



LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

REGULAR MEETING

AGENDA

Wednesday, September 18, 2024

2:30 pm

Board of Supervisors Chambers

Hall of Justice and Records

400 County Center

Redwood City, CA 94063

This meeting of the San Mateo Local Agency Formation Commission (LAFCo) will be in person at the above-mentioned address. Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at 400 County Center Redwood City, CA 94063. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions at the end of the agenda.

Hybrid Public Participation

The September 18, 2024, LAFCo regular meeting may be accessed through Zoom online at <https://smcgov.zoom.us/j/96442908061>. The webinar ID is 964 4290 8061. The meeting may also be accessed by telephone by dialing +1 669 900 6833 (local) and entering webinar ID then #. Members of the public may also attend this meeting physically in the Board of Supervisors Chambers at 400 County Center, Redwood City, CA 94063.

*Written public comments may be emailed to lafco@smcgov.org, and should include the specific agenda item on which you are commenting.

* Spoken public comments will be accepted during the meeting in person or remotely through Zoom at the option of the speaker. Public comments via Zoom will be taken first, followed by speakers in person.

***Please see instructions for written and spoken public comments at the end of this agenda.**

ADA Requests

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact LAFCo staff as early as possible but no later than

(OVER)

COMMISSIONERS: KATI MARTIN, CHAIR, SPECIAL DISTRICT ▪ RAY MUELLER, VICE CHAIR, COUNTY ▪ VIRGINIA CHANG KIRALY, SPECIAL DISTRICT
▪ HARVEY RARBACK, CITY ▪ TYGARJAS BIGSTYCK, CITY ▪ WARREN SLOCUM, COUNTY ▪ ANN DRAPER, PUBLIC

ALTERNATES: CHRIS MICKELSEN, SPECIAL DISTRICT ▪ ANN SCHNEIDER, CITY ▪ JAMES O'NEILL, PUBLIC ▪ NOELIA CORZO, COUNTY

STAFF: ROB BARTOLI, EXECUTIVE OFFICER ▪ VACANT, MANAGEMENT ANALYST ▪ TIM FOX, LEGAL COUNSEL ▪
DIANE ESTIPONA, CLERK

10:00 a.m. the day before the meeting at lafco@smcgov.org. Notification in advance of the meeting will enable the Staff to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

*All items on the consent agenda may be approved by one roll call vote unless a request is made at the beginning of the meeting that an item be withdrawn. Any item on the consent agenda may be transferred to the regular agenda.

1. Roll Call
2. Oath of Office for Appointed Commissioner
3. Public Comment for Items Not on the Agenda and on the Consent Agenda
4. Consent Agenda*
 - a. Approval of Action Minutes: July 17, 2024 (*Page 5*)
5. Presentation from the Peninsula Healthcare District – Information Only

Public Hearings

6. Consideration of LAFCo File No. 24-08 - Proposed Sphere of Influence amendment for County Service Area 11 (CSA 11) and annexation by CSA 11 of the Pescadero Middle/High School located at 350-360 Butano Cut Off, Pescadero (APN 087-053-010) (*Page 15*)
7. Consideration of Municipal Service Review Circulation Draft for the San Mateo County Harbor District (*Page 324*)
8. Consideration of Municipal Service Review Circulation Draft for the City of Millbrae (*Page 325*)
9. Consideration of Final Municipal Service Review for the City of Foster City and the Estero Municipal Improvement District (*Page 366*)

Regular Agenda

10. FY 23-24 Year End and FY24-25 Quarterly LAFCo Budget Update – Information Only (*Page 414*)
11. Legislative and Policy Committee
 - a. Legislative Report – Information Only (*Page 420*)
12. Commissioner/Staff Reports – Information Only
 - a. 2023 San Mateo County Crop Report – Information Only (*Page 430*)

Closed Session - The Commission will adjourn to closed session to consider the following item at the end of the agenda, or at any time during the meeting as time permits. At the conclusion of the closed session, the Commission will reconvene in an open session.

13. Conference with Legal Counsel – Existing Litigation (§ 54956.9):
Name of Case: *East Palo Alto Sanitary Dist. v. San Mateo Local Agency Formation Comm'n* (San Mateo County Superior Court Case No. 24-CIV-01489)

14. Adjournment

***Instructions for Public Comment During Teleconference Meetings**

During the LAFCo hybrid meeting, members of the public may address the Commission as follows:

***Written Comments:**

Written public comments may be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to lafco@smcgov.org.
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda or is on the consent agenda.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received by 5:00 p.m. on the day before the meeting, it will be provided to the Commission and made publicly available on the agenda website under the specific item to which your comment pertains. If emailed comments are received after 5:00 p.m. on the day before the meeting, the Clerk will make every effort to either (i) provide such emailed comments to the Commission and make such emails publicly available on the agenda website prior to the meeting, or (ii) read such emails during the meeting. Whether such emailed comments are forwarded and posted or are read during the meeting, they will still be included in the administrative record.

***Spoken Comments**

In-person Participation:

1. If you wish to speak to the Commission, please fill out a speaker's slip located at the entrance. If you have anything that you wish distributed to the Commission and included in the official record, please hand it to the Clerk who will distribute the information to the Commission members and staff.

Via Teleconference (Zoom):

1. The Commission meeting may be accessed through Zoom online at <https://smcgov.zoom.us/j/96442908061>. The webinar ID is 964 4290 8061. The Commission meeting may also be accessed via telephone by dialing +1 669 900 6833 (local). Enter the webinar ID, then press #. Members of the public can also attend this meeting physically in the Board of Supervisors' Chambers at 400 County Center, Redwood City, CA 94063.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

3. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the Commission Chair or Clerk calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.

***Additional Information:**

For any questions or concerns regarding Zoom, including troubleshooting, privacy, or security settings, please contact Zoom directly.

Public records that relate to any item on the open session agenda for a regular Commission meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members or a majority of the members of the Commission.

NOTICE: State law requires that a participant in a LAFCo proceeding who has a financial interest in the decision and who has made a campaign contribution of more than \$250 to any Commissioner in the past year must disclose the contribution. If you are affected, please notify the commission staff before the hearing.

Agendas and meeting materials are available at www.sanmateolafco.org



Action Minutes

San Mateo Local Agency Formation Special Commission Meeting July 17, 2024

Chair Martin called the Wednesday, July 17, 2024, Regular Meeting of the Local Agency Formation Commission (LAFCo) to order at 2:30 pm at the San Mateo County Board of Supervisors Chambers, 400 County Center, Redwood City, CA. Members of the public were also able to participate in the meeting remotely via Zoom.

1. Roll Call

Members Present: Kati Martin, Tygarjas Bigstych, Virginia Chang-Kiraly, Harvey Rarback, Warren Slocum, Ann Draper, Ray Mueller

Members Absent:

Staff Present: Rob Bartoli, Executive Officer (Participating Remotely)
Timothy Fox, Legal Counsel
Diane Estipona, Clerk

2. Public Comment for Items Not on the Agenda

None received.

3. Consent Agenda

- a) Approval of Action Minutes: March 20, 2024
- b) Consideration of LAFCo File No. 24-03 - Proposed Outside Service Agreement for water by the City of Redwood City to Parcel 2 of 177 Springdale Way (APN 057-023-130), Unincorporated Redwood City
- c) Consideration of LAFCo File No. 24-06 - Proposed Annexation of 231 Georgia Lane (APN 079-054-040) and 241 Georgia Lane (APN 079-054-020), Portola Valley to West Bay Sanitary District
- d) Consideration of LAFCo File No. 24-07 - Proposed Annexation of APN 080-082-040, Los Trancos Woods to West Bay Sanitary District

Commission Action: Commissioner Bigstych moved to approve the consent agenda. Commissioner Rarback seconded the motion. Motion passed unanimously by roll call vote.

(Ayes: Commissioners Martin, Bigstych, Chang-Kiraly, Draper, Rarback, Slocum, Mueller; Noes: None)

4. Certification of Protest Hearing Results for LAFCo File 22-09 - Proposal to Establish the East Palo Alto Sanitary District as a Subsidiary District of the City of East Palo Alto

Rob Bartoli, Executive Officer, presented the staff report for the item.

On November 15, 2023, the LAFCo Commission voted unanimously, 6-0, to adopt Resolution No. 1312 approving the City of East Palo Alto's proposal to establish the East Palo Alto Sanitary District (EPASD) as a subsidiary district of the City subject to the terms and conditions included in the Resolution and the completion of the Conducting Authority Proceedings. The East Palo Alto Sanitary District objected to the proposal.

The protest period for LAFCo File 22-09 began on February 12, 2024, and remained open for 100 days after.

The Protest Hearing was held on May 22, 2024, at the City of East Palo Alto Council Chambers and was publicly noticed pursuant to Government Code Section 57025, consisting of newspaper publication in the San Mateo County Times, Palo Alto Daily Post and The Almanac. Protest forms were collected by LAFCo staff via mail and in-person, until the close of the hearing at 2:59pm on May 22, 2024.

Mr. Bartoli noted that there are three potential outcomes for any LAFCo protest proceeding.

1. Terminate proceedings if 50% or more of the registered voters residing in the affected territory file a written protest; or
2. Order the change of organization subject to the confirmation of the registered voters residing in the affected territory if written protests have been filed by at least 25% but less than 50% of the registered voters residing in the territory, OR 25% of the number of landowners who also own at least 25% of the assessed land value of land in the affected territory; or
3. Order the change of organization without an election if written protests have been filed by less than 25% of the registered voters in the affected territory and less than 25% of the landowners who own at least 25% of the assessed land value in the affected territory.

The protest forms have been compared to the current Equalized Assessment Roll maintained by the County Assessor and the current Registrar of Voters maintained by the County Elections Official. All protest forms are evaluated pursuant to the relevant government code sections.

Mr. Bartoli stated that for the protest proceedings, there are two types of protest: registered voters and landowners.

For registered voters, there were 9,672 registered voters within the affected area; There were 1,012 facially vailed protests submitted during the protest period which equals 10.46 percent of the total registered voters in the affected area and is below the protest threshold of 25 percent; there 57 facially deficient were submitted.

Protest forms were only identified as faciality deficient if there was no date affixed on the forms of when the protest form was completed, the date affixed was outside of the protest period, no signature was affixed to the form, or the person signing the form was either not a registered voter or a landowner in the affected area, depending on the type of protest form submitted.

For landowners, there are two parts total landowner in the area and the total assessed land value; there were 6,567 total landowners in the affected area. If a parcel is owned in joint tenancy or tenancy in common (2nd or 3rd owners in the Assessor's data), each person or entity is counted as a separate owner. If a person or entity owns multiple parcels, for each parcel they would be considered a separate owner. So, while there are 4,287 parcels, there are 6,567 total landowners.

There were 936 facially vailed protests submitted during the protest period which equals 14.25 percent of the total landowners in the affected area and is below the protest threshold of 25 percent.

In the total assessed land value in the area is two billion, two hundred sixty-four million, two hundred ninety-five thousand two hundred sixty-four dollars. The total assessed value of the 936-protest received was one hundred eighty million six hundred fifty hour thousand eight hundred ninety-five dollars which equals 7.98 percent of the total assessed value in the area and is below the 25% threshold.

The assessed value of parcels owned in joint tenancy or tenancy in common shall be determined in proportion to the proportionate interest of the petitioner in that land as required by the government sections.

As the number and value of protests met neither the 50% threshold for terminating the

proceedings nor the 25% thresholds for requiring an election, the Commission is under a mandatory statutory duty to approve the change of organization.

There are no additional actions required to be taken by the Commission to establish the East Palo Alto Sanitary District as a Subsidiary District of the City of East Palo Alto as approved by the LAFCo Commission on November 15, 2023, in Resolution 1312

The City of East Palo Alto City Council will be voting on matters related to a contact with the West Bay Sanitary District and a framework for an advisory body to the EPASD governing body at their July 16 City Council. The tentative date of the governance change for EPASD is August 1, 2024, if all required conditions of approval are met.

LAFCo staff recommended the Commission to open the public hearing and accept public comment and approve San Mateo LAFCo Resolution 1325 – Making Determinations and Ordering the Establishment of the East Palo Alto Sanitary District as a Subsidiary District of the City of East Palo Alto Without an Election Subject to the Terms and Conditions of LAFCo Resolution 1312.

Commissioner Draper requested a brief history of LAFCo actions prior to the initial application submitted by the City of East Palo Alto. Mr. Bartoli confirmed that LAFCo staff conducted several MSRs in 2021, held public hearings, and presented recommendations for structural improvements for both The City and WBSD.

Commissioner Bigstyk requested verification on the protest threshold percentage and mandatory statutory duty to approve the change of organization by the Commission. Mr. Bartoli affirmed that the government code section relating to validation stated that it is not a discretionary action, and the percentage amount must be reached. Mr. Fox further supported this information.

Chair Martin open public comment.

Joan Cox, special counsel for EPASD, spoke in favor for EPASD and asked for the Commission to continue this item to allow for a ruling from the courts regarding the ongoing litigation between LAFCo and EPASD.

Ruben Abrica, resident of City of East Palo Alto, spoke in favor of moving this item forward.

Kelly Ferguson, resident of Menlo Park spoke in favor of EPASD.

Chair Martin closed public comment.

Commissioner Mueller questioned if LAFCo legal counsel was aware of EPASD filing an injunction to delay the LAFCo process to which Mr. Fox confirmed that a judge denied this motion stating the district did not meet the legal standards for an injunction.

The LAFCo Commission tabled this item until after Item 9.

5. Consideration of LAFCo File No. 24-02 - Proposed Annexation of 244 Club Drive, Unincorporated San Mateo County (APN 049-050-070) to the City of San Carlos

Mr. Bartoli presented the received proposal to the Commission.

This proposal, submitted by landowner petition, requests annexation of 244 Club Drive, (APN 049-050-070) to the City of San Carlos. The property is currently developed with a single-family residence and is served by an on-site septic system for sewer. The property has stated that the septic on the property is concerned regarding a future failure of that system and is requesting annexation to San Carlos to allow for sewer service from the City. The City of San Carlos has approved the pre-zoning of the parcel and both the City, and the County have approved the required property tax exchange. Commission approval is recommended.

No change in service delivery patterns will occur for water as the property already receives service from the California Water Services Company Annexation to the City will result in transfer of service responsibility for sewer, police, fire, parks and recreation, and streetlights and transfer of associated property tax revenue to the City of San Carlos.

The proposal to annex the property will allow the City of San Carlos to provide the residents of the property more efficiently with public services. The City now provides sewer service to the property and the annexation would allow the City to provide municipal service, such as fire, police, and park and recreation services. Due to the existing development on the property, the annexation of the parcel to the City would have minimal impact on municipal service demand.

Chair Martin questioned why this item is not on the consent agenda and Mr. Bartoli clarified that City annexations are historically on the record and presented to the Commission.

Chair Martin opened and closed public comment. No Comments were received.

Commission Action: Commissioner Chang-Kiraly moved to approve the proposed Annexation of 244 Club Drive, Unincorporated San Mateo County (APN 049-050-070) to the City of San Carlos. Commissioner Draper seconded the motion. Motion passed unanimously by roll call vote. (Ayes: Commissioners Martin, Bigstyk, Chang-Kiraly, Draper, Rarback, Slocum, Mueller; Noes: None)

6. Consideration of Municipal Service Review Circulation Draft for the City of Foster City and the Estero Municipal Improvement District

Mr. Bartoli presented the staff report.

LAFCo staff has not identified any issues with the City's budgeting practices, and the City continues to adopt a balanced budget, the City is anticipated the utilization of reserve funds in future years to balance the budget due to a structural deficit. The City worked on a possible revenue measure for Business License Tax to help address this, however, there is no current vote from the Council.

The City's adopted Housing Element proposed an increase to housing stock by 13% over the next eight years. The City's has evaluated potential impacts to City and EMID infrastructure. While water demand for proposed development under the 2023-2031 Housing Element will be met, during single and multiple dry years, EMID's total annual water demand is expected to exceed EMID's available water supplies from 2025 to 2045 with or without the additional demand from the 2023-2031 Housing Element. The City and EMID is aware of this issue and are working on implementing policies and programs to address this.

LAFCo determined that there are no issues with the City's or EMID's budget practices and recommended exploring the potential merger between both entities including a study of potential efficiencies and cost savings.

LAFCo staff recommended that the Commission opens a public hearing to provide Commissioner comment and accept public comment while directing Executive Officer to schedule the Final Municipal Service Review for the City of Foster City and EMID for a public hearing at the September 18, 2024, Commission meeting, and circulate it with the suggested changes and any other necessary amendments to the County, cities, and independent special districts.

Commissioner Draper would like to include verbiage in the MSR to commend Foster City for taking actions and addressing the sea level rising. Mr. Bartoli accepted the suggestion and will include it in the report.

Chair Martin open and closed public comment. No comments were made.

Commission Action: Commissioner Bigstyk moved to approve the approve the consideration of Municipal Service Review Circulation Draft for the City of Foster City and the Estero Municipal Improvement District. Commissioner Draper seconded the motion. Motion passed unanimously by roll call vote. (Ayes: Commissioners Martin, Bigstyk, Chang-Kiraly, Draper, Rarback, Slocum, Mueller; Noes: None)

Commissioner Mueller – left the meeting at 4 PM.

7. Broadmoor Police Protection District and LAFCo Initiated Dissolution Process

Mr. Bartoli presented the LAFCo dissolution process.

At the May 15, 2024 LAFCo meeting, the Commission adopted a Municipal Service Review (MSR) for the Broadmoor Police Protection District (BPPD). The report highlighted that LAFCo had several areas of concern for BPPD including the fiscal health of the District and the ability to continue to provide police services to residents. BPPD has had significant budget deficits in five of the last six fiscal years for a total loss of \$1.4 million. These budget deficits, and the reduction of fund balance, have now directly impacted the District. BPPD has made dramatic cuts to spending since the start of FY23-24 by eliminating two officer positions, eliminating some per-diem officers, and moving other per-diem officers into unpaid volunteer positions. These cuts have lowered the number of sworn officers to 7, a decrease from 9 officers just last year.

Mr. Bartoli summarized the general LAFCo dissolution process for a special district.

Mr. Bartoli notes there would be impacts to both the LAFCo workplan and costs to LAFCo to move a dissolution forward. The LAFCo Budget Committee reviewed this report to make sure that all potential fiscal and work plan issues were considered.

LAFCo staff recommended that the Commission receive the report and, if desired, can direct staff to prepare an application for the dissolution of BPPD, to produce follow-up reports or additional studies on BPPD, or to take no additional action related to BPPD at this time.

Mr. Bartoli stated that two written comments were received after the publication of the staff report.

Andrea Hall – expressed concerns in a letter regarding the recently passed resolution to place a special tax on the November ballot and her continued concerns about transparency and fiscal mismanagement at BPPD.

Paul Davis – sent a letter that responded to a previous letter from Andrea Hall regarding social security liability.

Chair Martin opened public comment.

John Aguerre – spoke in support for BPPD and against the LAFCo initiated dissolution of the District.

Broadmoor Police Chief Connolly – spoke in support of BPPD.

Commissioner Draper opposed any additional action from the Commission for the dissolution until after the parcel tax election in November.

Commissioner Rarback spoke in favor of the LAFCo initiated dissolution and mentioned that LAFCo has a responsibility to ensure that special districts are transparent, fiscally sound, and provide adequate public safety.

Commissioner Chang-Kiraly agreed with Commissioner Draper's comment and stated that the BPPD board meeting was not transparent for the public. A staff report should have been presented for better clarity and administrative improvements are necessary.

Commissioner Slocum agreed with postponing further Commission action during an election as he stated that the Commission could be viewed by voters as prejudicial.

Commissioner Bigstyk spoke in support of LAFCo dissolution.

Commissioner Mueller mentioned that he is concerned that the taxpayers are responsible for paying the five-year tax term should BPPD dissolve and the tax measure should be included on the BPPD ballot. Additionally, the BPPD board meeting process needs to be to promote efficiency and accuracy for the public.

Chair Martin spoke in agreement to Commission comments and to postpone this item to the next LAFCo regular meeting on November 20, 2024. Chair Martin also suggested that BPPD should contact other special districts for examples of governance.

Commissioner Chang-Kiraly noted that the LAFCo staff report offers alternative options which is not included in the consultant report for BPPD.

Commissioner Muller left for another meeting at 4:16 PM.

