

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
MITIGATED NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Grading and construction of a new 2,466 sq. ft., two -story single-family residence with an attached 400 sq. ft. garage on a 5,533 sq. ft. size parcel, variance for reduced side yard setback, to extend the San Juan Avenue right-of-way for access to the parcel and extend underground utilities*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2018-00320

OWNER: Gerald Siu

APPLICANT: David Hirzel

NAME OF PERSON UNDERTAKING THE PROJECT OR RECEIVING THE PROJECT APPROVAL (IF DIFFERENT FROM APPLICANT): NA

ASSESSOR'S PARCEL NO.: 047-137-100

LOCATION: San Juan Avenue, north of Columbus Street, in the unincorporated El Granada area of San Mateo County (vacant parcel).

PROJECT DESCRIPTION

A Coastal Development Permit, Grading Permit, Variance and Design Review for the construction of a new 2,466 sq. ft., two -story single-family residence with an attached 400 sq. ft. garage on a 5,533 sq. ft. size parcel that includes: 1) a 3.5 ft. side yard setback where 10 ft. is required, 2) a total combine side yard setback of 13 ft. where 15 ft. is required, and 3) to extend and improve the San Juan Avenue right-of-way to provide access to the parcel. No tree removal is proposed and 312 cubic yards of grading is proposed for access improvements and building foundation.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.

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

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

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

Mitigation Measure 1: The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:

- a. Water all active construction areas at least twice daily.
- b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
- e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. Install erosion control measures to prevent silt runoff to public roadway and/or into Deer Creek.

Mitigation Measure 2:- A Qualified Biologist shall perform a pre-construction survey for SFGS and CALF within 48 hours prior to any site disturbance, and inspect and provide guidance on installation of a wildlife exclusion fence. Any vegetation or potential burrows within the construction zone that may provide cover or conceal SFGS or CRLF will be inspected by the Qualified Biologist prior to ground disturbance or grading activities. The wildlife exclusion fence should be constructed along the north and east sides to prevent the potential for CRLF and/or SFGS from entering the work area. Fencing shall be installed before any grading or disturbance on the property. The fence should be maintained throughout the construction period. The

Qualified Biologist will also provide an environmental training to all crew workers that work on the construction site, and keep a record of those trained. If either SFGS or CRLF are observed on the property, they must be avoided and construction related activities must cease immediately until such time as the Qualified Biologist can document that all individuals have left the site unharmed. A reconnaissance level rare plant survey in the spring, a pre-construction nesting bird survey and incorporating California native plants into the proposed landscaping plan.

Mitigation Measure 3: Best management practices for proper erosion control and control of dust and toxins during construction should be implemented in order to prevent any impacts to jurisdictional waters in the vicinity of the project site. Design and implement appropriate control measures for both stormwater and erosion. This may include straw wattles, silt fencing, and/or stormwater containment and treatment measures incorporated into the project design. Construction equipment should also be clean and free of mud and debris that could bring in seeds of invasive plant species.

Mitigation Measure 4: A preconstruction nesting bird survey for bird species protected under the Migratory Bird Treaty Act (MBT A) shall be conducted by a Qualified Biologist within 2 weeks of project construction, if the project is initiated during the nesting bird season (February 15 to August 31). If birds including raptors are detected nesting on or adjacent to the property, buffer zones will be determined based on consultation with CDFW.

Mitigation Measure 5: To minimize any impacts to the Deer Creek riparian corridor from construction of the project, invasive species such as pampas grass (Cortaderia sp.), eucalyptus saplings, Himalaya blackberry and English ivy shall be removed from where they are encroaching into the property, and California native plants should be incorporated into the landscape plan for this area. This will prevent further establishment of invasive species and enhance this area with additional native riparian plant cover.

Mitigation Measure 6: A Qualified Biologist shall perform at least one reconnaissance level rare plant survey on the property during the flowering season (April- August) when this plant is visible and identifiable. This survey should also be timed to include a visit to a nearby reference population. If Hickman's cinquefoil is detected, extent of the occurrence should be documented, and USFWS and CDFW should be consulted on appropriate avoidance and/or mitigation measures.

Mitigation Measure 7 : In the event that cultural, paleontological, or archaeological resources are encountered during site grading or other site work, such work shall immediately be halted in the area of discovery and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archaeologist who meets the Secretary of the Interiors' Professional Qualification Standards 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 project sponsor. 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. In addition, an archaeological report meeting the Secretary of the Interior's Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. No further grading or site work within 50 feet of the area of discovery shall be allowed until the preceding has occurred.

Mitigation Measure 8 : If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource,

pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.

Mitigation Measure 9 : In the event of discovery or recognition of any human remains during project construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The applicant shall then immediately notify the County Coroner's Office and possibly the State Native American Heritage Commission to seek recommendations from a Most Likely Descendant (Tribal Contact) before any further action at the location of the find can proceed. All contractors and sub-contractors shall be made aware of these requirements and shall adhere to all applicable laws including State Cultural Preservation laws. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

Mitigation Measure 10 : If any constraints are encountered that would confine traffic to one lane along San Juan Avenue, the applicant shall be required to submit a traffic control plan, consult with, and obtain an encroachment permit from the Department of Public Works (if required) prior to any such road closures. If any such road closure is required, the Department of Public Works shall notify the Coastside Fire Protection District and Sheriff's Department to ensure that any such road closure does not impede emergency access.

Mitigation Measure 11 : In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall cease until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resources in place, or minimize adverse impacts to the resource. Those measures shall be approved by the County Planning Department prior to implementation and prior to continuing any work associated with the project.

Mitigation Measure 12 : Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

RESPONSIBLE AGENCY CONSULTATION

San Mateo County

INITIAL STUDY

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

REVIEW PERIOD: May 3, 2023 through May 22, 2023

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m.**, May 22, 2023.

CONTACT PERSON

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