencies in the immediate project area; however, the CSCSD has identified through a Master Sewer Plan approximately \$2.3 million in capital improvement projects within the CSCSD. Both downstream jurisdictions are evaluating projects to reduce wet weather sewer overflows. Based on the CSCSD's agreement with both downstream agencies, a portion of the costs associated with future projects will be paid by the CSCSD. The CSCSD currently has a \$1 million loan from the County General Fund for a past capital improvement project completed by the Town of Hillsborough. The CSCSD also owes the City for their proportionate share of the current wastewater treatment plant project estimated at \$1.3 million.<sup>14</sup> The proposed project would need to obtain a final approval from the CSCSD for a sewer capacity connection permit.

The City of San Mateo Department of Public Works cannot approve the additional flow that would result from the proposed project. The City of San Mateo would consider granting approval for the additional flow that would result from the proposed project provided that the CSCSD pays the amount due and the CSCSD presents an acceptable plan that assures sufficient revenues necessary to meet the current costs and the future additional costs as defined in the Sanitary Sewer Agreement.

**Findings:** Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure UTIL-1:** The applicant shall mitigate the project-generated increase in sewer flow such that there is a "zero net increase" in flow during wet weather events, by reducing the amount of existing Inflow and Infiltration (INI) into the CSCSD sewer system. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the construction of the residences.

**Facts in Support of Findings:** The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures UTIL-1. The rationale for the above finding is set forth in Section IV.J, Utilities & Service Systems, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that Wasterwater Treatment will incur minimal impact as a result of development of the proposed Project would be less than significant.

**Impact UTIL-3:** Implementation of the proposed project would result in an increase in solid waste generation during both the short-term construction phase and long-term operational phase; however, the maximum amount of materials would be diverted in all phases per San Mateo's Ordinance No. 04099.

#### *Construction Phase*

The construction phase of the proposed project would generate debris in the form of wood, scrap metal, asphalt/concrete, green waste, etc. Much of this solid waste generated during the construction phase can be recycled. San Mateo County requires (County Ordinance Code 04099) all major construction projects to submit a Waste Management Plan to the County. This plan requires identifying that 100 percent of inert solids (e.g., asphalt, brick, concrete, dirt, fines, rock, sand, soil and stone) must be recycled or salvaged, and 50 percent of non-inert debris (e.g., wood, metal, roofing, etc.) must be recycled or salvaged.

Materials can either be separated on-site and hauled as clean loads to appropriate recycling facilities or combined and taken to an approved recycling facility. The plan must also describe how the debris would be transported from the site. County of San Mateo Ordinance No. 04099 makes approval and acceptance of the Waste Management Plan a requirement for issuance of a building permit. Recycling facilities on the County's list of approved facilities are expected to have sufficient capacity to process all waste generated by construction of the proposed project. Provided the project conforms to County of San Mateo Ordinance No. 04099, impacts associated with solid waste generated during construction would be less than significant and no mitigation measures are required.

#### *Operational Phase*

The site is currently undeveloped and does not produce any solid waste. Implementation of the proposed project would increase the generation of solid waste in the project area. The project would generate solid waste for 25 single-family homes in an area served by the South Bayside Integrated Facility and Ox Mountain Landfill. The proposed project would result in a total increase in permanent population of approximately 69 persons. As such, the generation of solid waste at the proposed project site would increase.

The unincorporated areas of the County of San Mateo have a resident daily disposal rate of one pound per person per day. Based on this generation rate of one pound per person per day multiplied by the 69 persons generated by the proposed project, the proposed project is anticipated to demand approximately 69 pounds of solid waste per day, or approximately 0.0345 TPD. As mentioned above, the project area is served by the South Bayside Integrated Facility and Ox Mountain Landfill. Currently, the South Bayside Integrated Facility takes in approximately 4,000 TPD and has capacity to take in 5,830 TPD. This translates into a remaining capacity of 1,830 TPD that can be taken in by the South Bayside Integrated Facility. Currently, the Ox Mountain Landfill takes in approximately 3,250 TPD and has capacity to take

in 3,598 TPD. This translates into a remaining capacity of 348 TPD that can be taken in by the Ox Mountain Landfill.

With an anticipated average daily solid waste generation of approximately 0.0345 TPD, the proposed project would represent approximately 0.002 percent of the remaining capacity that can be taken in daily by the South Bayside Integrated Facility and approximately 0.01 percent of the remaining capacity that can be taken in daily by the Ox Mountain Landfill. As stated above, while the Ox Mountain landfill is currently in excess of its total permitted capacity, it continues to accept waste as the landfill gradually settles and new space becomes available. Both the South Bayside Integrated Facility and Ox Mountain Landfill have sufficient capacity to meet the solid waste service demands of the proposed project. The proposed project would comply with all applicable County policies and ordinances (e.g., Green Building Ordinance). Provided the project provides adequate space on each parcel for recycling, impacts associated with solid waste generated during operation would be less than significant and no mitigation measures are required.

Findings: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure UTIL-3: The applicant shall prepare and submit a facility recycling program for the collection and loading of recyclable materials prepared in response to the California Solid Waste Reuse and Recycling Access Act of 1991 as described by the CIWMB, Model Ordinance, Relating to Areas for Collecting and Loading Recyclable Materials in Development Projects, March 31, 1993. Adequate space or enclosures for recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

Facts in Support of Findings: The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures UTIL-3. The rationale for the above finding is set forth in Section IV.J, Utilities & Service Systems, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that solid waste disposal will incur minimal impact as a result of development of the proposed Project would be less than significant.