Commission Action: Commissioner Draper moved to continue this item to the November 20, 2024, LAFCo meeting. Commissioner Chang-Kiraly seconded the motion. Motion passed unanimously by roll call vote. (Ayes: Commissioners Martin, Bigstyk, Chang-Kiraly, Draper, Rarback, Slocum; Noes: None; Absent: Mueller)

8. Legislative and Policy Committee

a) Legislative Report – Information Only

Mr. Bartoli reported that as of July 9, 2024, CALAFCO is tracking 10 bills, and presented the staff report

9. Commissioner/Staff Reports – Information Only

a) CALAFCO 2024 Annual Conference – Information Only

Registration is now open for the CALAFCO 2024 annual conference that will be held on October 16-18, 2024, in Fish Camp, CA, just outside of Yosemite National Park.

As of July 10, Commissioners Martin, Mueller, Chang-Kiraly, and Draper have stated they wish to attend the Conference. Commissioners who wish to attend should notify staff at their earliest convenience in order for staff to submit the conference registration for all San Mateo LAFCo participants before the July 31 deadline.

b) CALAFCO Nominations for 2024-2025 Board Members

The Commission nominated Commissioner Chang-Kiraly as a candidate for the CALAFCO Board for 2024-2025.

Commission Action: Commissioner Bigstyk moved to the nomination. Commissioner Rarback seconded the motion. Motion passed unanimously by roll call vote. (Ayes: Commissioners Martin, Bigstyk, Chang-Kiraly, Draper, Rarback, Slocum; Absent: Mueller)

c) Voting Delegates at 2024 California Association of LAFCOs (CALAFCO) Annual Conference

The Commission selected Chair Martin as the primary voting member and Commissioner Chang-Kiraly and Commissioner Draper as the two alternates participating in the Annual Conference. LAFCo staff will also be in attendance.

Commission Action: Commissioner Chang-Kiraly moved to the nomination. Commissioner Rarback seconded the motion. Motion passed unanimously by roll call vote. (Ayes: Commissioners Martin, Bigstyk, Chang-Kiraly, Draper, Rarback, Slocum; Absent: Mueller)

d) CALAFCO Newsletter for May 2024 – Information Only

10. Commissioner/Staff Reports – Information Only

a) Mr. Bartoli stated that it is anticipated that September 18, 2024 LAFCo meeting in new Board of Supervisors Chambers at 500 County Center. He will confirm the meeting location with the Commission before the meeting.

11. Conference with Legal Counsel – Existing Litigation (§ 54956.9):

Name of Case: East Palo Alto Sanitary Dist. v. San Mateo Local Agency Formation Comm'n (San Mateo County Superior Court Case No. 24-CIV-01489)

The Commission adjured to closed session at 4:30 PM.

The Commission returned to open session at 4:59 PM There was no reportable action.

4. Certification of Protest Hearing Results for LAFCo File 22-09 - Proposal to Establish the East Palo Alto Sanitary District as a Subsidiary District of the City of East Palo Alto

Commission Action: Commissioner Slocum moved to approve the proposal to establish the East Palo Alto Sanitary District as a Subsidiary District of the City of East Palo Alto. Commissioner Rarback seconded the motion. Motion passed unanimously by roll call vote. (Ayes: Commissioners Martin, Bigstych, Chang-Kiraly, Draper, Rarback, Slocum, Noes: None; Absent Mueller)

12. Adjournment

The meeting ended at 5:15 PM.

**LOCAL AGENCY FORMATION COMMISSION**

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

September 11, 2024**To:** LAFCo Commissioners**From:** Rob Bartoli, Executive Officer**Subject:** Consideration of LAFCo File No. 24-08 - Proposed Sphere of Influence amendment for County Service Area 11 (CSA 11) and annexation by CSA 11 of the Pescadero Middle/High School located at 350-360 Butano Cut Off, Pescadero (APN 087-053-010)**Summary**

This proposal, submitted by resolution from the County of San Mateo, requests annexation by County Service Area 11 (CSA 11) of the Pescadero Middle/High School located at 350-360 Butano Cut Off (APN 087-053-010). The proposal also requests a Sphere of Influence (SOI) amendment for CSA 11 to include 350-360 Butano Cut Off (APN 087-053-010).

The County of San Mateo is proposing to construct a new County fire station on an undeveloped portion of Pescadero Middle/High School located at 350-360 Butano Cut Off (APN 087-053-010). As part of this project, the County is requesting the annexation of the parcel to CSA 11 to provide domestic water service to a proposed new fire station, Fire Station 59. A waterline would be extended from the existing CSA 11 boundaries east along Pescadero Road, south on Cloverdale Road, and east on Butano Cut Off. At the request of Cal Fire, seven fire hydrants will be installed along the new water main extension. The pipe alignment is not proposed to be within the annexation area¹.

The annexation would also facilitate domestic water service from CSA 11 to the existing Pescadero Middle/High School buildings. The school had historically relied on a well for domestic water. However due to elevated contaminant levels in the groundwater, the school has relied on bottled water for drinking for several years. The annexation of 350-360 Butano

¹ As permitted by Government Code Section 25210, territory, whether contiguous or noncontiguous, in the unincorporated area of a single county may be included in a county service area

Cut Off into the CSA 11 service area would allow both the proposed fire station and to Pescadero Middle/High School.

County Service Area 11 (CSA 11)

County Service Area 11 (CSA 11) was formed in 1988 pursuant to enabling legislation permitting creation of a county service area (Government Code Section 25210 et seq.) to provide water service to the portion of Pescadero included in the boundaries of the Urban/Rural boundary established by the County's local coastal program. The urban rural boundary is coterminous with the rural service center boundary and designates the area as eligible for municipal water service under the County of San Mateo General Plan and Local Coastal Program².

At the time of formation, the only water supply was individual domestic wells, water from surface impoundments, and locally derived groundwater from wells installed in the alluvial aquifer of Pescadero and Butano Creeks. In the 1970's and 1980's these sources were found to contain relatively high concentrations of nitrate and other naturally occurring salts. This prompted the development of a public groundwater source. The water system was constructed in 1991-1992 and water rates were established at that time. Well No. 1, the primary well at the time, was constructed in 1992. Well No. 2, a backup well that can only be used during emergencies, was built in 1983. In 2018, Well No. 3 was completed and became the primary supply well in 2020.

CSA 11 currently has 101 customer connections. When CSA 11 was created in 1992, a 140,000-gallon storage tank and two supply wells (Well No. 1 and Well No. 2) were constructed on a County owned parcel to supply water to the community. When the system was designed and constructed it met the then current local fire flow requirement for Pescadero, which was 500 gallons per minute (GPM) for 2 hours with a residual pressure of 20 pounds per square inch at the fire hydrant.

Wells Nos. 1 and 2 are 260 and 247 feet deep, respectively. From 1992 to 2020, Well No. 1 was the primary supply well, with a pumping rate of 60-70 GPM. During this period, Well No. 2 served as a standby well for use in case Well No. 1 is out of service.

Unlike many other public water systems in San Mateo County, the water supply system relies solely on groundwater from the local aquifer. CSA 11 does not have a connection to other public water systems, as the nearest other system, Coastside County Water District, is over 14 miles to the north.

The service boundaries and SOI for CSA 11 have been amended three times since its formation. In 1994, LAFCo approved annexation of the existing CAL FIRE station (Station 59) on Pescadero Creek Rd. Also, in both 1994 and 2004, parcels on North Street were annexed to the District for water service.

² The County of San Mateo Local Coastal Plan (LCP) defines Rural Service Centers as small rural communities having a combination of land uses which provide services to rural areas. The LCP identifies Pescadero and San Gregorio as Rural Service Centers. County General Plan Policy 9.16 (a) provides for the Urban/Rural boundary to be coterminous with the Rural Service Center boundaries.

Existing and Proposed Land Use Designations

350-360 Butano Cut Off (APN 087-053-010) is currently developed with the Pescadero Middle/High School. The current San Mateo County General Plan designation for the area is Institutional, the Local Coastal Plan Land Use Designation is Institutional, and the zoning designation is RM-CZ/CD (Resource Management-Coastal Zone/Coastal Development).

The project would include a six inch-diameter water pipeline that would run primarily along roadway shoulders in a rural portion of San Mateo County, to Pescadero High School. Surrounding land uses are primarily agricultural (orchards and row crops), with scattered residences and the high school at the pipeline terminus. The fire station site is an open field covered with ruderal vegetation.

Existing Sphere of Influence and Proposed Amendment

The Sphere of Influence (SOI) of CSA 11 is coterminous with the service boundaries of the District. The SOI for CSA 11 was amended in 1994 and 2004 in conjunction with additions to the District for domestic water service. The sphere of influence of the CSA 11 was most recently adopted by LAFCo in 2022 as part of a Municipal Service Review (MSR) and SOI update. In the adopted MSR, it was anticipated that a future application for the annexation of the Pescadero Middle/High School site would be submitted to LAFCo in the near future.

The Pescadero Middle/High School site located at 350-360 Butano Cut Off is currently outside of the SOI of CSA 11 and an amendment to the SOI is required for the annexation.

In adopting a sphere amendment, Government Code Section 56425(e) of the Cortese-Knox-Hertzberg Act requires that the Commission consider the following factors and prepare a written statement of determination:

- 1) *The present and planned land uses in the area, including agricultural and open-space lands.*

The subject parcel is located in the unincorporated area of Pescadero and is designated Institutional in the County's General Plan and in the County's Local Coastal Plan. This land use designation includes cultural and educational and public service uses including but not limited to schools, libraries, hospitals, and churches. The parcel is currently developed with a public middle school and high school and a portion of the property is proposed to be developed with a fire station.

The fire station site is mapped as Class I Agricultural Soils and does contain agricultural land as defined in the Cortese-Knox-Hertzberg Act³. As stated in reports from the County and in the application to LAFCo, these agriculture lands are inactive. Though the project area may be of a quality to sustain high yield irrigated crops, the project area has not been

³ Government Code Section 56064

in agricultural use for at least eight years, as opposed to the adjacent field to the north of the site consistently used for irrigated agriculture.

As required by both the County and the California Coastal Commission, and described in detail later in this staff report, a mitigation measure has been incorporated into the project to address the loss of this agricultural lands.

Land use designations within the existing boundaries and SOI of CSA 11 include primarily residential use with some institutional and commercial uses. The area is surrounded by, but does not include agricultural lands.

2) *The present and probable need for public facilities and services in the area.*

The SOI amendment for CSA 11 would permit the annexation of the Pescadero Middle/High School and a new proposed fire station into the District. The pipeline would be designed to serve only the high school and fire station's potable water needs. Per the County no additional hookups would be permitted to this water. In addition, the area's general plan and zoning designations are for agricultural uses, which substantially limits the area's development potential. The annexation would not encourage additional development on the school property or elsewhere along the pipeline route.

Constraints such as the Pescadero Creek floodway and septic system requirements, water for fire flow and factors such as economic conditions, will continue to dictate how development within the CSA 11 will occur. The parcels within CSA 11 are largely developed with commercial businesses and mix of single-family and small multi-family homes with few parcels left for new development. Due to these constraints, development and population increase in the near term is limited.

3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

In March 2021, Todd Groundwater completed a report entitled "Pescadero (CSA-11) Water Supply Yield and Sustainability Study" for the San Mateo County Department of Public Works that looked at existing CSA 11 water usage and conditions. The report noted that the aquifer that CSA 11 wells rely on is considered to be in overdraft, meaning that more water is being pulled out of the aquifer than can be replenished.

The report estimates that the CSA 11 wells would still be able to provide water into the future, even if the additional demand of the existing Pescadero Middle/High School and a new fire station is added to the District. The report concludes that if these buildings were to be added to the CSA 11 system, the CSA 11 wells would be able to serve the CSA 11 service area until 2094. However, if the aquifer does not recharge at its current rate or if additional demand as identified in the County's LCP is added to CSA 11, the lifespan of the existing wells will be negatively impacted.

Regarding fire service for Pescadero and the CSA 11 service area, there is existing fire protection services that cover CSA-11's sphere of influence. However, the location of the existing station can be isolated from the community during seasonal flooding events. Moving the station to the location adjacent to the High School will allow unimpeded access to Pescadero year-round.

- 4) *The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.*

Pescadero and the surrounding area is an important farming community in the County. The CSA 11 service area is a community of interest in that it represents the community eligible for and dependent upon municipal-type services that can be provided by the County.

As noted in the application from the County, students, faculty, and staff of the Pescadero Middle/High School have relied on bottled water for drinking for several years

- 5) *Present and probable need for water, wastewater, and structural fire protection facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.*

The Sphere of Influence amendment is limited to the inclusion of the Pescadero Middle/High School, which is considered uninhabited. The annexation of the school site will allow Pescadero Middle/High School to have a source of drinking water that will meet the needs for the students and staff. Currently, students and staff have to rely on bottled water due to elevated contaminates levels in the drinking water supplied by an on-site well.

Pescadero and the surrounding area is an important farming community in the County, and it is likely that there are farmworkers living in the area of CSA 11 who have an income lower than median income for Pescadero. This is evidenced by affordable housing and farm labor housing programs that are supported by the County in the agricultural areas of the coastside.

CSA 11 has limited ability to serve the surrounding rural community due to limited water supply for additional demand. The County's LCP also limits CSA 11 from serving areas outside of the Pescadero rural service center. In addition, the population around Pescadero is widely dispersed, which can lead to challenges regarding cost and expansion of infrastructure. The County also has policies in place that limit the expansion of urban utilities, such as water and sewer, in the rural areas of the County.

Pescadero is considered a legacy unincorporated community, as it is not within the SOI of a city, has existed for at least 50 years, and is inhabited. The County of San Mateo and CSA 11 are likely to continue to be the service providers for Pescadero and the surrounding area for the foreseeable future.

Nature, Extent and Location of Services Provided by the District

Sphere amendment or update requires that LAFCo establish the nature, extent and location of services provided by the District. CSA 11 services are limited to domestic water service district-wide to the portion of Pescadero included in the boundaries of the Urban/Rural boundary

established by the County's Local Coastal Program. This includes the residential areas along North Street, Stage Road, Pescadero Creek Road, and the existing County Fire Station 59 on Pescadero Creek Road.

Departmental Reports

County Assessor: The total net assessed land valuation for the parcels shown in the records of the County Assessor is \$0.00 as the property is publicly owned. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has zero registered voters. If the annexation is approved, the property will need to be assigned to a precinct within the CSA 11.

County Public Works/Special District: County Department of Works manages operations of CSA 11. Annexation is required in order for CSA 11 to provide potable water service to existing Pescadero Middle/High School and new CalFire Station 59. Construction of a water main extension from the existing CSA 11 water main on Pescadero Creek Rd. with other funding sources will be required.

The CSA 11 Pescadero Water Budget Analysis completed in 2021 estimated that the system has sufficient capacity to supply existing demand plus the demands associated with Pescadero Middle/High School and the relocated fire station for at least the next 30-40 years. If the aquifer does not recharge at its current rate or this additional demand is added to CSA 11, the lifespan of the existing wells will be negatively impacted. With additional pumping it is possible that Well No. 1 would be out of service by 2057 and that Well No. 3 would need to be lowered to continue to serve Pescadero.

Agreements are to be established between CSA 11 and school district and County Fire to ensure that appropriate and proportional share of annual operations and maintenance costs will be assigned to and paid by the school and fire station.

County Planning: The County's General Plan and Local Coastal Land Use designations are Institutional. The subject property is zoned Resource Management-Coastal Zone/Coastal Development (RM-CZ/CD). No change to the zoning or land use designation will occur as part of this project.

In 2014, the County completed a Site Assessment Report of the exiting first station facility at 1200 Pescadero Creek Road. The three-year study investigated the overall incident response direction, hazards, and included a structural assessment of the building.

In 2015, the County considered available for-sale and publicly-held parcels within the Pescadero community for the location of a replacement fire station. Of the 13 parcels, nine parcels were under private ownership and four under public ownership. For all 13 parcels, the County considered a number of issues, including conformance with applicable Local Coastal Program policies - sensitive habitats, hazards (flood, tsunami, seismic), and prime agricultural lands, among others, as well as the minimum requirements for the station itself (septic, access, within response circle).

On February 27, 2016, the County hosted a community workshop, where each parcel's constraints and benefits were presented. The community narrowed their preferences down to:

1) rebuilding at the current fire station location, 2) constructing a new station at the corporation yard on Pescadero Creek Road, 3) constructing a new station on the parcel adjacent to the CSA-11 facility on Bean Hollow Road, or 4) constructing a new station next to the Pescadero Middle/High School. Subsequent meetings of the Steering Committee eliminated the first three sites from consideration, leaving the Middle/High School site as the preferred location.

The County certified a Mitigated Negative Declaration (MND) for the project on November 1, 2022. On February 9, 2024, the California Coastal Commission certified the Local Coastal Plan Map and Text amendments that facilitate the annexation, fire station construction, and water line extension. On February 28, 2024, the San Mateo County Planning Commission approved the Coastal Development Permit (CDP) to extend CSA-11 water pipeline to the subject territory. A second CDP was approved to permit the construction of a new fire station on the subject territory. County Planning recommends approval of the project.

County Environmental Health: CSA 11 would provide water to this property. The property will remain on an onsite septic system for wastewater services. This proposal is appropriate and will not create any unusual health hazards or problems.

Current and Proposed Services

Changes in service that would occur as a result of the reorganization are summarized below:

Service	Current Service Provider	Proposed Service Provider
Water	On-site wells	CSA 11
Police	San Mateo County Sheriff	San Mateo County Sheriff
Fire	County Fire (CAL Fire)	County Fire (CAL Fire)
Sewer	On-site septic	On-site septic

No change in service delivery patterns will occur for sewer, police, or fire as the properties already receive service from the on-site septic, San Mateo County Sheriff, and County Fire (CAL Fire). The annexation will result in the transfer of service for domestic water from the current on-site wells to CSA 11. No other special district boundaries are altered by this proposal.

Property Tax Exchange

As noted, annexation to the CSA 11 will result in transfer of service responsibility to the District. As an enterprise fund, CSA 11 is funded through service charges, rather than property tax revenue. In addition, the Pescadero Middle/High School property is a government-owned entity that is exempt from paying property taxes. The County of San Mateo adopted a resolution of property tax exchange on September 11, 2024 pursuant to Revenue and Tax Code Section 99, which stipulates that the County shall negotiate on behalf of special districts. Accordingly, a

property tax revenue reallocation of zero dollars (\$0) has been approved by the County and no tax incremental factors will be adjusted for any taxing entity.

Applicable Factors to be Considered for Annexation (Government Code Section 56668)

- a. Population and the likelihood of significant growth in the area, during the next 10 years.

The annexation will only include the Pescadero Middle/High School site and proposed fire station. The fire station will have 4-10 staff at one time, but no permanent residents would reside on the property. In addition, the area's general plan and zoning designations are for agricultural uses, which substantially limits the area's development potential. The annexation is not anticipated to be growth-inducing.

Constraints such as the Pescadero Creek floodway and septic system requirements, water for fire flow and factors such as economic conditions, will continue to dictate how development within the CSA 11 will occur. The parcels within CSA 11 are largely developed with commercial businesses and mix of single-family and small multi-family homes with few parcels left for new development. Due to these constraints, development and population increase in the near term is limited.

- b. The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the County.

The proposal to annex will allow the County to construct a new fire station at 350-360 Butano Cut Off. The current fire station located on Pescadero Creek Road is partially within a floodplain which has resulted in annual interior flooding, mold, and plumbing backups to the barracks building, among other issues. Seasonal flooding of the adjacent Butano Creek also impacts Pescadero Creek Road by restricting and sometimes prohibiting vehicle movement on the Road. This flooding also resulted in isolating the fire station from the town of Pescadero, with subsequent delays in responding to emergency calls that originate on the east side of Butano Creek.

The alternative of no annexation would prohibit the extension of CSA 11 to the high school property and require that the school continue to rely on bottled water for drinking due to elevated contaminants levels in the domestic well on the property. As efforts to provide domestic water to the site by drilling an additional well on the property have been unsuccessful, it would be unlikely that the new fire station could be constructed without the annexation of the property to CSA 11.

- c. The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development and definiteness and certainty of the boundaries of the territory, the creation of islands or corridors of unincorporated territory.

In conjunction with this annexation, the County submitted amendments to the approved Local Coastal Program to the California Coastal Commission. These changes included a text amendment to allow the extension of municipal water provision to the new fire station site and to public schools in the rural service center of Pescadero. A change in the LCP land use map for the Middle/High Site was also proposed. On February 9, 2024, the California Coastal Commission certified the Local Coastal Plan Map and Text amendments that facilitate the project.

The proposal conforms with LAFCo and County General Plan policies encouraging annexation of areas when urban levels of service, such as municipal water, are required for a project. While the annexation of the parcel would not be adjacent to existing CSA 11 boundaries, CSAs are permitted to have non-contiguous boundaries. As the annexation of other lands outside of the Pescadero Middle/High School property would be in conflict with the County's regulations regarding the extension of municipal level services to rural area, only the school site is proposed for annexation.

d. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands

As noted the fire station site is mapped as Class I Agricultural Soils and does contain agricultural land as defined in the Cortese-Knox-Hertzberg Act. As stated in reports from the County and in the application to LAFCo, these agriculture lands are inactive. Though the project area may be of a quality to sustain high yield irrigated crops, the project area has not been in agricultural use for at least eight years, as opposed to the adjacent field to the north of the site consistently used for irrigated agriculture.

As required by both the County and the California Coastal Commission, a mitigation measure has been incorporated into the project to address the loss of this agricultural lands. This mitigation measure required that prior to issuance of the building permit for construction of the fire station, the County shall submit evidence to the Coastal Commission for review and approval indicating that an agricultural easement burdening off-site agricultural property has been granted in perpetuity to the County or other qualifying entity, along with adequate funding to compensate for reasonable administrative costs incurred by the easement holder. The property provided as mitigation shall meet the following criteria:

- The easement shall provide agricultural conservation acreage at a ratio of 2:1 for the loss of agricultural land associated with the approved project (i.e. at least 3.5 acres shall be provided to offset the 1.75 acres of the fire station site).
- The property shall be acquired by the County and placed under an agricultural easement; or the County shall enter into an agreement to newly encumber lands owned by another entity.
- The property shall be located within the Coastal Zone, within reasonable proximity to the project site.

As of the writing of this staff report, the County is working with the Peninsula Open Space Trust (POST) to transfer four farms consisting of prime agricultural soils (ranging in size from 25-80 acres) located within a 1-3mi radius (within the Coastal Zone) of the fire station site to comply with this mitigation measure and requirement from the Coastal Commission. Each of these farms will be transferred to farmers subject to a permanent Agricultural Conservation Easement (ACE) that POST will hold, monitor, and enforce. The ACEs will include affirmative requirements to continue farming, a requirement for the owner to provide a farm management plan, protections for riparian areas where applicable, and other standard conservation easement provisions. Further, the ACEs will allow farm labor housing but no other residential development. The County is proposing to provide POST with funds to purchase these properties.

The subject property is not encumbered by either a farmland security zone contract or Williamson Act contract. The surrounding farm and agricultural land adjacent to the High School site and to the pipeline will not be impacted by the annexation. Additional water connection to the pipeline are prohibited by the County and thus there is no potential impact of development or urbanization of adjacent agricultural lands.

- e. Consistency with city or county general and specific plan and the sphere of influence of any local agency which may be applicable to the proposal being reviewed.

As noted above, the proposal is consistent with both County General Plan and the County's adopted Local Coastal Program, as amended in 2024. The proposal submitted by the County includes a SOI amendment to include the subject property within the SOI of CSA 11.

The subject property is not within the SOI of any other public agency that provides water or sewer service.

- f. The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

A groundwater supply study was prepared for CSA-11 (Todd Groundwater, June 2019). That study indicated that the CSA-11 supply is overdrawn on an annualized basis, but would be adequate for about 90 years, with a decline of about 0.5 feet/year, depending on the climate and weather during that period. However, it is possible that the rate of groundwater level decline may increase in the future, if rates of recharge to the Butano Ridge aquifer decrease and/or nearby pumping by other groundwater users increases.

Supplying CSA-11 water to the high school for potable use (non-potable uses would continue to be supplied by the school's well) and supplying the new fire station would slightly increase the demand on CSA-11's water supply. A follow-up study conducted by the County was prepared that audited existing water connections, and assessed long term water supply yield, sustainability, and water quality impacts with the proposed connections to the high school and new fire station (Todd Groundwater, March, 2021). That study found total

system-wide water use during calendar years 2015-2019 averaged 19,442 gallons per day (gpd) as measured by customer meters at the 101 active connections. The study then assessed irrigation use of CSA-11 water and found that a strict prohibition on landscape irrigation probably would not be sufficient by itself to eliminate the long-term water-level declines noted in the earlier study. Water loss by leakage in the system also was assessed.

The effect of connecting Pescadero Middle/High School and the proposed replacement fire station to the CSA-11 water distribution system depends on how much they would increase existing overdraft. The steady long-term decline in water levels at the CSA-11 wells since 1992 shows that pumping has consistently exceeded recharge. Some of the pumping is supplied by recharge, and the remainder is overdraft. If the existing trend of water level decline continues, the water level will drop below the top of the Well No. 1 well screen around 2039 and would reach the pump intake at around 2115. It would not reach the top of the well screen and pump intake in Well No. 3 until approximately 2115 and 2120, respectively. Adding the demand from the school and fire station would shorten those time frames for Well No. 3 to about 2094 and 2099, respectively.

However, this analysis assumes that the aquifer that CSA 11 draws from remains at a stable level. If the aquifer does not recharge at its current rate or this additional demand is added to CSA 11, the lifespan of the existing wells will be negatively impacted. With additional pumping it is possible that Well No. 1 would be out of service by 2057 and that Well No. 3 would need to be lowered to continue to serve Pescadero. The County will implement two mitigations measures related to CSA 11 water levels. The first requires that CSA 11 shall conduct monthly water level measurement of Well #1 and Well #3 to monitor ongoing aquifer capacity. The second states that CSA 11 shall evaluate groundwater level trends. Should the water level drop below 6 feet above the top of the well screen in Well #3 during static conditions, CSA-11 shall manage water supply sustainability through operational actions such as lowering the pump, or by developing other local groundwater or surface water supply sources.

Per the County, on-going waterline extension operation and maintenance (O&M) costs are estimated at \$11,900 per year. This cost is limited to the waterline extension only and not for the CSA 11 system as a whole. These O&M costs include 1.27 miles of new water main, seven (7) new fire hydrants, several new gate valves, and two (2) new service meters (not including the service meters to the Fire Station). A 6-inch meter is included for leak and illegal water connection monitoring.

These expenditures will be assessed to LHPUSD and Fire station/County Fire as the sole users of the waterline extension. These charges will be assigned as a separate service charge (in addition to both users tiered water rates), that can be increased over time as costs increased. The service charges would fund the ongoing operations and maintenance. These O&M costs will not be paid by the existing rate payers within CSA 11.

Per County staff, CSA-11 will only be used for domestic use/consumption. The fire suppression water tanks, truck washing, and irrigation will be supplied by the existing school well.

- g. Information or comments from the landowner or landowners, voters, or residents of the affected territory.

In a letter dated May 20, 2024 the Superintendent of the La Honda-Pescadero Unified School District (LHPUSD) started support of the annexation and SOI amendment. The letter notes that is application “is an important step in securing clean, safe, drinking water for our middle and high school students.” A subsequent letter from LHPUSD was submitted on June 24, 2024 reiterated support for the project and requested that the protest proceedings be waived.

Property owners and residents within 300 feet of the annexation area and the Pescadero Municipal Advisory Council were notified of the project. As of September 10, 2024, no comments have been received by LAFCo.

- h. The extent to which the proposal will promote environmental justice.

The annexation of the school site will allow Pescadero Middle/High School to have a source of drinking water that will meet the needs for the students and staff. High School serves approximately 170 students in Grades 6 through 12. The school relies upon groundwater for its water needs. The State Water Resources Control Board (Division of Drinking Water) has cited the school’s well for exceeding maximum allowed nitrate and coliform contaminant levels. The school currently relies on bottled water for consumption needs. Past attempts to drill new wells have failed due to insufficient water quality and quantity on the property. Currently, students and staff have to rely on bottled water due to elevated contaminates levels in the drinking water supplied by an on-site well.

Pescadero and the surrounding area is an important farming community in the County, and it is likely that there are farmworkers living in the area of CSA 11 who have an income lower than median income for Pescadero. This is evidenced by affordable housing and farm labor housing programs that are supported by the County in the agricultural areas of the coastside.

- i. Information contained in a safety element of general plan, local hazard mitigation plan, and any maps that identify land as a very high fire hazard zone or state responsibility area.

The County recently adopted Multi-Jurisdictional Local Hazard Mitigation Plan created long- and short-term programs and policies to reduce injury and damage resulting from natural hazards. The existing Pescadero Fire Station was identified as a vulnerable facility due to its location in an existing flood zone. The school property is a center and served residents as such during the CZU Lightning Complex Fire. These critical facilities are essential to the health and welfare of the population, serve as community lifelines, and enable continuous operation of government functions. The County has notes that replacement of the fire

station and connection of the school and fire station to CSA-11 water will ensure these facilities can continue to effectively serve visitors and the Pescadero community.

Based on a review of all relevant plans and maps, the area proposed to be annexed is not located in a very high fire area. The area is within a state responsibility area for fire response. CAL Fire and County Fire have reviewed and approved the construction of the water line and the building of the new fire station.

California Environmental Quality Act

On November 1, 2022, the County of San Mateo certified a Mitigated Negative Declaration (MND) for the CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project. Included in the scope of this project was Sphere of Influence amendment and annexation by CSA 11 of the Pescadero Middle/High School and new fire station property, subject to approval by the San Mateo Local Agency Formation Commission. The MND found there would be several potential impacts to the environment. However, the CEQA document proposed mitigation measures for these impacts. Areas of impacts include agriculture, hydrology and water quality, hazards and hazardous materials, and noise. With mitigation measures, each impact is considered to be sufficiently addressed.

Waiver of Conducting Authority Proceedings

Sections 56662-56663 of the Cortese-Knox-Hertzberg (CKH) Act specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100 percent landowner consent provided that no objection is submitted by subject property owners or voters. The purpose of the conducting authority proceedings is to measure landowner or voter protest within the affected territory. The LHPUSD as the landowners have requested, and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

Staff respectfully recommends that the Commission approve the proposal by taking the following actions:

1. By motion, certify that the Commission has reviewed and considered the Mitigated Negative Declaration for CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project including any findings and the mitigation and monitoring program, prepared by the County of San Mateo as lead agency and that mitigation measures are within the responsibility and jurisdiction of the County of San Mateo and not within the responsibility and jurisdiction of San Mateo LAFCo (Government Code Section 15091(a)(2)).
2. By resolution, approve the proposed Sphere of Influence amendment for County Service Area 11
3. By resolution, approve the annexation by County Service Area 11 of the Pescadero Middle/High School located at 350-360 Butano Cut Off, Pescadero (APN 087-053-010) and direct the Executive Officer to waive the conducting of the conducting authority proceedings.

Attachments

- A. LAFCo Resolution 1326 – Sphere of Influence Amendment for CSA 11
- B. LAFCo Resolution 1327 – Annexation by CSA 11 of the Pescadero Middle/High School located at 350-360 Butano Cut Off (APN 087-053-010)
- C. Annexation Application for Proposed Sphere of Influence amendment for County Service Area 11 (CSA 11) and annexation by CSA 11 of the Pescadero Middle/High School located at 350-360 Butano Cut Off (APN 087-053-010)
- D. Mitigated Negative Declaration and Notice of Determination
- E. Vicinity Map
- F. Existing and proposed SOI map for CSA 11
- G. Letter from La Honda-Pescadero Unified School District regarding waving of protest
- H. San Mateo County Board of Supervisors Resolution No. 080613 regarding property tax exchange between the County and CSA 11

cc: Michael Callagy, County of San Mateo
Ann Stillman, San Mateo County Public Works
Sophie Mintier and Mike Schaller, San Mateo County Planning & Building
Gregory Smith, San Mateo County Environmental Health
San Mateo County Clerk
Andrew Smith, San Mateo County Assessor
Amy Wooliever, La Honda-Pescadero Unified School District

RESOLUTION NO. 1326

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SAN MATEO
MAKING DETERMINATIONS AND APPROVING A SPHERE OF INFLUENCE
AMENDMENT FOR COUNTY SERVICE AREA 11 (CSA 11)**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for an amendment of the Sphere of Influence for County Service Area was submitted by resolution by the County of San Mateo to include 350-360 Butano Cut Off, Pescadero (APN 087-053-010) within the SOI was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Commission conducted a Municipal Service Review for the CSA 11 pursuant to Government Code Section 56430 and adopted the report on May 18, 2022; and

WHEREAS, the Executive Officer has reviewed the SOI amendment and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal and the affected agency consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the SOI amendment and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the Commission is required pursuant to Government Code Section 56425 and local Commission policy to make statement of written determinations with regards to the following factors:

- 1) *The present and planned land uses in the area, including agricultural and open-space lands.*

The subject parcel is located in the unincorporated area of Pescadero and is designated Institutional in the County's General Plan and in the County's Local Coastal Plan. This land use designation includes cultural and educational and public service uses including but not limited to schools, libraries, hospitals, and churches. The parcel is currently developed with a public middle

school and high school and a portion of the property is proposed to be developed with a fire station.

The fire station site is mapped as Class I Agricultural Soils and does contain agricultural land as defined in the Cortese-Knox-Hertzberg Act¹. As stated in reports from the County and in the application to LAFCo, these agriculture lands are inactive. Though the project area may be of a quality to sustain high yield irrigated crops, the project area has not been in agricultural use for at least eight years, as opposed to the adjacent field to the north of the site consistently used for irrigated agriculture.

As required by both the County and the California Coastal Commission, and described in detail later in this staff report, a mitigation measure has been incorporated into the project to address the loss of this agricultural lands.

Land use designations within the existing boundaries and SOI of CSA 11 include primarily residential use with some institutional and commercial uses. The area is surrounded by but does not include agricultural lands.

2) *The present and probable need for public facilities and services in the area.*

The SOI amendment for CSA 11 would permit the annexation of the Pescadero Middle/High School and a new proposed fire station into the District. The pipeline would be designed to serve only the high school and fire station's potable water needs. Per the County no additional hookups would be permitted to this water. In addition, the area's general plan and zoning designations are for agricultural uses, which substantially limits the area's development potential. The annexation would not encourage additional development on the school property or elsewhere along the pipeline route.

Constraints such as the Pescadero Creek floodway and septic system requirements, water for fire flow and factors such as economic conditions, will continue to dictate how development within the CSA 11 will occur. The parcels within CSA 11 are largely developed with commercial businesses and mix of single-family and small multi-family homes with few parcels left for new development. Due to these constraints, development and population increase in the near term is limited.

3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

In March 2021, Todd Groundwater completed a report entitled "Pescadero (CSA-11) Water Supply Yield and Sustainability Study" for the San Mateo County Department of Public Works that looked at existing CSA 11 water usage and conditions. The report noted that the aquifer that CSA 11 wells rely on is considered to be in overdraft, meaning that more water is being pulled out of the aquifer than can be replenished.

The report estimates that the CSA 11 wells would still be able to provide water into the future, even if the additional demand of the existing Pescadero Middle/High School and a new fire station is added to the District. The report concludes that if these buildings were to be added to the CSA 11 system, the CSA 11 wells would be able to serve the CSA 11 service area until 2094. However, if the aquifer does not recharge at its current rate or if additional demand as identified in the County's LCP is added to CSA 11, the lifespan of the existing wells will be negatively impacted.

1 Government Code Section 56064

Regarding fire service for Pescadero and the CSA 11 service area, there is existing fire protection services that cover CSA-11's sphere of influence. However, the location of the existing station can be isolated from the community during seasonal flooding events. Moving the station to the location adjacent to the High School will allow unimpeded access to Pescadero year-round.

- 4) *The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.*

Pescadero and the surrounding area is an important farming community in the County. The CSA 11 service area is a community of interest in that it represents the community eligible for and dependent upon municipal-type services that can be provided by the County.

As noted in the application from the County, students, faculty, and staff of the Pescadero Middle/High School have relied on bottled water for drinking for several years

- 5) *Present and probable need for water, wastewater, and structural fire protection facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.*

The Sphere of Influence amendment is limited to the inclusion of the Pescadero Middle/High School, which is considered uninhabited. The annexation of the school site will allow Pescadero Middle/High School to have a source of drinking water that will meet the needs for the students and staff. Currently, students and staff have to rely on bottled water due to elevated contaminates levels in the drinking water supplied by an on-site well.

Pescadero and the surrounding area is an important farming community in the County, and it is likely that there are farmworkers living in the area of CSA 11 who have an income lower than median income for Pescadero. This is evidenced by affordable housing and farm labor housing programs that are supported by the County in the agricultural areas of the coastside.

CSA 11 has limited ability to serve the surrounding rural community due to limited water supply for additional demand. The County's LCP also limits CSA 11 from serving areas outside of the Pescadero rural service center. In addition, the population around Pescadero is widely dispersed, which can lead to challenges regarding cost and expansion of infrastructure. The County also has policies in place that limit the expansion of urban utilities, such as water and sewer, in the rural areas of the County.

Pescadero is considered a legacy unincorporated community, as it is not within the SOI of a city, has existed for at least 50 years, and is inhabited. The County of San Mateo and CSA 11 are likely to continue to be the service providers for Pescadero and the surrounding area for the foreseeable future.

WHEREAS, having reviewed and considered the determinations as outlined above, the Commission determines to amend (expand) the sphere of influence for the CSA 11 to include 350-360 Butano Cut Off, Pescadero (APN 087-053-010); and

WHEREAS, the Sphere of Influence amendment was evaluated certified a Mitigated Negative

Declaration (MND) for the CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project. Included in the scope of this project was Sphere of Influence amendment and annexation by CSA 11 of the Pescadero Middle/High School and new fire station property, subject to approval by the San Mateo Local Agency Formation Commission. The MND found there would be several potential impacts to the environment. However, the CEQA document proposed mitigation measures for these impacts. Areas of impacts include agriculture, hydrology and water quality, hazards and hazardous materials, and noise. With mitigation measures, each impact is considered to be sufficiently addressed.

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. By Resolution, the Commission accepts the Executive Officer's Report dated September 11, 2024, Sphere of Influence Amendment for County Service Area 11, and all written comments and attachments incorporated herein and contained in attached "Exhibit A."; and

Section 2. By Resolution, the Commission shall consider the territory described in "Exhibit B" as being the Sphere of Influence as being the Sphere of Influence for County Service Area 11, it being fully understood that the adoption of such sphere of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

Regularly passed and adopted this ____ day of _____.

Ayes and in favor of said resolution:

Commissioners: _____

Noes and against said resolution:

Commissioner(s): _____

Absent and/or Abstentions:

Commissioner(s): _____

Chair
Local Agency Formation Commission
County of San Mateo
State of California

ATTEST:

Roberto Bartoli
Executive Officer
Local Agency Formation Commission

Date: _____

I certify that this is a true and correct copy of the resolution above set forth.

Clerk to the Commission
Local Agency Formation Commission

Date: _____

RESOLUTION NO. 1327

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SAN MATEO
MAKING DETERMINATIONS AND APPROVING LAFCO FILE 24-08
PROPOSED ANNEXATION OF 350-360 BUTANO CUT OFF, PESCADERO (APN 087-053-010)
TO COUNTY SERVICE AREA 11 (CSA 11)**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory in the County of San Mateo to the County Service Area 11 (CSA 11) was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, a Certificate of Filing was issued for the Proposal on September 11, 2024; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land and affected agencies included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the Commission has reviewed and considered reviewed and considered the Mitigated Negative Declaration for CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project including any findings and the mitigation and monitoring program, prepared by the County of San Mateo as lead agency and that mitigation measures are within the responsibility and jurisdiction of the County of San Mateo and not within the responsibility and jurisdiction of San Mateo LAFCo; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES

HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. This proposal is approved, subject to the following conditions: None.

Section 2. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory consists of 28.61 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of 350-360 Butano Cut Off, Pescadero to CSA 11.

Section 4. The regular County Assessor's roll will be utilized.

Section 5. The territory will not be taxed for existing bonded indebtedness.

Section 6. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56663 and this annexation is hereby ordered.

Regularly passed and adopted this ____ day of _____.

Ayes and in favor of said resolution:

Commissioners: _____

Noes and against said resolution:

Commissioner(s): _____

Absent and/or Abstentions:

Commissioner(s): _____

Chair
Local Agency Formation Commission
County of San Mateo
State of California

ATTEST:

Roberto Bartoli
Executive Officer
Local Agency Formation Commission

Date: _____

I certify that this is a true and correct copy of the resolution above set forth.

Clerk to the Commission
Local Agency Formation Commission

Date: _____

**APPLICATION TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION
FOR A SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION**

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed sphere of influence amendment and annexation including the agency/district that is subject to the amendment.

County Service Area 11 (CSA-11) is requesting to expand its existing Sphere of Influence to include the Pescadero High School located at 350-360 Butano Cut Off (APN 087-053-010) for the purpose of future annexation to allow for water service to the school and to a proposed CALFire station (Fire Station 59). A well on the property has historically supplied domestic water to the school; however, due to elevated contaminant levels in the drinking water, the school has relied on bottled water for drinking for several years. Efforts to provide domestic water to the site by drilling an additional well have been unsuccessful. The County is pursuing a waterline extension to connect the school and future fire station to the CSA-11 water system in order to supply domestic water needs to both facilities.

2. Estimated acreage of sphere of influence amendment and annexation: 28.61 acres

B. SERVICES

1. List all existing public service providers within the existing sphere of influence. For each service affected by the proposed change(s) of organization, list the present source of service (state "none" if service is not now provided), the proposed source of service and the source of funding for operation. Example is given on the first two lines of the space provided for your response.

Service	Provider	Operating Funding
Police	Co. Sheriff	Taxes
Sewer	None – Properties within CSA-11 are on private septic systems	None
Water	CSA-11	Fees
Fire	CALFire	Taxes
Street Lighting	Pescadero Highway Lighting District	Taxes
Streets	County of San Mateo	Taxes
Solid Waste	County of San Mateo	Fees
Parks	County of San Mateo	Taxes and fees
Library	Library Joint Power Authority	Taxes and fees

2. For the sphere of influence amendment, what services are proposed to be provided:

Service	Provider	Operating Funding
Water	CSA-11	Fees

3. For sphere of influence amendments, a municipal service review must be undertaken by San Mateo LAFCo. Please see Attachment A for a list of information requested by LAFCo to conduct this service review.

C. PROJECT PROPOSAL INFORMATION

RECEIVED

JUN 05 2024

LAFCO

1. Please describe the general location of the territory which is the subject of this sphere of influence amendment. Refer to major highways, roads and topographical features.

The territory is in unincorporated Pescadero, approximately two miles east of the Pacific Ocean and Highway 1 and west of the Southern Coast Range. The subject parcel is located approximately 1 mile southeast from the center of the Town of Pescadero, and is bounded by Cloverdale Road to the west, and Butano Cutoff to the south. Pescadero Creek runs to the northeast of the parcel.

2. Describe the present land use(s) in the subject territory.

Pescadero High School is located on the property. This school serves both middle school and high school students (approximately 160 students and staff).

3. How are adjacent lands used?

North: Agricultural lands

South: Agricultural lands/farm worker housing

East: Agricultural lands

West: Agricultural and Open Space lands

5. What is the general plan designation of the subject territory?

Institutional

6. What is the existing zoning designation of the subject territory?

Resource Management-Coastal Zone/Coastal Development (RM-CZ/CD)

7. What pre-zoning, environmental review or development approvals have already been obtained for development in the subject territory?

- 1) Pursuant to the California Environmental Quality Act, an Initial Study and Mitigated Negative Declaration (MND) was prepared and circulated (including through the State Clearinghouse). The MND was certified by the San Mateo County Board of Supervisors on November 1, 2022.
- 2) On February 9, 2024, the California Coastal Commission certified the Local Coastal Plan Map and Text amendments that facilitate the project.
- 3) On February 28, 2024, the San Mateo County Planning Commission approved the Coastal Development Permit (CDP) to extend CSA-11 water pipeline to the subject territory. A second CDP was approved to permit the construction of a new fire station on the subject territory.

8. What additional approvals will be required to proceed?

Building Permits for construction of both the pipeline and the fire station.

9. Does any portion of the subject territory contain any of the following --agricultural preserves, sewer or other service moratorium or wetlands subject to the State Lands Commission jurisdiction?

The subject parcel contains 2.1 acres of potentially jurisdictional wetlands (0.2 acre of emergent channel and 1.9 acre of riparian habitat), as determined by the report Delineation of Potential Jurisdictional Waters, CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Projects (Vollmar Natural Lands Consulting, May 2021). Both wetland features are outside of the building envelope for the new fire station, and outside of the proposed pipeline alignment.

* * * * *

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

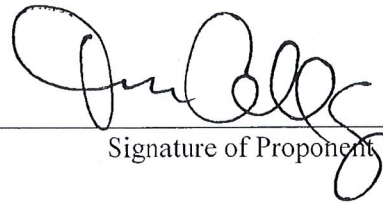
NAME: Mike Callagy, County Executive Officer

EMAIL: mcallagy@smcgov.org

ADDRESS: County Executive Office
400 County Center, 1st Floor
Redwood City, CA 94063

TELEPHONE: (650) 363-4121

ATTN: _____



Signature of Proponent

Applica_blk.doc
(10/6/2000)

SUPPLEMENTAL SPHERE OF INFLUENCE AMENDMENT APPLICATION

TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION

INSTRUCTIONS: The questions on this form are designed to obtain data about the specific sphere of influence amendment application to allow the Commission, staff, and others to adequately assess the application. You may also include any additional information that you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposed sphere of influence change(s):

County Service Area-11 (administered by San Mateo County Department of Public Works)

2. Describe the district's/agency's current sphere of influence based on the following:

Coterminous: A sphere may be designated for a city or special district that is the same as its existing boundaries if there is no anticipated need for services outside the boundaries of the agency, or if there is insufficient information to support inclusion of additional territory within the sphere.

Larger-than-agency: A sphere may be designated for a city or special district that is larger than its existing boundaries if there is a need for services beyond its boundaries.

Zero/dissolution: A zero/dissolution sphere, which includes no territory, may be designated for an agency, usually a special district. A zero/dissolution sphere assumes that the public service responsibility and function of the agency should ultimately be reassigned to another agency.

CSA-11's current Sphere of Influence is coterminous with the Service Area's boundaries.

3. What type of Sphere Amendment is the application requesting?

☒ Sphere Expansion

☐ Sphere Reduction

4. Provide a description narrative of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)

The present and planned land uses in the area, including agricultural and open-space lands:

The land uses within the sphere expansion area include a High School and agricultural fields. The future fire station will be located on an inactive agricultural field adjacent to the High School.

The present and probable need for public facilities and services in the area:

Present public facilities in the expansion area include the High School and associated public roads that bound the area and provide access to the School and adjacent private property.

The purpose of the sphere expansion is to provide domestic potable water to the School and the future fire station. No other public facilities or services are proposed.

The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide:

See attached report - *Pescadero (CSA-11) Water Supply Yield And Sustainability Study*, prepared by Todd Groundwater Consulting, dated March 31, 2021.

The existence of any social or economic communities of interest in the area:

The High School serves as a focal point for the large agricultural worker community in the Pescadero area, which has been recognized as a disadvantaged unincorporated community.

The present and probable need for public facilities or services related to sewers, municipal and industrial water, or structural fire protection for any disadvantaged unincorporated community, as defined by Govt. Code Section 56033.5, within the existing sphere of influence:

The present and probable demand for municipal water within the existing sphere of influence for CSA-11 is discussed in the attached report. Wastewater disposal is by individual septic systems. There is existing fire protection services that cover CSA-11's sphere of influence. However, the location of the existing station can be isolated from the community during seasonal flooding events. Moving the station to the location adjacent to the High School will allow unimpeded access to Pescadero year-round.

5. If the sphere of influence amendment includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425).

This amendment does not include a city sphere of influence change.

6. If the sphere of influence amendment includes a special district sphere of influence change, provide a written statement that includes: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Sections 56425(i) and 56425(j))

CSA-11 only provides potable water to its residents. The proposed sphere of influence amendment will extend this function to the area that is the subject of this amendment.

7. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430):
- a. Growth and population projections for the affected area.
 - b. Location and characteristics of disadvantaged unincorporated communities within or contiguous to the sphere of influence.
 - c. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies, including those associated with a disadvantaged unincorporated community.
 - d. Financial ability of agencies to provide services.
 - e. Status of, and opportunities for, shared facilities.
 - f. Accountability for community service needs, including governmental structure and operational efficiencies.

If additional sheets are submitted or a separate document provided to fulfill Item #5, the narrative description shall be signed and certified by an official of the agency(s) involved with the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.

Please see the attached document - *Municipal Service Review for County Service Area 11 (Pescadero)*.

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: Mike Callagy, County Executive Officer

EMAIL: mcallagy@smcgov.org

ADDRESS:
County Executive Office
400 County Center, 1st Floor
Redwood City, CA 94063

ATTN: _____

TELEPHONE:
(650) 363-4121



Signature of Proponent

RESOLUTION NO. 079284

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

*** * * * ***

**RESOLUTION TO APPROVE AN APPLICATION TO SAN MATEO COUNTY LOCAL
AGENCY FORMATION COMMISSION (LAFCo) FOR SPHERE OF INFLUENCE
AMENDMENT AND ANNEXATION FOR COUNTY SERVICE AREA 11 PURSUANT
TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT
REORGANIZATION ACT OF 2000**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the County of San Mateo has determined it is in the public interest to amend the sphere of influence (SOI) for County Service Area 11 (CSA-11) and annex the Pescadero Middle/High School property (350-360 Butano Cut Off, APN 087-053-010) to CSA-11 boundaries, under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, a well at the school property has historically supplied domestic water to the school; however due to elevated contaminant levels in the groundwater, the school has relied on bottled water for drinking for several years; and

WHEREAS, efforts to provide domestic water to the site by drilling an additional well on the property have been unsuccessful; and

WHEREAS, the County of San Mateo plans to relocate Pescadero Fire Station 59 from its current location at 1200 Pescadero Creek Road, APN 086-160-050 in a floodplain to the school property, immediately to the west of the school; and

WHEREAS, to supply potable water to both Pescadero Middle/High School and the future Pescadero Fire Station 59, the County proposes to extend the CSA-11 waterline to the school property; and

WHEREAS, providing water service to both facilities requires annexation of the Pescadero Middle/High School property at 350-360 Butano Cut Off, APN 086-160-050 to the CSA-11 boundaries; and

WHEREAS, this proposal is not consistent with the current sphere of influence for CSA-11, and therefore a SOI amendment is required for future annexation; and

WHEREAS, an application initiating the proposed SOI amendment and annexation is attached hereto as Attachment F; and

WHEREAS, a description of the proposed annexation boundaries is shown on the map included in Attachment F; and

WHEREAS, the proposal is consistent with the findings and determinations in the LAFCo Municipal Service Review for CSA-11, approved by San Mateo LAFCo on May 18, 2022; and

WHEREAS, the proposal is consistent with the SOI alternatives identified by San Mateo LAFCo; and

WHEREAS, the purpose of the proposal to amend the SOI and annex the Pescadero Middle/High School property to CSA-11 boundaries is to connect the school and the future Pescadero Fire Station 59 to be built on school property to the CSA-11 water system via a waterline extension to provide reliable source of potable water where none currently exists; and

WHEREAS, the annexation is limited to the school property only and no additional connections will be permitted along the waterline extension; and

WHEREAS, the County of San Mateo proposes to make a sphere of influence (SOI) amendment and annexation to CSA-11 boundaries; and

WHEREAS, this proposal is made pursuant to Cortese-Knox-Hertzberg Local Government Regulations Act of 2000; and

WHEREAS, the County has conducted environmental review for the project under the provisions of the California Environmental Quality Act (CEQA) and the Board of Supervisors will certify the Initial Study and draft Mitigated Negative Declaration; and

WHEREAS, LAFCo's approval of the SOI amendment and annexation shall be conditioned upon the certification of the Initial Study and draft Mitigated Negative Declaration by the Board of Supervisors, and certification of Local Coastal Program amendments by the California Coastal Commission; and

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors hereby approves the application and adopts this resolution, and the LAFCo is hereby requested to take proceedings for the sphere of influence amendment for CSA-11 and annexation of the Pescadero Middle/High School property to the district pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County Executive or designee to make any necessary amendments to the application in the course of the LAFCo process.

* * * * *

RESOLUTION NUMBER: 079284

Regularly passed and adopted this 15th day of November, 2022

AYES and in favor of said resolution:

Supervisors:

DAVE PINE

CAROLE GROOM

DON HORSLEY

WARREN SLOCUM

DAVID J. CANEPA

NOES and against said resolution:

Supervisors:

NONE



*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



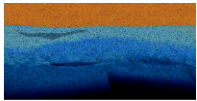
Assistant Clerk of the Board of Supervisors



PESCADERO (CSA-11) WATER SUPPLY YIELD AND SUSTAINABILITY STUDY

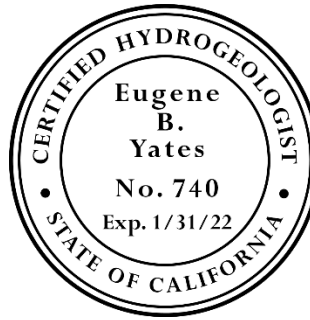
FINAL

March 31, 2021

TODD 
GROUNDWATER

2490 Mariner Square Loop, Suite 215
Alameda, CA 94501
510.747.6920
www.toddgroundwater.com

SIGNATURE PAGE



A handwritten signature in cursive script that reads "Eugene B. Yates".

Eugene Gates, PG, CHG
Senior Hydrogeologist



A handwritten signature in cursive script that reads "Daniel J. Craig".

Daniel Craig, PG, CHG
Senior Hydrogeologist

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1. INTRODUCTION

San Mateo County Service Area No. 11 (CSA-11) provides municipal water service to the community of Pescadero and has had concerns of declining water supply for many years. Pescadero is a small town (population 643 in 2010) on the San Mateo County (County) coast, approximately 14 miles south of Half Moon Bay (**Figure 1**). Since 1992, the municipal water supply has been from wells located on Butano Ridge, a fault-bounded hill between the town and the Pacific Ocean. Water levels in the two original supply wells (Well No. 1 and Well No. 2) steadily declined from 1992 to the present. In 2018, a third well screened at greater depth (Well No. 3) was constructed. Todd Groundwater (herein Todd) subsequently conducted a Source Water Capacity Assessment based on the characteristics of Well No. 3, which found that Well No. 3 will extend the useful life of the well field but not change the local water balance of the groundwater system.

The County is considering several changes in water demand served by the CSA-11 system. One is connecting a new fire station that will be built on land adjacent to the existing Pescadero Middle/High School to replace the existing station located at the intersection of Pescadero Creek Road and Bean Hollow Road (Figure 1). After the new station is built, the existing station would be used only during fire emergencies. A second potential new demand on the system would be the addition of the Pescadero Middle/High School to CSA-11 service area through the annexation and sphere amendment process by the Local Agency Formation Commission (LAFCo). An extension of the water distribution system would need to be built to serve the school, which is located approximately 1 mile east of town (Figure 1). Finally, the County's Local Coastal Program (LCP) updated in 2013 included projected water demands for future development in Pescadero that would effectively double existing demand. Under an LCP buildout scenario, current water supply system may be unsustainable and additional water sources would need to be developed.

The purpose of this study is to: 1) audit existing water use to identify potential unauthorized uses or leaks in the distribution system, and 2) evaluate the adequacy of the current CSA-11 water system under existing and potential additional water demand conditions. A third objective of this study is to evaluate potential alternative water sources in the Pescadero area; the scope and results of this third task will be documented in a separate technical memorandum submitted to the County later this year.

1.1. Water System Characteristics

Previous studies of the local hydrogeology, well and water supply system characteristics, and sustainability of the CSA-11 water system were performed in 2002 and 2018 by Todd. CSA-11 Well Nos. 1, 2 and 3 are located near the top of Butano Ridge at an approximate ground surface elevation of 280 feet above mean sea level (ft msl) and are located a few tens of feet apart from each other. Wells Nos. 1 and 2 are 260 and 247 feet deep, respectively, with screened intervals of 210 to 250 and 207 to 247 feet below ground surface (ft bgs), respectively. Static depth to groundwater in Well No. 1 during 2020 was approximately 200 ft bgs, or near the top of the well screen. From 1992 to 2020, Well No. 1

was the primary supply well, with a pumping rate of 60-70 gallons per minute (gpm). Well No. 2 has always served as a standby well for use in case Well No. 1 is out of service.

New Well No. 3 was installed during summer 2018 and is completed to a total depth of 360 ft bgs, with a screened interval of 250 to 350 ft bgs. During test pumping, Well No. 3 appeared capable of pumping at a rate of 100 gpm or more on a sustained basis (Todd Groundwater, 2019). It was put into service as the primary supply well in fall 2020.

The wells pump into two storage tanks located partway down the ridge. The two tanks have a combined storage capacity of approximately 298,000 gallons. The tanks are filled through separate intake pipes connected to a pipe fed by all three wells. The top of the overflow funnels in both tanks are set at the same elevation, so that the maximum level of stored water is the same in both tanks. A float switch in one of the tanks maintains water levels within a 2-foot range, activating the well to replenish storage whenever the water level drops to 2 feet below its normal high level. The normal high level corresponds to approximately 191,000 gallons (Todd Groundwater, 2019). Additional storage (up to the 298,000 gallon maximum capacity) could be accessed by disconnecting the two tanks from each other, allowing the newer, taller tank to be filled all the way up.

Pumped water is metered at the wells and inside the building that houses the electrical controls for the wells, but outflow from the tanks into the water distribution system is not metered. Water flows through a pipeline that runs from the tanks down to Pescadero Creek Road and continues east with branches to serve customers on several streets. There currently are 101 active customer connections, and water use at each customer turnout (water service lateral) is metered. Metered customer water use during 2015-2019 averaged 19,442 gallons per day.

Groundwater levels in Well Nos. 1 and 2 have declined continuously since 1992. During 2015-2019 the rate of decline was steady at about 0.5 foot per year. The long-term decline indicates that groundwater pumping consistently exceeds the sustainable yield of the groundwater system beneath Butano Ridge.

1.2. Scope of Study

This study evaluates current water usage patterns and options for achieving a sustainable water supply under three demand conditions:

- Current water demand served by the CSA-11 distribution system,
- Current demand plus demand from the new fire station and middle/high school if those facilities are connected to the distribution system, and
- Future demand if growth projected in the Local Coastal Plan occurs.

This report is organized around eight specific tasks defined by the County in the original scope of work, as follows:

Task 1. Audit existing water connections to CSA-11 to identify non-allowable current uses and system water leaks.

Task 2. Analyze the short-term yield (based on last 5 years of available information, 2015-2019) of the CSA-11 wells with the addition of the fire station and school to the system and partial demolition of existing fire station: how does short-term yield compare to both average and peak daily demand on the system? Analysis will incorporate water usage by the “average daily water use during the two months of the highest water use in the year” as a metric.

Task 3. Analyze the long-term impact (including drought and non-drought years) to CSA-11 groundwater supply with the addition of fire station and school: What is the estimated longevity of the wells with the addition of the two new facilities? How much would the two new facilities accelerate aquifer drawdown compared to findings of June 2019 Todd Groundwater report?

Task 4. Identify any potential water quality impacts associated with CSA-11 extension to the fire station and school.

Task 5. Evaluate potential effects of Local Coastal Program (LCP) residential and commercial buildout and increased water demand as shown in LCP Table 2.16 Estimate of Water Consumption Demand at Land Use Plan Buildout for the Town of Pescadero.

Task 6. Account for anticipated water usage associated with retention of the apparatus bay and any other facilities at the existing fire station site.

Task 7. Update any climate change modeling/assumptions and any known increases in private groundwater uses that would impact CSA-11’s supply longevity.

Task 8. Identify existing and anticipated non-revenue water as the lines age over the approximate 1-mile CSA-11 extension to ensure that loss would not be a significant factor. (Non-revenue water is water that is “lost” from source before it reaches the customer, e.g. leaks.) Identify existing technology that could be implemented with the CSA-11 extension to mitigate impact of non-revenue water to current customers (e.g. automatic shutoff feature to the main extension to prevent leaks from depressurizing the larger system).

Additional Task 9. Evaluate potential additional sources of supply. This task is currently in-progress, and will be documented in a separate memorandum prepared later this year.

2. ANALYSIS AND RESULTS BY TASK

2.1. Task 1. Audit Existing Water Connections

The objective of this task is to determine whether various conservation strategies might be capable of decreasing water demand to below the sustainable yield of the groundwater

source. This involved estimating irrigation use, quantifying unmetered uses, and measuring leakage from the distribution system.

2.1.1. Non-Allowable Uses – Metering Uncertainty

Water production and delivery are both metered in CSA-11. Production is metered at each well for Well Nos. 1 through 3. Water use is also metered at the turnout to each customer. Meters are currently read on a bimonthly schedule. **Figure 2** shows A), “Annual CSA-11 Water Use (Customer Meters)” metered water use for 2004-2019 and B), “Semiannual CSA-11 Water Use” illustrates well production and metered customer consumption for 2012-2020. As shown in the lower graph (B), well production was consistently less than the sum of the customer meter readings until 2016, when the meter on Well No. 1 was replaced. Since then, the two data sets have matched more closely, although the sum of the customer meters has generally been about 20 percent lower than the metered well production since 2018. Water meters tend to under-record as they age, which could be causing some of the recent discrepancy. One study of residential water meter accuracy found that the meters under-recorded by only about 1 percent for the first 20 years of service, increasing to 19 percent at 30 years of service (Allender, 2000). Leaks or unmetered uses in the distribution system could also contribute to the discrepancy. In any case, the obvious effect of changing the well meter in 2016 underscores the fact that even metered water use data are subject to uncertainty.

Review of the upper graph (A) indicates that total system-wide water use during calendar years 2015-2019 averaged 19,442 gallons per day (gpd)¹, as measured by customer meters at the 101 active connections. This five-year period is representative of current water use under non-drought conditions.

2.1.2. Non-Allowable Uses

Customer water use records were examined for indications of irrigation use, some of which might not be allowed. The current water supply and distribution system was authorized by Coastal Development Permit 90-62. One of the conditions of approval was that delivered water be used only for specified uses including “limited landscape irrigation”. Irrigation use can often be detected by regular seasonal variations in water use, as illustrated in the sample customer account usage record shown in **Figure 3**. Water use by this customer is highest in summer, corresponding with seasonal irrigation demand. Tourism also peaks in summer, and customer accounts of tourist-serving businesses were not counted as irrigated where they could be identified.

¹ To facilitate comparison, flow rates in this report are mostly expressed as gallons per day. To convert to other units, divide by 1,440 to obtain gallons per minute, multiply by 30.4 to obtain gallons per month, multiply by 365.25 to obtain gallons per year, and multiply by 0.00112 to obtain acre-feet per year. Conversions from daily or annual data to monthly data assume 30.4 days per month.

Of the 101 active customer accounts, 36 had average usage exceeding 180 gallons per day (gpd). Usage at those accounts was reviewed individually, and 11 of them were found to have an irrigation pattern. The presence of irrigated landscaping was confirmed at most of those accounts during a site visit on September 18, 2020. The amount of irrigation use was estimated using the curve separation technique, which assumes that water use during the minimum-use month of the year is all indoor use and that additional use in other months is for irrigation. By interpolating between these seasonal low points over the entire hydrograph period, indoor use (below the green line in **Figure 3**) was separated from irrigation use (above the line). By this method, average annual irrigation use during 2015-2019 by the eleven accounts with an irrigation pattern amounted to 1,516 gpd cumulatively, or 8 percent of total system water use.

These results indicate that a strict prohibition on landscape irrigation probably would not be sufficient by itself to eliminate the long-term water-level declines, as discussed below. Accounts with smaller amounts of usage might also include some irrigation use, but that usage is probably small relative to the amounts detected in the high-use accounts.

2.1.3. Leaks from the Distribution System

Customer meters and inflow from the storage tanks to the distribution system were both investigated for signs of leakage from the water distribution system. Each customer meter is equipped with a highly sensitive spinner dial capable of detecting small flows, typically down to approximately 0.1 gallon per minute (Pietrosanto and others, 2020). Slow rotation of the spinner dial indicates a possible leak. During the September 18, 2020 site visit, thirty meters were read around the middle of the day. The spinner dial on all of them came to a complete stop while being observed, even ones that initially had some movement. Therefore, none of those accounts appeared to have a plumbing leak downstream of the meter.

The contractor that reads the meters (Bracewell Engineering) looks for spinner dial movement, high water usage or a sudden increase in water usage during each bimonthly meter reading event and notifies the landowner of the possibility of a leak. This is a standard water conservation best management practice and provides additional assurance that leaks on the customer sides of meters are not large or common.

Leaks below the detection level of the spinner dials can be cumulatively large. For example, if all the 101 customers had leaks at 0.05 gpm (half of the flow meter detection limit), the leaks would amount to 7,272 gpd, or about 37 percent of average daily system-wide water use.

Total leakage from the distribution system—including leaks from water mains and from pipes beyond the customer meters—was investigated by measuring overnight flow out of the storage tanks. This was accomplished by placing a Hobo brand pressure transducer/data logger with 0.005 ft accuracy and barometric correction into one of the two storage tanks for a week (November 24-December 2, 2020). Steady water-level declines late at night are an indication of possible leaks from the distribution system because other water uses are low at that time.

The tank levels, recorded at 10-minute intervals, are shown in the upper plot (A. Water Level in Storage Tanks) in **Figure 4**. Float switches control the operation of the well pump. When water levels drop about 2 ft below the high level, the pump is activated and runs until the water level is returned to the high level. Refilling events happened three times during the week, or about every two days. The red circles indicate the late-night periods (1:00 a.m. to 4:00 a.m.) that were used in the leak analysis.

The lower plot (B. Storage Tank Late-Night Water-Level Decline) in **Figure 4** shows an expanded view of water-level declines during 1:00-4:00 a.m. on seven days during the monitoring period, normalized to a level of zero at 1:00 a.m. The lines are not perfectly straight, which may be due to accuracy limitations of the pressure transducer and/or potential non-uniform late night water use. The slopes are also not identical for the seven days. Pipe leaks are a function of pressure in the pipe and are normally constant. There might be variable leakage due to faucets left dripping, toilet flap valves that occasionally do not seat properly, or daily differences in other late-night water uses such as toilet flushing and irrigation. The minimum decline over the 3-hour period was about 0.010 foot (upper three curves), and the average was 0.021 foot (all curves). The water-level decline was converted to a volume by multiplying by the area of the storage tanks. The tanks are refilled at the same time from the well intake pipe and have the same level. The tank diameters are 38 and 41 ft, corresponding to a combined area of 2,454 square feet. The minimum and average 3-hour volume declines were 184 and 386 gallons, respectively.

The late-night storage decline might not all be due to leakage. Possible non-leakage water uses include toilet flushing and drip irrigation systems operated by a timer. An approximate but plausible estimate of systemwide toilet flushing volume between 1:00 and 4:00 a.m. is 258 gallons, which assumes one 2.5-gallon flush during that period for each of the 101 active connections. Drip irrigation use is more speculative. If on any given night five customers have drip systems with thirty 1-gph emitters that operate throughout the 1:00-4:00 a.m. period, the 3-hour irrigation volume would be 450 gallons. Thus, potentially all of the late-night water use indicated by the storage tank levels might be attributable to toilet flushing and/or irrigation.

Extrapolating to 24 hours, the minimum and average late-night water use corresponds to flow rates of 1,470 and 3,080 gpd. These flows equal 8 percent and 16 percent of average daily systemwide water use. This represents a high range of estimated leakage. To the extent that some or all of the late-night water use is for toilet flushing or irrigation, the leakage flow is correspondingly lower. Unfortunately, available data do not support a breakdown of total late-night water use into its component parts, and there is no straightforward way to obtain that information.

A leakage rate equal to 7 percent of total water use is not unusual for municipal water supply systems (Lahlou, 2005). In a supply-constrained system such as this one, however, loss of 8-16 percent of the supply to leaks is significant. The locations of leaks in water mains (upstream of the customer meters) can usually be found by acoustical methods. Specialty contractors that provide leak detection services are available in the Bay Area. Leaks on the

customer side of the meters are most commonly from plumbing fixtures and are typically addressed through customer awareness programs.

2.1.4. Water Main and Fire Hydrant Flushing

In many municipal water supply systems, unmetered water uses include exercising of fire hydrants and flushing of water mains. According to fire station staff, hydrants are not currently tested to ensure functionality (“exercised”), primarily due to community sensitivity to apparent water waste. Five dead-end water mains in the water distribution system are flushed of accumulated sediment by opening a valve at the end of the stub line for about 30 seconds. The flow rate is on the order of 200 gpm. This was formerly done quarterly, but the frequency has been reduced to annual due to community concerns over water waste (Brennan, 2020). The amount of water used for this purpose is approximately 500 gallons per year. Averaged over a year, it is equivalent to a flow of 1.4 gpd or 0.007 percent of average annual system-wide water use.

2.2. Task 2. Analyze the Short-Term Effects on CSA-11 Yield with the Addition of the Fire Station and Middle/High School to the System

Two community facilities are proposed for connection to the CSA-11 water distribution system: Pescadero Middle/High School and a new fire station that would largely replace the existing fire station at the intersection of Pescadero Road and Bean Hollow Road (**Figure 1**). The impact of these new demands on system supplies was investigated by comparing the new uses with total existing use and well pumping capacity on an average annual, maximum-month and maximum-day basis.

2.2.1. Water Use at Pescadero Middle/High School

Non-potable water use at Pescadero Middle/High School is presently supplied by an on-site well, and its production is metered. During 2014-2016, the amount of water produced averaged 736 gpd, as shown in **Figure 5**. This is the period of record readily available from the California Division of Drinking Water (DDW) on-line database. School staff tabulated meter readings from the school well for 2012-2015, during which time water use averaged 728 gpd, consistent with the DDW database amounts (Lagow, 2017). Staff estimated that in 2019 water use was “about 25,000 gallons per month”, or 822 gpd (Lagow, 2020). This rate is within 12 percent of the 2014-2016 average. The maximum monthly use during 2014-2016 was 35,500 gal/mo (1,168 gpd), or 1.42 times greater than average use during 2014-2016. This reflects recent but pre-Covid-19 use, which is the appropriate basis for long-term planning.

Groundwater produced by the school well reportedly has elevated nitrate concentrations that exceed State Maximum Contaminant Limits (MCLs) for drinking water. About three years ago, the school began purchasing bottled water for drinking. Detailed records for a 6-month period in 2017-2018 indicated a steady consumption averaging 13.1 gpd (over all days of the month during the school year) (Lagow, 2020). This represents less than 0.07 percent of total water use by existing CSA-11 customers.

Non-potable uses at the school could continue to be supplied by the school's well after potable uses have been switched to the CSA-11 system. These non-potable uses include infrequent water use for storage tank cleaning, pressure tank maintenance, bus washing, initial irrigation for establishing turf, and filling fire trucks. During 2012-2016 those uses corresponded to an average daily use of 123 gpd (Lagow, 2017). Landscaping on the front side of the school is not irrigated. The playing field behind the school building is flood irrigated once in spring by pumping out of Pescadero Creek. The baseball infield was formerly irrigated but is no longer (Lagow, 2020). Although toilet flushing is a non-potable use, it could be expensive to separate the toilet supply from the rest of the building supply. That use is conservatively included in the demand that would be switched to the CSA-11 supply. In 2019 there were about 165 students and 33 staff. Men's bathroom urinals are flushless (waterless).

The total new demand placed on the CSA-11 system by connecting the school would average about 835 gpd, which corresponds to an increase of 4.3 percent. This estimate is conservatively high because it uses the higher of the two estimates of average monthly use and includes some infrequent non-potable uses that in the future likely could continue to be supplied by the well (historically on the order of 120 gpd).

2.2.2. Water Use at Current and New Fire Stations

The current fire station is served by a well and by the CSA-11 distribution system. The well supplies the "apparatus bay" building, which houses an office, toilet, sink, clothes washer and three fire trucks. Water use for the toilet, sink, and clothes washer is 20-25 gallons per day according to the station captain (Cunningham, 2020). The barracks building is already connected to the CSA-11 distribution system (since at least 2012), and water use is metered. This use includes washing of fire trucks. During non-emergency periods, fire trucks are filled with water from the CSA-11 system, but typically from an off-site hydrant. That use is not metered but is estimated to be less than 5,000 gallons per year (equivalent to less than 14 gpd). However, a single major fire event can use more than 10,000 gallons (Gregg, 2020). Average annual use of CSA-11 water at the fire station has been fairly steady at 326 gpd since 2012. The maximum bimonthly use recorded during that period was 836 gpd, or 2.56 times greater than the station's average bimonthly usage.

One of the leading sites under consideration for the new station is next to Pescadero Middle/High School. Potable uses would be served by the CSA-11 distribution system extension to the school (same as potable uses at the existing station). The number of staff at the new facility is expected to be the same as at the existing fire station. Some non-potable water uses such as filling of fire trucks and truck washing could be supplied by the existing fire station well. Those uses are supplied by the CSA-11 system at present. Thus, CSA-11 water use at the new station is expected to be the same or slightly less than current CSA-11 water use at the existing station.

After the move, the existing fire station would be staffed only during emergencies, or an estimated 5-8 days per year (Mintier, 2020). A conservatively high estimate of average monthly use in the future would be the current daily use at the barracks (326 gpd)

multiplied by 8 days per year and divided by 365 days, which is 8.0 gpd. This assumes future emergency staffing would have as many people on-site as current routine staffing. If the emergency staff are in addition to the normal staff at the new fire station, this use would be an increase of 0.04 percent in total annual system demand.

2.2.3. Peak Demand and Yield of Water System

The maximum measured water use over a bimonthly measurement period for the entire system during 2015-2019 was 24,164 gpd during June-July 2016. This is 1.24 times the average use during 2015-2019 (19,442 gpd). The average and maximum water use amounts are equivalent to flows of 13.5 gallons per minute (gpm) and 16.8 gpm, respectively. Well No. 1 pumps at a rate of 60-70 gpm. To keep up with average demand, Well No. 1 pumps approximately 5.0 hours/day into the storage tanks. During the maximum month, it needed to pump approximately 6.2 hours/day. To supply the additional maximum-month demands from the Middle/High School (1,168 gpd), the well would need to operate an additional 17 minutes per day. To supply the future water demand at the existing fire station when it is staffed during an emergency (326 gpd), the well would need to operate an additional 5 minutes per day. New CSA-11 Well No. 3 has a sustainable pumping rate greater than 100 gpm. Therefore, the daily operating times required to meet the aforementioned demands will be less than the operating times for Well No. 1.

Well No. 1 or Well No. 3 could easily supply the average and maximum demands associated with the Middle/High School and fire station simply by operating a few additional minutes per day. Total well operating time for either well would remain less than 7 hours per day (even less for Well No. 3), which is comfortably sustainable. Under peak demand periods, wells can operate up to 24 hours per day without adverse effect, although 12 hours per day is often used as a target long-term duty cycle.

The storage tanks provide sufficient buffer to accommodate maximum day and peak hour demands. The storage tanks are presently connected, and the normal high-water level (controlled by a float switch) corresponds to a storage of 191,000 gallons. Maximum day demand for municipal water systems in California is commonly on the order of 2.0 times average day demand (West Yost & Associates, 2014; Black & Veatch, 2018). The maximum day demand factor is probably smaller in Pescadero because the factor correlates with the amount of irrigation, which is a small percentage of total use in Pescadero. Conservatively assuming a maximum day demand factor of 2.0, the total water demand on the maximum day would be approximately 38,884 gallons. Tank storage alone could supply that level of demand for five days, but more realistically it would be supplied by running Well No. 3 for an additional 3-4 hours per day. Peak hour demands involve smaller volumes of water that are easily absorbed by tank storage. Thus, between the storage capacity of the tanks and the additional operating time available for the wells, the system can easily supply maximum day and peak hour demands.

2.2.4. Current Condition of Existing Fire Station Well

The fire station well is located on the hillside behind the station, about halfway between the station and the CSA-11 storage tanks. The output of the well has reportedly been declining in recent years (Cunningham, 2020). A well completion report (driller's log) is not available for the well. A field inspection of the well was made on November 24, 2020. According to labeling on the pump control box, the well is 160 feet deep and the pump is set at a depth of 150 feet. The pump is a Franklin Electric FPS4400 Tri-Seal series pump, Model No. 7FA05S4-PE that was installed on August 11, 2018. The power supply/pump controller was installed in 2013 and delivers 230V single-phase AC current. According to the pump performance curve on the manufacturer's website the pump should be capable of pumping 10.5 gpm against a total head of 100 feet, decreasing to 7 gpm at 200 feet. The static depth to water was 91.1 ft. The well pumps into a covered, concrete above-ground cistern about 25 ft away. The cistern is approximately 10 feet in diameter and 6 feet high (above-ground height). A float switch in the tank turns the well pump on when the water level is about 3 ft below the top of the cistern and turns it off when the water level is about 2 ft below the top.

A short-duration pumping test of the well was performed during the site visit, and the pumping rate, water level, and specific capacity were measured over a 30-minute period. Flow was measured by bucket and stopwatch from a ball-valve spigot on a 1-inch tee at the well head. Water levels were measured by a steel tape through a small opening in the well top plate. The discharge decreased from 4.58 gpm at the start of the test to 4.46 gpm after 10 minutes, then declined to 1.67 gpm after 30 minutes. Meanwhile, the water level dropped to 106.3 ft after 10 minutes and to 117.7 ft after 30 minutes. Specific capacity is obtained by dividing the pumping rate by the amount of drawdown. It decreased during the test, from 0.29 gpm/ft after 10 minutes of pumping to 0.06 gpm/ft after 30 minutes.

The notable results from this test are that the pump was not producing flow at anywhere near the pump performance curve and that the specific capacity of the well is small. The well has a 6-inch diameter steel casing, and approximately 37 percent of the cumulative discharge during the 30-minute test was from storage in the casing. This probably explains some of the decrease in flow rate during the test. Even without pumping at its full rated capacity, the pump is powerful relative to the yield of the well. If pumping had continued another hour, the water level might have dropped to near the level of the pump intake. The relative capacities of the pump and well explain why the pump is set near the bottom of the well and why the discharge pipe into the cistern has a cap with a small orifice about 0.5 inch in diameter. The small orifice produces back pressure on the pump and lowers its flow rate.

The average discharge rate during the test was about 3.53 gpm. However, water level recovery was not measured and might have taken much longer than 30 minutes. If recovery takes three times longer than drawdown, then the effective time-averaged pumping rate would be about 0.88 gpm. This would mean the well could produce about 1,270 gallons over a 24-hour period. This is roughly 50 times more than the current water use for the sink, toilet and clothes washer in the apparatus bay. If the "full" water depth in the cistern is 4 feet, the corresponding storage is 2,350 gallons, and the amount of storage fluctuation

between the high and low positions of the float switch is roughly 590 gallons. Thus, the well capacity and storage tank volume are both much larger than current daily demand.

In summary, the fire station well appears to be in good working order. The limitation on yield appears to be the well itself. The storage tank provides sufficient capacity to supply one-time demands of up to 2,350 gallons, but the well might need to operate for two days to replenish that volume. It is not known whether the pump has a low-level cut-off switch, which would turn the pump off for 30 minutes or more if the water level in the well dropped to the level of the pump. Allowing the water level to reach the pump intake would damage the pump. A low-level cut-off switch would protect the pump from damage under conditions of sustained pumping to replenish high water use events.

2.3. Task 3. Evaluate Long-Term Demand and Supply Effects of Connecting Middle/High School and Fire Station to CSA-11 System

The effect of connecting Pescadero Middle/High School and the proposed replacement fire station to the CSA-11 water distribution system depends on how much they would increase existing overdraft. The steady long-term decline in water levels at the CSA-11 wells since 1992 shows that pumping has consistently exceeded recharge. Some of the pumping is supplied by recharge, and the remainder is overdraft. There are no nearby head-dependent boundaries to the Butano Ridge groundwater system, so any increase in pumping would cause an equal increase in overdraft. The first step in evaluating the effect of the new connections is to separate existing pumping into sustainable yield and overdraft.

2.3.1. Current Sustainable Yield

Water levels at CSA-11 Well No. 1 continue to decline, as they have since 1992 when the first CSA-11 well began operating. Measured water levels since 2002 are shown in **Figure 6**. The hydrograph includes three intervals of relatively steady rates of decline: -0.74 feet per year (ft/yr) during 2002-2011, -0.10 ft/yr during 2012-2014, and -0.5 ft/yr during 2015-2019. The smaller rate of decline during the 2012-2014 drought could have been caused by drought-related water conservation efforts and decreased pumping.

It is less likely that the change in rate of decline was caused by changes in recharge. Recharge on Butano Ridge is from rainfall and irrigation return flow. The latter does not vary much from year to year, whereas rainfall recharge is highly variable. The cumulative departure of annual precipitation in Half Moon Bay during 1940-2020—which is shown in **Figure 7**—indicates that 2015-2019 was slightly drier overall than 2002-2011: 94 percent versus 105 percent of the long-term average. The 2012-2014 period was much drier than the other two periods (58 percent of long-term average precipitation). Based on rainfall, recharge was probably lowest during 2012-2014 and greatest during 2002-2011. If water levels reflected current recharge, one would expect the rate of water-level decline to be greatest during 2012-2014 and lowest during 2002-2011, but that was opposite of the observed pattern. The reason is probably that water levels do not respond rapidly to variations in recharge at the ground surface. Annual variations in recharge are attenuated by flow through the thick unsaturated zone (approximately 200 feet in the area of the CSA-

11 wells) and through fractures between the water table and the well screen depth. As a result, recharge arrives at the screened interval at a relatively steady rate, consistent with the steady rate of decline in measured water levels.

The relationship between annual pumping and annual change in water level can theoretically be used to estimate the sustainable yield, which is the amount of pumping associated with zero change in water level. Three methods were tested to apply this concept, none with accurate results. The first method was to create a scatterplot of annual net water-level change versus annual pumping. When tested with the Pescadero data set, the points were too scattered to infer a linear relationship between the variables and thereby calculate the sustainable yield. A variation of this approach was tried in which the data were averaged over longer time periods. This reduced the data to two points: average water use and water-level decline during 2004-2011 and average water use and water-level decline during 2015-2019. These represent the initial and final slopes of the hydrograph for Well No. 1 (Figure 6). The results are shown in **Figure 8**. Extrapolating the line connecting the two data points up to where it crosses the X axis (zero annual water-level change) produces an estimate of sustainable yield. By this method, the estimated sustainable yield is 7,457 gpd, or only 38 percent of average annual pumping. This method is not very accurate because of the long projection distance from the data points to the X axis. A small change in the plotting position of either of the two data points results in a large change in the estimate of sustainable yield. If this yield estimate is correct, then two-thirds of current pumping (about 12,000 gpd) is supplied by storage depletion, which is not indefinitely sustainable. It is also implausible with respect to specific yield and the area over which water levels might be declining, as described below.

The second method of estimating sustainable yield involved applying a well drawdown function to see how much storage depletion would match the observed water-level decline. Using the average 2015-2019 storage depletion rate from the first yield estimating method (9 gpm), it was not possible to obtain the observed drawdown of 2 feet after 4 years using the range of hydraulic conductivity calculated from tests of Well No. 3 in 2018. A smaller conductivity was required. Also, the drawdown equation results in drawdown that occurs almost entirely during the first year, whereas the observed decline in water level was steady over the four years. This method failed to produce a reliable estimate of sustainable yield and casts doubt on the large amount of storage depletion estimated by the first method.

The third method of estimating sustainable yield assumed that the observed water-level declines resulted from steady dewatering of a finite block of aquifer. It is unlikely that the dewatered region would extend more than 1,500 feet to the east (the eastern escarpment of Butano Ridge) although a larger distance is plausible to the west. Assuming the dewatered area extends an average radial distance of 2,000 feet from Well No. 1 and that the specific yield of the aquifer is 0.02 (dimensionless)—which is reasonable for a productive fractured-rock aquifer—a water-level decline of 0.5 ft/yr would produce 2.9 acre-feet per year of water, equivalent to a constant rate of 2,569 gpd, as shown in **Figure 9**. This equals 13 percent of total pumping. The remaining 87 percent of the pumped water was therefore sustainably derived from recharge, or 16,872 gpd. Although this estimate of sustainable

yield also involves uncertain assumptions, it is probably the best of the three attempted yield estimates.

Based on the steady decline of water levels observed in the CSA-11 wells it is apparent that current pumping exceeds the current sustainable yield of the Butano Ridge aquifer system tapped by the three CSA-11 supply wells. Based on the first and third estimates of yield described above, 13-67 percent of current groundwater production is supplied by overdraft. However, Well No. 3 will be able to continue supplying current demand for several more decades, as described in the next section.

2.3.2. Projected Effects of Connecting School and Fire Station

Linear extrapolations of the recent Well No. 1 water level trend and increased decline rates for increased pumping scenarios were developed to estimate potential future water levels and dates associated with reaching critical depths such as depths to the well pump intakes. **Figure 10** shows static (non-pumping) water levels in Well No. 1 projected to 2100 under various scenarios. If the existing 2015-2019 trend of 0.5 ft/yr of water level decline continues (solid teal line), the water level will drop below the top of the Well No. 1 well screen around 2039 and would reach the pump intake at around 2115. It would not reach the top of the well screen and pump intake in Well No. 3 until approximately 2115 and 2120, respectively. Adding the demand from the school and fire station would shorten those time frames for Well No. 3 to about 2094 and 2099, respectively (dashed orange line).

These results are sensitive to the estimate of sustainable yield because a small percent change in the yield estimate creates a much larger percent change in the overdraft estimate. For example, if the current estimate of yield is increased or decreased by 10 percent, the projected water-level trends for current demand (without the school and fire station) are shown as the blue dot-dashed line and dashed magenta line, respectively. This range of uncertainty is larger than the effect of adding the school and fire station.

The above analysis is for static water levels. Based on the measured specific capacity and likely pumping rate (100 gpm) of Well No. 3, pumping water levels are 24 feet lower than static water levels. This means that the pump in Well No. 3 could break suction 35 years sooner than shown on the figure, or in approximately 2064 for the scenario with the school and fire station. Breaking suction occurs when the water level in the falls to the depth of the pump intake, at which point air becomes entrained in the pumped water, and water production rates decrease. The pump in Well No. 1 would start to break suction around 2057. It would no longer be serviceable as a backup well after that date because the pump was already lowered to near the bottom of the well and cannot be lowered farther.

If the pump in Well No. 3 started to break suction, it could be lowered, as was done in Well No. 1. It is presently four feet below the top of the screen, and the screen extends for another 96 feet. With some modification to the pump to ensure adequate cooling of the pump motor, the pump can be set within the screened interval. If that option is pursued, the limiting factor for water level decline could be the risk of sea water intrusion or depletion of flow in Butano Creek if water levels declined 70 feet from their current elevation. At that

point, however, static and pumping levels would be below the top of the screen, which could decrease well output and cause air entrainment in the well water that would potentially damage the pump.

Note this analysis assumes that aquifer specific yield and hydraulic conductivity do not vary with depth in the aquifer. In addition, the analysis is based on historical and recent trends in Well No. 1. The hydraulic impacts of pumping from new Well No. 3 and future water level trends are currently unknown, and should be closely monitored as Well No. 3 is operated. It is possible that future rates of water level decline could decrease, if deeper Well No. 3 draws water from a thicker and more transmissive portion of the aquifer, and/or if the rates of groundwater inflow to the CSA-11 well field area from surrounding recharge sources increase as a result of a larger and deeper cone of depression around the production wells. Conversely, the rates of water level decline could increase as the upper portions of the aquifer are de-watered and the effective aquifer transmissivity decrease, or if deep fractures prove to be less numerous or productive over the long run than the shallow ones.

The CSA-11 water supply system has sufficient capacity to supply existing demand plus the demands associated with Pescadero Middle/High School and the relocated fire station for at least the next 30-40 years. Many public water systems in California expect to need additional water supplies 30-40 years in the future, and that is a reasonable time frame for bringing new supplies on-line. Gradual groundwater overdraft will continue—with or without the added demands—but would not create a critical supply problem until about 2057, when Well No. 1 will no longer be able to serve as the standby (its pump would start breaking suction and cannot be lowered any farther).

2.4. Task 4. Identify any Potential Water Quality Impacts Associated with CSA-11 Extension to the Fire Station and School

There has been no historical correlation between groundwater levels and water quality at the CSA-11 well field. Todd Engineers (2002) found no relationship between water levels and water quality in Wells 1 and 2. Water quality data for the CSA-11 wells since 2004 were obtained from the California State Water Resources Control Board Division of Drinking Water and plotted as time series to look for trends correlated with the declining trend in groundwater levels. Plots for 23 physical parameters and chemical constituents are shown in **Figure 11**. Although a few of the variables such as turbidity and barium have occasional high values, none of the parameters exhibit an increasing or decreasing trend over time. Nitrate might be an exception, with a possible decreasing trend since 2004. Overall, water quality does not appear to be dependent on groundwater levels. Therefore, connecting the middle/high school and fire station to the CSA-11 system is not expected to affect the quality of water delivered to customers.

The water quality of Well No. 1 meets all drinking water standards. Of the constituents shown in the figure, sixteen are regulated under primary (health-based) drinking water standards and three under secondary (aesthetic) drinking water standards. All but one of the measured concentrations were less than half of the primary or secondary maximum

contaminant level (MCL), including nitrate at 5-26 percent of the primary MCL. Total dissolved solids was the exception at 63-72 percent of the long-term secondary MCL (500 mg/L).

2.5. Task 5. Incorporate Anticipated Local Coastal Program (LCP) Residential and Commercial Growth as Shown in LCP Table 2.16 Estimate of Water Consumption Demand at Land Use Plan Buildout for the Town of Pescadero

Table 2.16 of the 2013 Local Coastal Program (LCP) lists estimated annual water demands for existing and proposed land development categories in Pescadero. Those estimates are listed in the left half of **Table 1**. Buildout demand equals the sum of the existing and proposed water demands. The right side of the table shows revisions made for this study based on actual water use during 2015-2019. The LCP estimates for existing conditions were high in terms of number of connections and water use per connection. For example, the LCP estimated that there are 125 residential connections each with 3.5 residents using 70-110 gallons per capita per day (gpcd). The actual number of residential connections is 90. If there are 3.5 residents per household, per-capita use is 48 gpcd. Commercial use is similarly smaller than the LCP estimate with respect to number of connections and water use per connection. For the third category, the LCP recognized that there is one fire station, but metered use of CSA-11 water at the station has been only one-third the LCP estimate. Overall actual water use during 2015-2019 has averaged 19,442 gpd, or only 34-53 percent of the LCP estimate.

In the lower-right part of **Table 1**, actual water usage per connection during 2015-2019 is applied to the LCP estimate of the number of additional future connections to obtain a revised estimate of future total water use. Estimated total water use with the additional connections plus the middle/high school (a demand that was not anticipated in the LCP) is 48,544 gpd, or 43-68 percent of the LCP estimate. It is 29,102 gpd greater than existing total water demand.

If the additional future water demand were supplied by the existing CSA-11 wells, water level declines would accelerate rapidly, as indicated by the downward-curving dashed green line in **Figure 10**. That curve reflects an assumption of a linear increase from existing demand to buildout demand over a 50-year period. Water levels would decline to the top of the Well No. 3 screen by 2044 and to the Well No. 3 pump intake by 2047. Clearly, new water supplies would be needed to support the growth envisioned in the LCP.

2.6. Task 6. Account for anticipated water usage associated with retention of the apparatus bay and any other facilities at the existing fire station site

This topic was addressed in Section 2.2 “Water Use at Current and New Fire Stations”. To reiterate, the existing fire station well could supply all non-potable uses at the apparatus bay, which are currently negligible but could include equipment washing during future emergency periods. The existing fire station would be staffed only during emergencies, or an estimated 5-8 days per year (Mintier, 2020), which corresponds to a conservatively high

estimate of average daily use over the year of 8 gpd. This assumes future emergency staffing would have as many people on-site as current routine staffing and that those workers would be in addition to the staff at the new fire station.

2.7. Task 7. Update any climate change modeling/assumptions and any known increases in private groundwater uses that would impact CSA-11's supply longevity

The California Department of Water Resources has developed statewide grids of climate change factors representing anticipated precipitation and reference evapotranspiration (ET_o) conditions in 2030 and 2070. The factors are sets of 1,164 monthly multipliers to be applied to historical rainfall and ET_o data for 1915-2011 to estimate the amounts that would have occurred under 2030 or 2070 global climatic conditions. Pescadero is located at the boundary between grid cells 5658 and 5746. The monthly multipliers for 2070 conditions were obtained for both cells, and average values for each month of the year were calculated. The results are shown in **Figure 12**. The ET_o multipliers are greater than 1.0 in all months of the year, which means that plant ET and irrigation demand would both be greater under 2070 climate conditions. Precipitation multipliers have two seasonal peaks, one of which is in summer. However, precipitation is negligible in that season, so that peak has negligible effects on recharge and demand. Of primary importance are the multipliers for the peak in the wet season months of December-March, all of which are greater than 1.0. This means that rainfall and hence groundwater recharge are expected to be greater under 2070 climate conditions, which at least partly offsets the effect of increased ET on water supply. Thus, the warmer but wetter climate expected by 2070 would not likely cause a large net increase or decrease in net water consumption.

Land use on Butano Ridge has been stable over the past 28 years, based on Google Earth aerial imagery. There are approximately 520 acres of cropland, and the most common crop at present is flowers. Of critical importance to CSA-11 sustainable yield is that the agricultural fields are not irrigated by local groundwater but rather by surface water pumped from Lucerne Lake and Bean Hollow Lakes on Arroyo de los Frijoles, south of Butano Ridge (see **Figure 1**). The use of imported water for irrigation was deduced from the small specific capacities of other wells on Butano Ridge (Todd Groundwater, 2019) and confirmed by local growers (Cevasco, 2020). The median specific capacity of 20 wells on Butano Ridge (other than CSA-11 wells) is 0.10 gpm/ft. Even if 100 ft of drawdown is tolerated, a well of that specific capacity would produce only 10 gpm, which could apply 1 inch of water in 24 hours to only 0.53 acres. Clearly, such a well is too small to be of practical use for commercial irrigated agriculture. Lucerne Lake and Bean Hollow Lakes are supplied in part by diversions from Little Butano Creek located east of the coastal ridge, and they are used to irrigate all agricultural lands on Butano Ridge and along Highway 1 for about 5 miles south of Pescadero Creek (Cevasco, 2020). Residences along Bean Hollow Road are supplied by domestic wells, but the total use is small and there is no sign of new development. The greatest risk to CSA-11 yield would be if cropland on Butano Ridge went out of production, because that would eliminate groundwater recharge from deep percolation of irrigation water, which is probably a significant source of recharge. However,

land use on Butano Ridge has been stable for many years, and there are no indications of any imminent change.

2.8. Task 8. Identify existing and anticipated non-revenue water loss over the 1-mile CSA-11 extension. Identify existing technology to mitigate impact of non-revenue water loss

Nationwide research has found that water main leaks are a function of pipeline material and age (Folkman, 2018). Based on data for 198,000 miles of water mains operated by 308 water utilities in North America, PVC pipes experience 2.3 detectable breaks per 100-mile-years of pipe, compared to 10.4 for asbestos cement and 34.8 for cast iron. If the 1.3-mile water main extension to the middle/high school will be constructed with PVC pipe, the above factor indicates that the probability of a break occurring in any year would be less than 3 percent, or on average once in more than 33 years. It is more likely that future breaks would be in existing water mains, which are older. San Mateo County normally uses PVC pipe for water mains except where they are exposed at the land surface, such as when they are attached to bridges.

The most economical approach to detecting large, new water main leaks would probably be to monitor nighttime water-level trends in the CSA-11 storage tanks with pressure transducers connected to the existing system monitoring equipment housed at the tank site. Additional water level sensors or flow meters may need to be added if this information is desired on a continuous rather than periodic basis. Because the distribution system is pressurized, water main leaks occur at a continuous steady rate. A persistent increase in nighttime water use would indicate that a leak has probably developed.

An additional measure to detect leaks and other types of non-revenue water use along the pipeline extension would be to install a meter where the extension departs from the existing distribution system. This would allow water use along the extension to be monitored independently. Bimonthly meter reads could be reviewed to detect possible leaks or unauthorized uses—as is presently done with customer meters—but detection would not be immediate. Connecting the meter to a SCADA system would enable rapid detection.

3. CONCLUSIONS AND RECOMMENDATIONS

- The CSA-11 water supply system has sufficient capacity to supply existing demand and additional demands associated with Pescadero Middle/High School and the relocated fire station for the next 30-40 years. For more distant planning horizons, it is appropriate to begin evaluating options for additional water supplies now.
- Average annual water use during 2015-2019 was 19,442 gpd.
- Irrigation use was estimated based on seasonality of water use exhibited in individual customer account records. Average annual irrigation use estimated for 11 customer accounts with suspected irrigation was 8 percent of total use by all accounts.

- Overall leakage from the CSA-11 distribution system may be as much as 8-16 percent of annual production, based on measured system-wide water usage during late-night hours. To the extent that some late-night use is for toilet flushing or drip irrigation systems, leakage losses are less than 8-16 percent.
- Customer water meters are capable of detecting leaks as small as about 0.1 gpm. Leaks less than that rate are individually small but collectively can be much larger.
- Water levels in CSA-11 Well No. 1 declined an average of 0.50 feet per year during 2015-2019. This is slightly less than the trend prior to 2012, which was 0.74 feet per year.
- Water levels in Well No. 3 should be monitored to determine whether water levels continue declining at the historical rate observed in Well No. 1.
- The chronic water-level declines indicate that the aquifer is in overdraft and that CSA-11 pumping exceeds the sustainable yield. The sustainable yield is difficult to estimate from available data. Two estimation methods failed to produce reliable results. A third method—based on assumptions about the aquifer area and specific yield where water levels are declining—produced an estimate of 16,872 gpd, or 87 percent of current pumping. The declining water levels are caused by the remaining 13 percent of pumping (2,570 gpd).
- Connecting Pescadero Middle/High School to the CSA-11 water system would increase annual water use by an estimated 835 gpd (4.3 percent of existing use). Almost all water use at the existing fire station is already supplied by CSA-11. Connecting the new fire station to the CSA-11 system would only increase water use by the amount used for staffing the old station during emergencies, which is estimated to an average of 8 gpd over the course of a year (0.04 percent of existing use).
- If existing water-level declines continue, static (non-pumping) water levels would drop below the top of the Well No. 1 screen around 2039 and would reach the pump intake around 2115. Water levels below the top of the well screen promote corrosion and air entrainment that can damage the well and pump, but the well would continue to produce water. Static water levels would not reach the top of the Well No. 3 screen and pump intake until around 2115 and 2120, respectively.
- Adding the demands from the middle/high school and fire station would slightly accelerate the rate of water level decline and would advance the above dates by about 21 years. However, static water levels would still remain above the pump intakes of Wells No. 1 and No. 3 for another 70 years.
- Pumping water levels are lower than static water levels (by an estimated 24 feet) and would reach the pump intakes about 35 years sooner than the static water levels would. This would cause the pump to break suction, and the well would not produce water. The pump in Well No. 3 could be lowered to extend the functional life of the well by many decades, but the pump in Well No. 1 is already near the bottom of the well.
- The practical limitation on the longevity of the current CSA-11 well supply is the date at which pumping water levels reach the pump intake elevation in Well No. 1, which is estimated to be in 2057. At that point, the well would no longer be able to function as a backup well.

- The existing school well could continue to supply non-potable uses at the facility. Ones that are easily separable from a plumbing standpoint (outdoor uses) have historically amounted to around 120 gpd.
- The fire station well is in reasonable condition and could probably supply uses of up to 1,270 gallons over a 24-hour period, or about fifty times the amount of water presently used from that well. If use of the well were increased substantially, a low-level cutoff switch could be installed that would insert intermittent breaks in a prolonged pumping cycle to prevent drawdown in the well from reaching the pump intake and damaging the pump. It is not known whether the well is already equipped with such a switch.
- Water use estimates for the current CSA-11 service area in the 2013 Local Coastal Program are higher than recent actual use in terms of both number of connections and water use per connection. Updating Table 2.16 in the LCP to reflect actual numbers of connections and per-connection water use, and applying the per-connection use factors to the LCP-projected future number of connections produces an estimate of total future “buildout” water use that is 43-68 percent of the LCP estimate.
- Water demand for future growth would accelerate the rate of water-level declines at the CSA-11 wells. Assuming the LCP-projected growth is implemented gradually over the next 50 years, water levels during pumping would reach the Well No. 3 well screen around 2044 and the top of the Well No. 3 pump intake three years later. At that point the pump in Well No. 3 would need to be lowered.
- Future climate is expected to be warmer and wetter, with increased rainfall recharge at least partially offsetting increased evapotranspiration and irrigation demand. Irrigation of cropland on Butano Ridge near the CSA-11 wells is supplied by off-site surface water reservoirs. Therefore, an increase in irrigation demand would not adversely affect the sustainable groundwater yield available to CSA-11. Conversely, a decrease in irrigation on Butano Ridge would reduce the sustainable yield due to a decrease in irrigation return flow.
- The water main extension to the middle/high school is not as likely to be a source of system leakage as the existing water mains, because the pipes will be newer and made of PVC. Installation of a meter at the branch-off point would enable detection of leaks or unauthorized uses along the extension.

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Table 1. Estimates of Existing and Future CSA-11 Water Demand

Water Use Category	Local Coastal Plan (2013) Table 2.16		Revised Based on Actual 2015-2019	
	Number of Connections	Gallons/Day	Number of Connections	Gallons/Day
Existing Uses				
Dwelling units	125	30,625-48,500	90	15,128
Commercial outlets	20	4,600-7,760	11	3,988
Pescadero fire station	1	1,000	1	326
Subtotal	146	36,500-57,260	102	19,442
Additional Proposed Uses at Buildout				
Dwelling units	125	30,625-48,500	125	21,011
Commercial outlets	20	4,600-7,760	20	7,251
Pescadero fire station ¹	1	1,000	1	8
Middle/high school	n.a.	n.a.	1	832
Subtotal	146	36,500-57,260	147	29,102
Total Buildout Use		72,050-113,520		48,544

Notes:

- ¹ The existing fire station use is expected to transfer to a new station that will also be connected to the CSA-11 system. The existing station will generate new use when occupied by additional firefighters during emergency operations.

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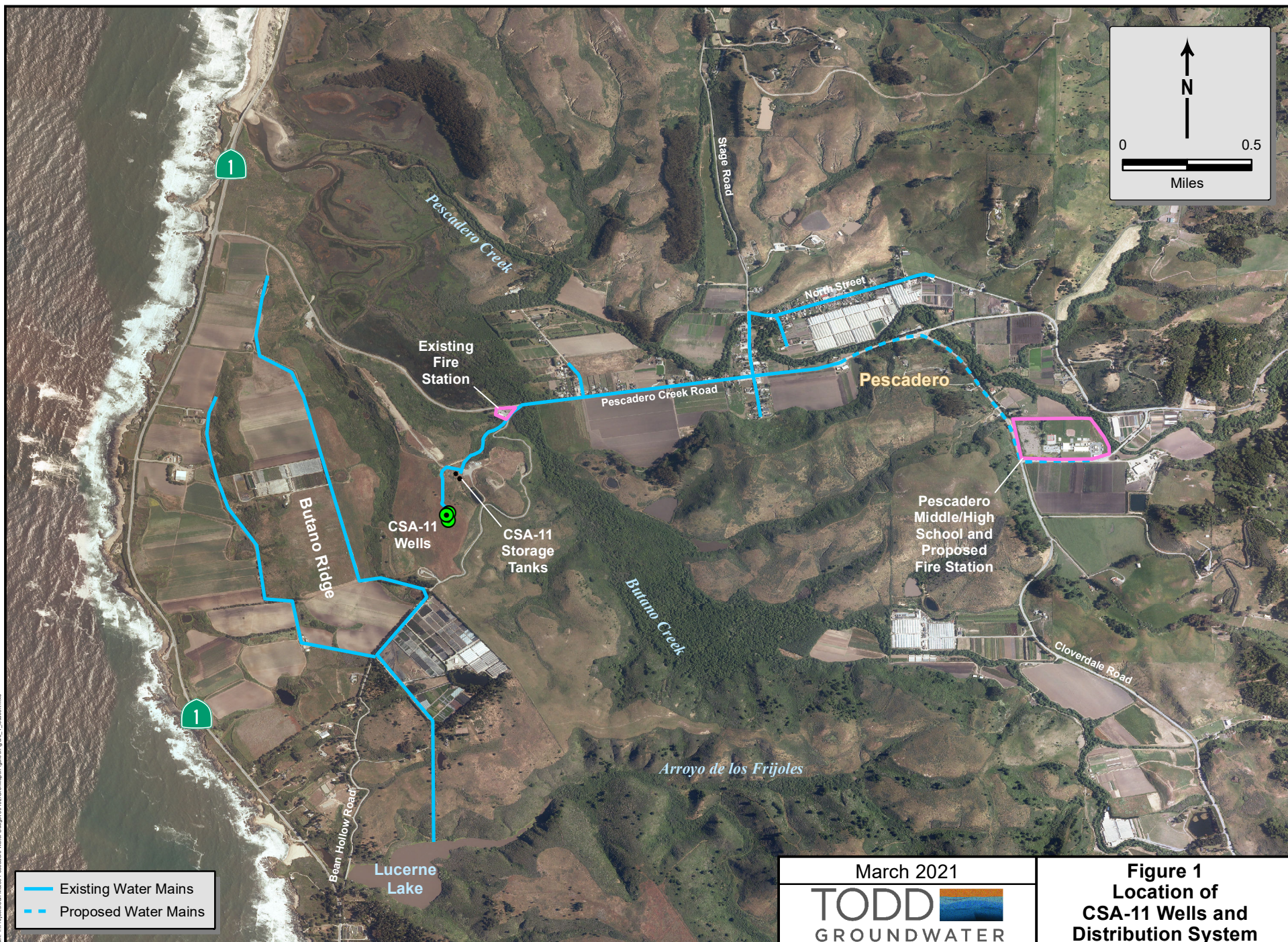
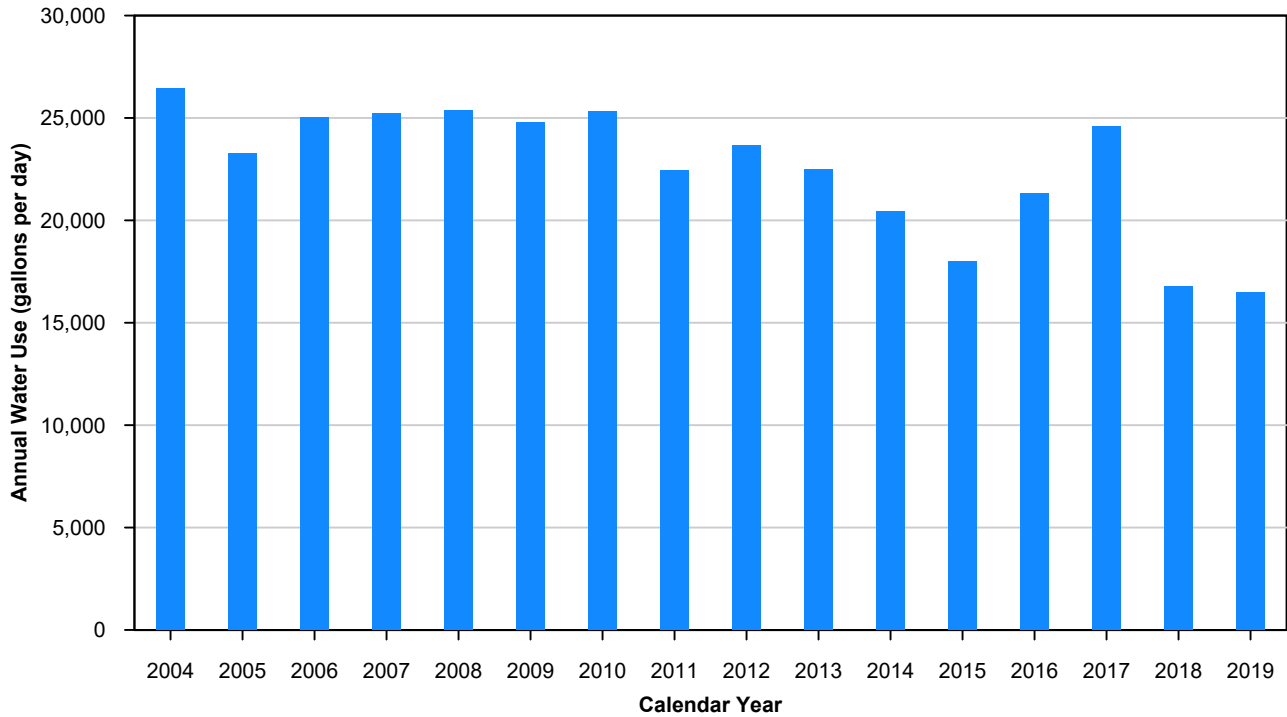


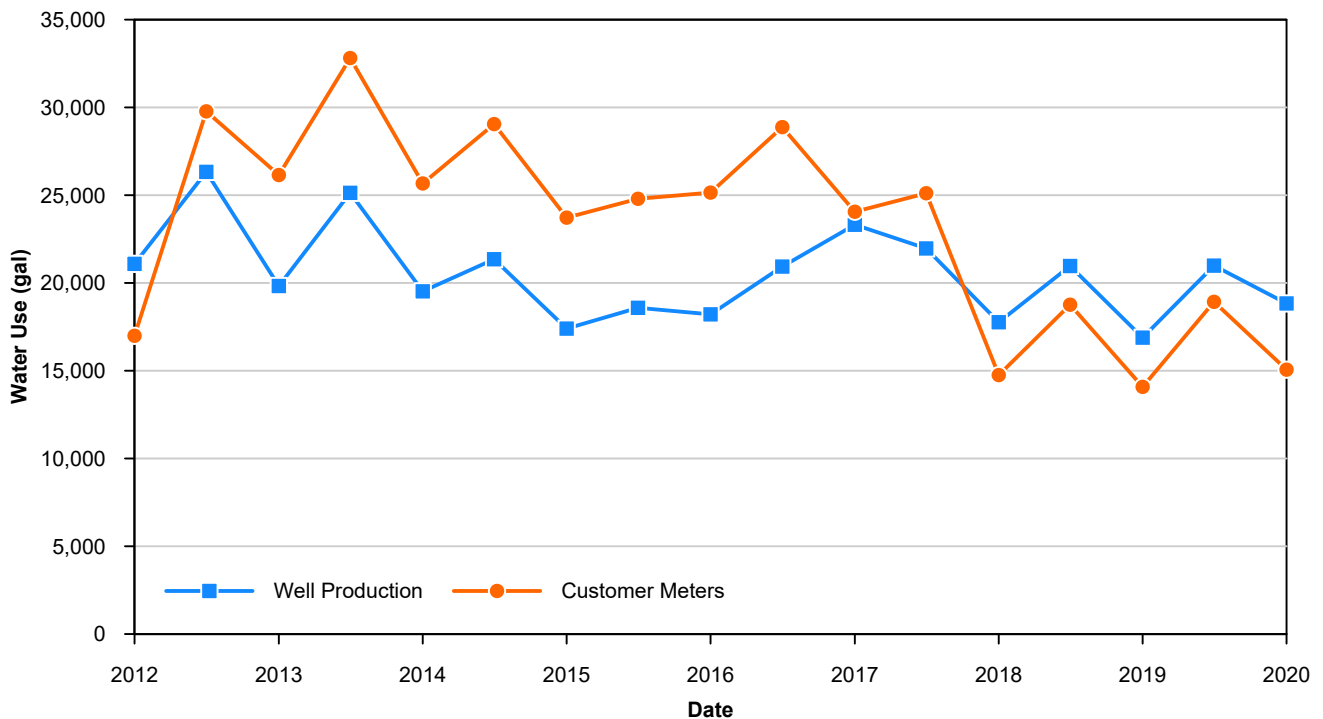
Figure 1
Location of
CSA-11 Wells and
Distribution System

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A. Annual CSA-11 Water Use (Customer Meters)



B. Semiannual CSA-11 Water Use



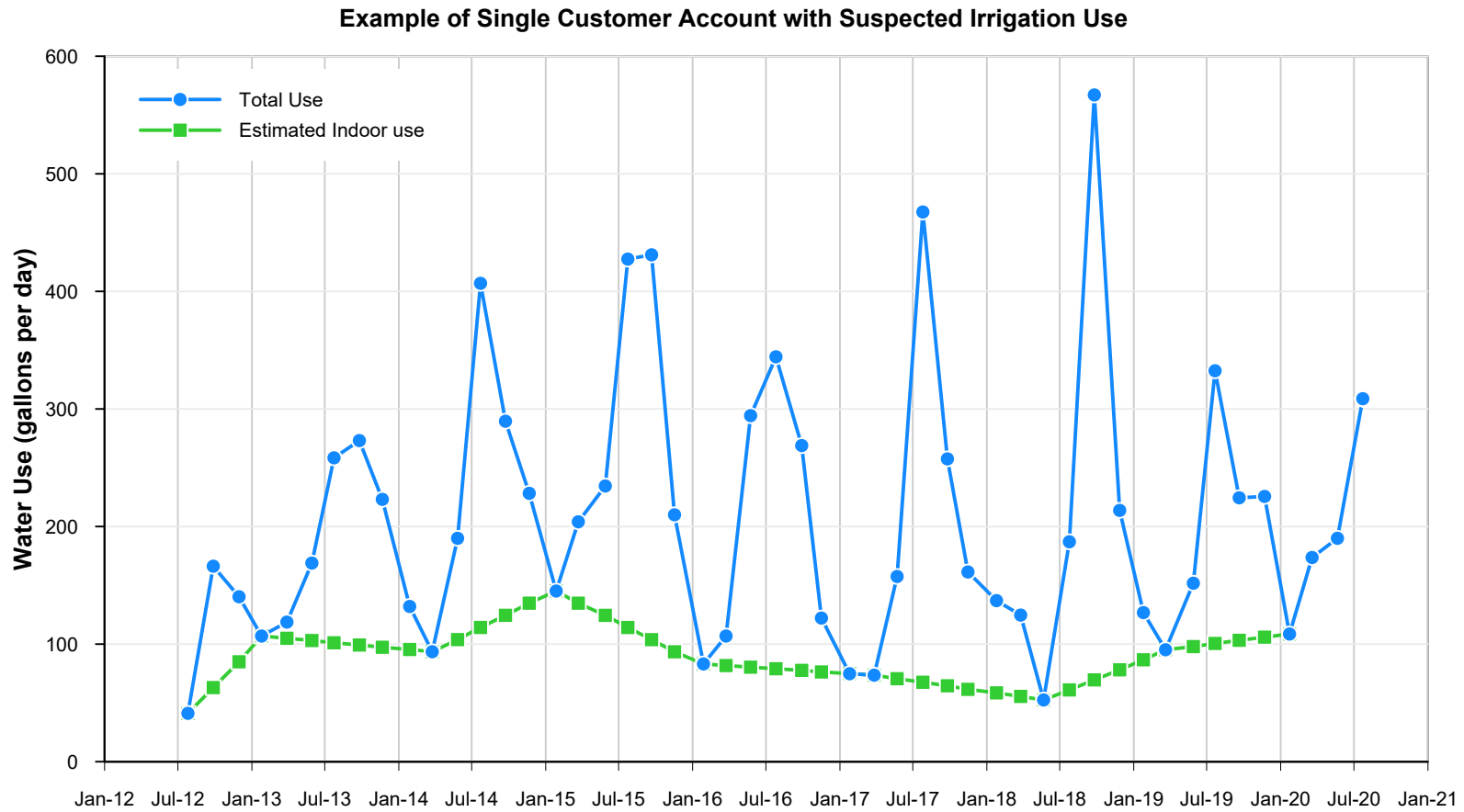
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Figure 2
Well Production and
Metered Customer Use

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Monthly Reports and CCRs 2017-2020\WaterUse2012-2020.xlsx

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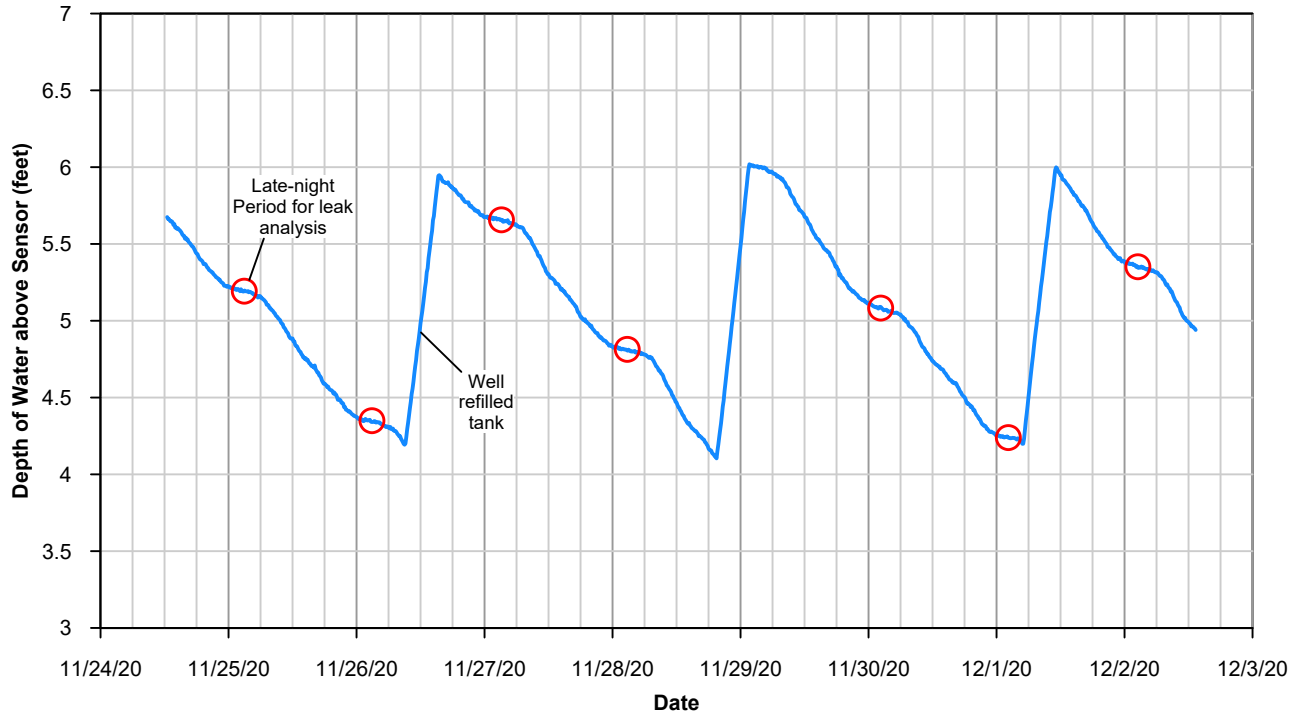
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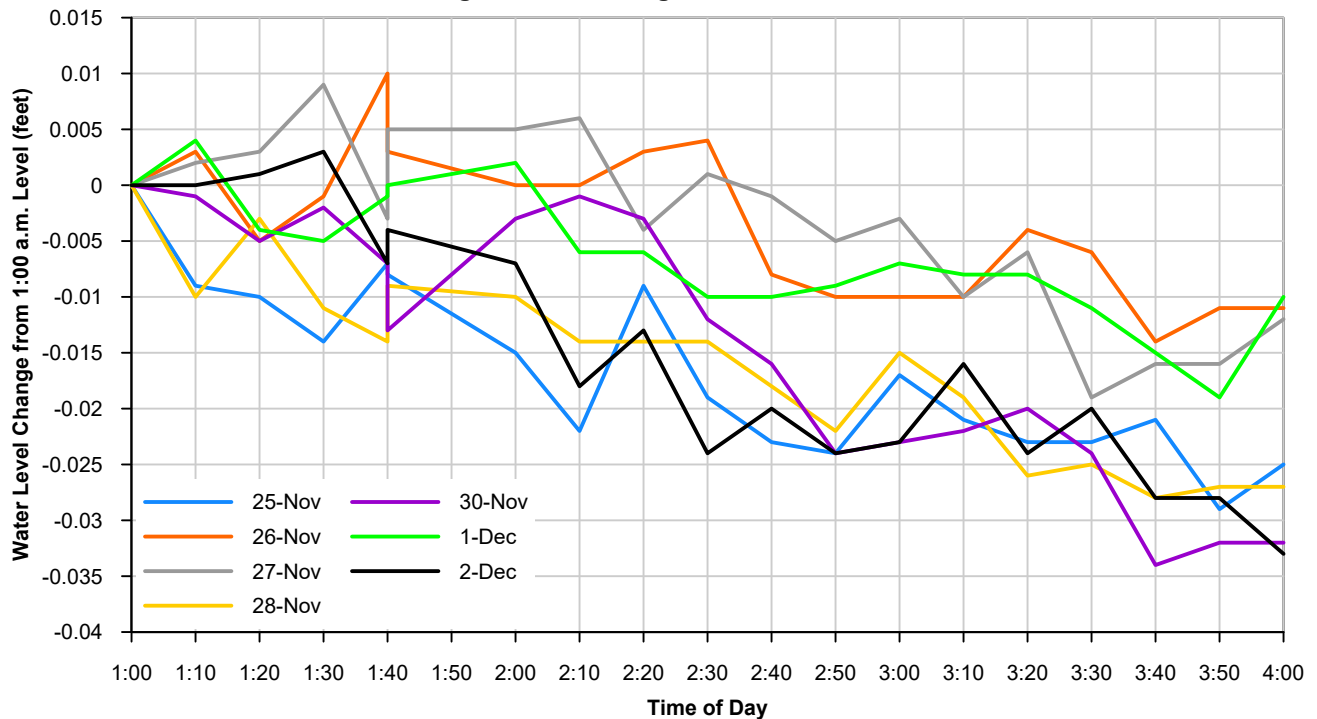
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Figure 3
Customer Account with
Suspected Irrigation Use

A. Water Level in Storage Tanks



B. Storage Tank Late-Night Water-Level Decline



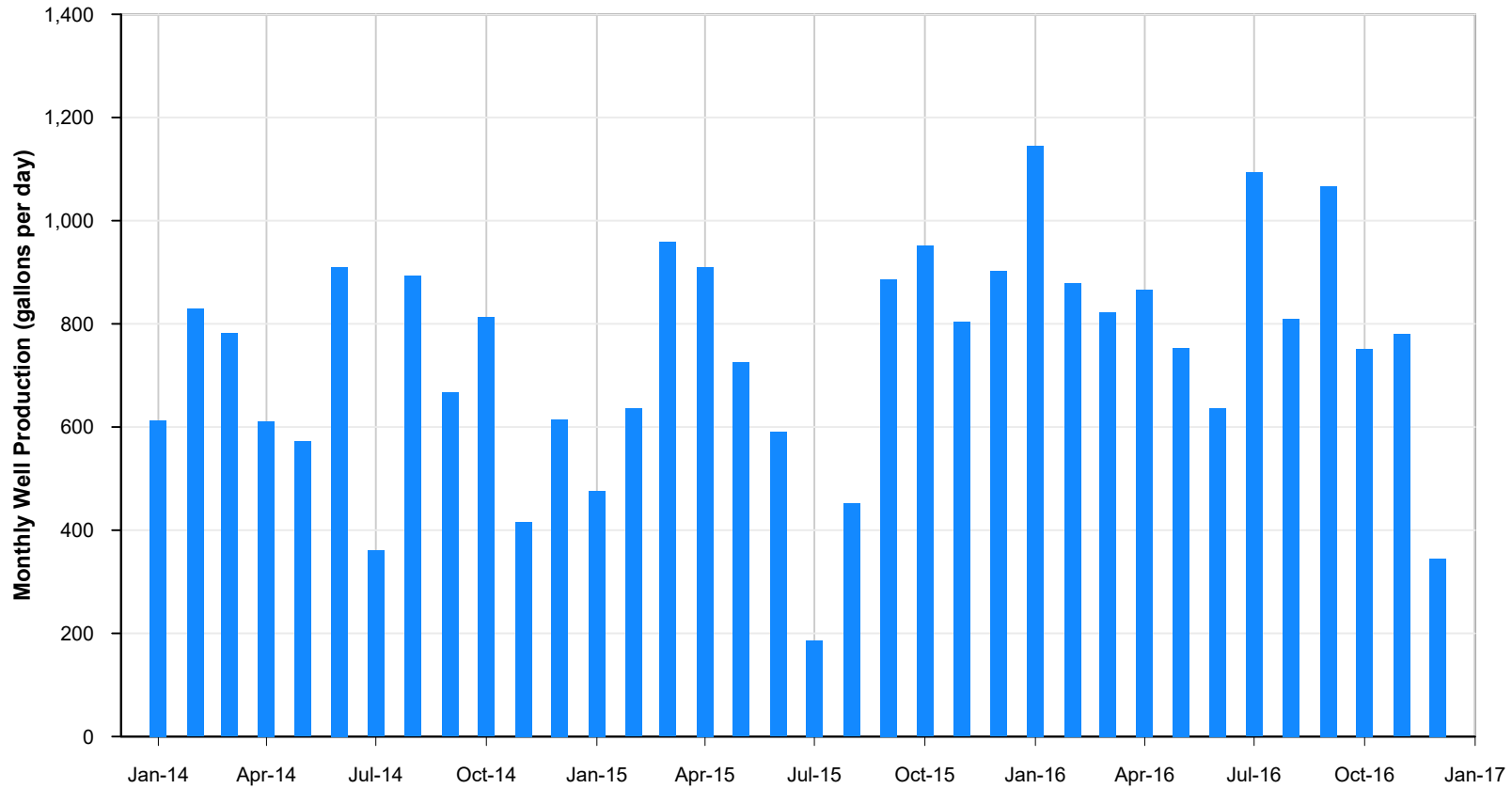
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Storage Tank Water Levels\WL-1_North_Tank.xlsx

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Figure 4
Change in Storage Tank
Water Levels
During Low Usage

Pescadero Middle/High School



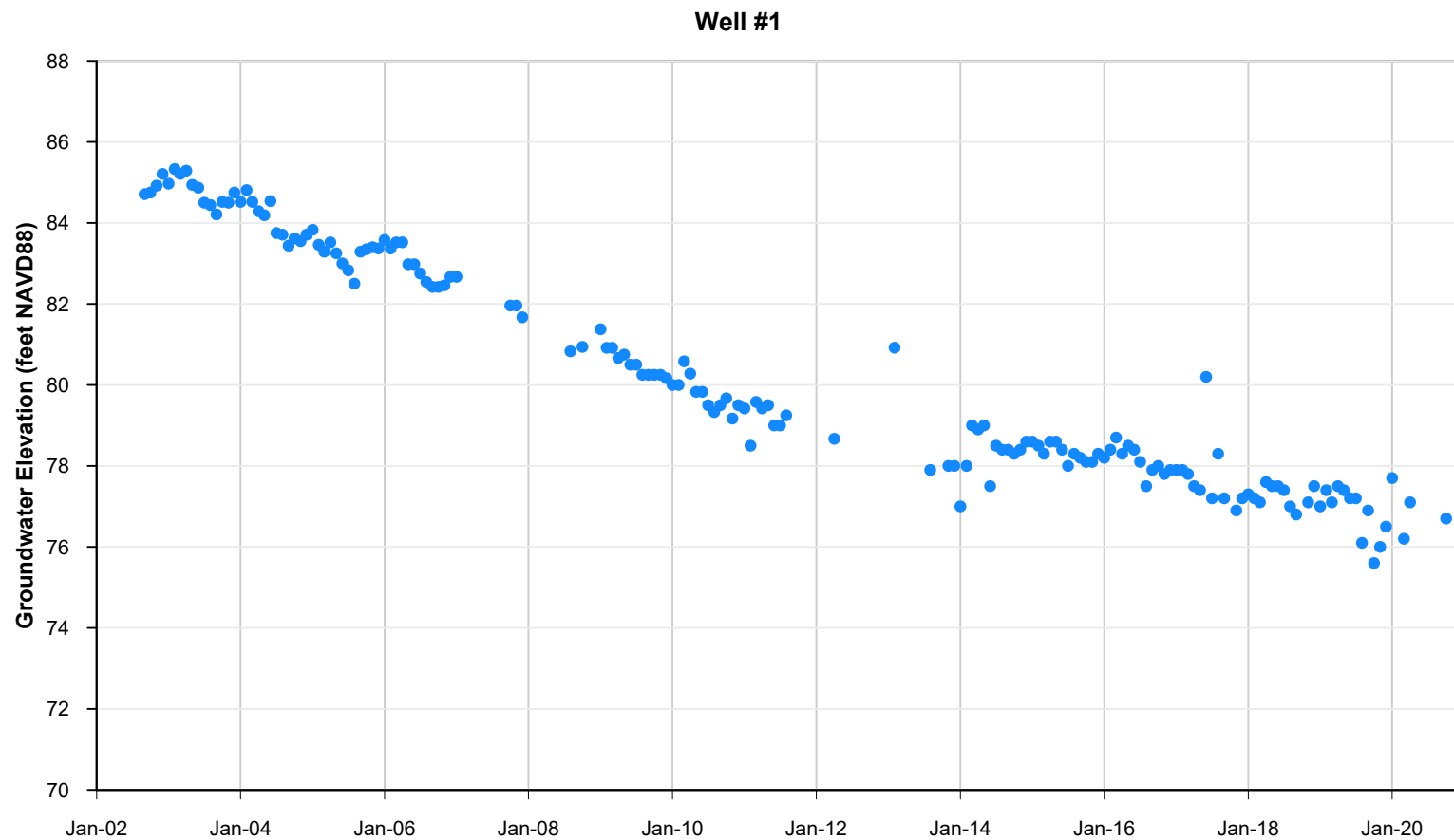
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Figure 5
Monthly Water Use
at Pescadero
Middle/High School

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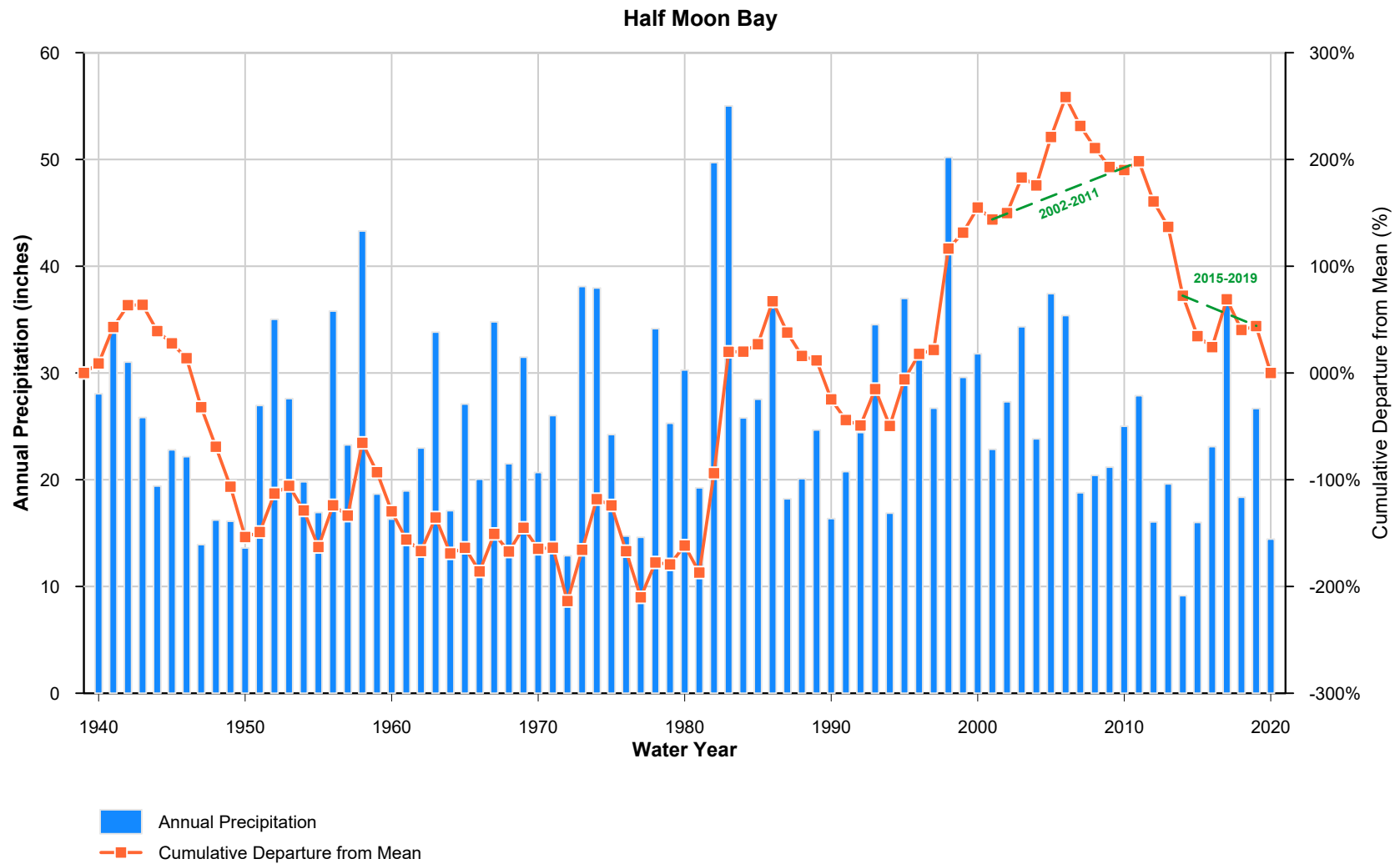


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Figure 6
Well No.1
Water Levels
2002-2020

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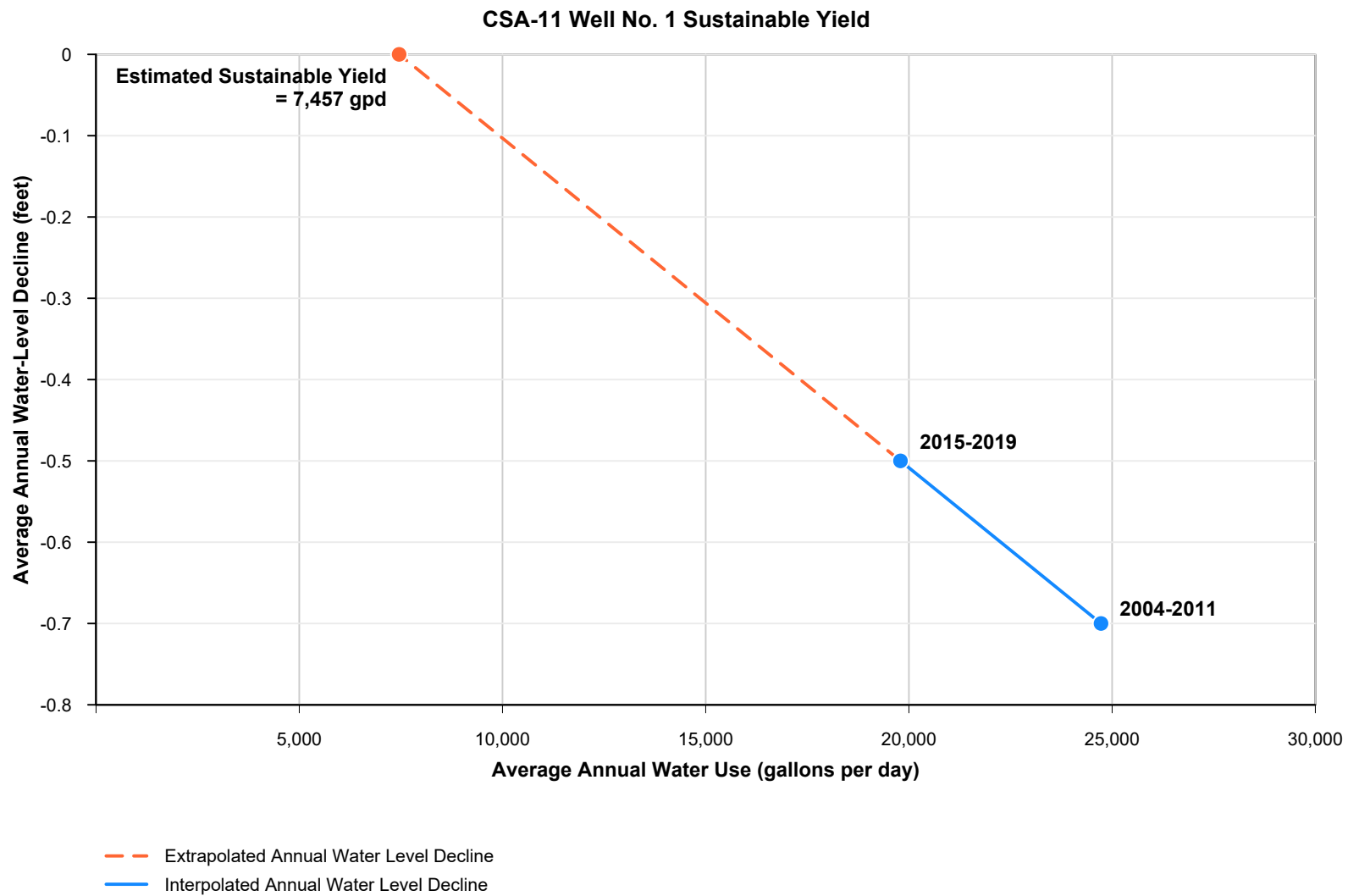
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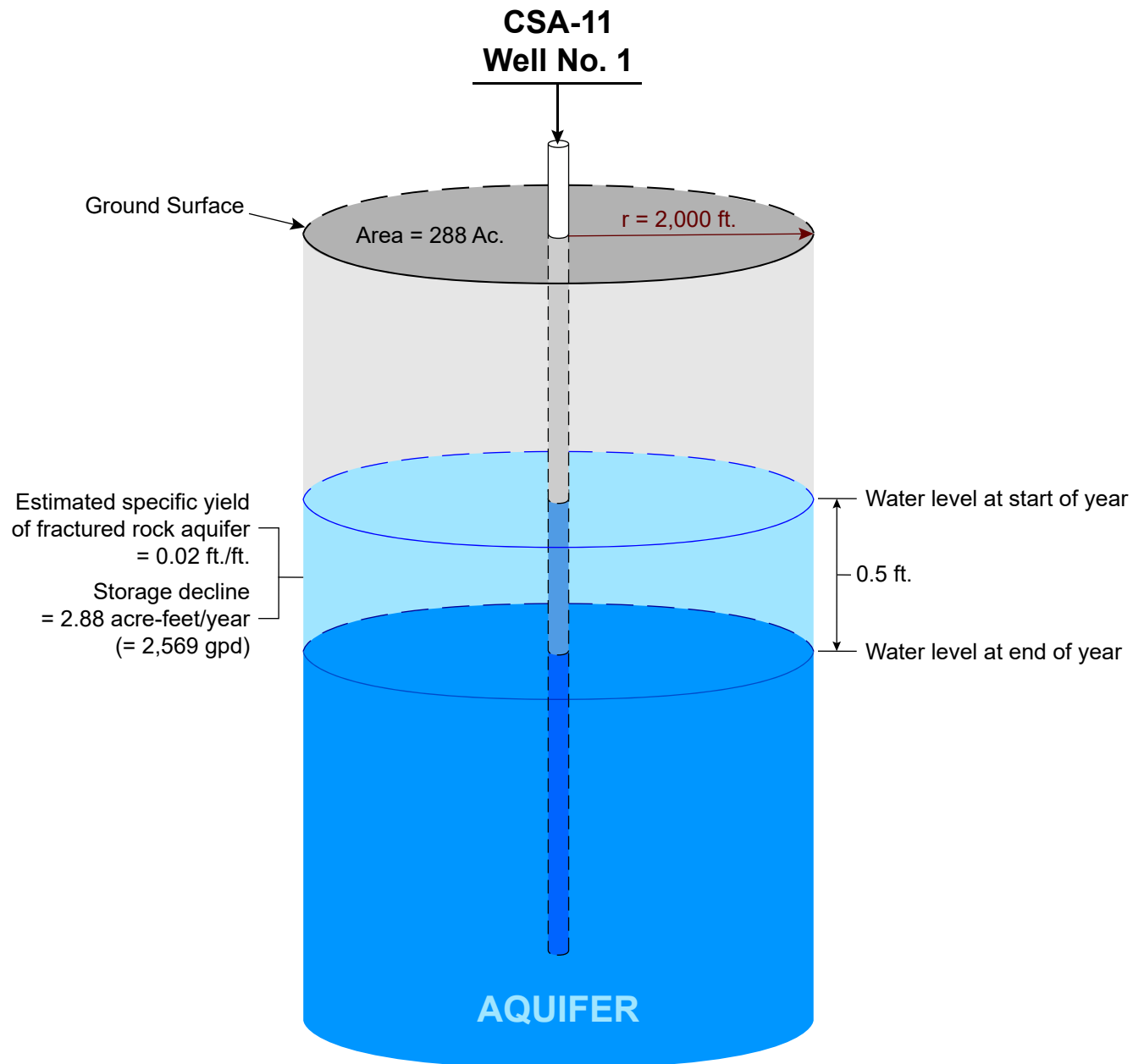
Figure 7
Cumulative Departure
of Annual Precipitation

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March 2021	Figure 8 Water Use and Water Level Change in Well No. 1
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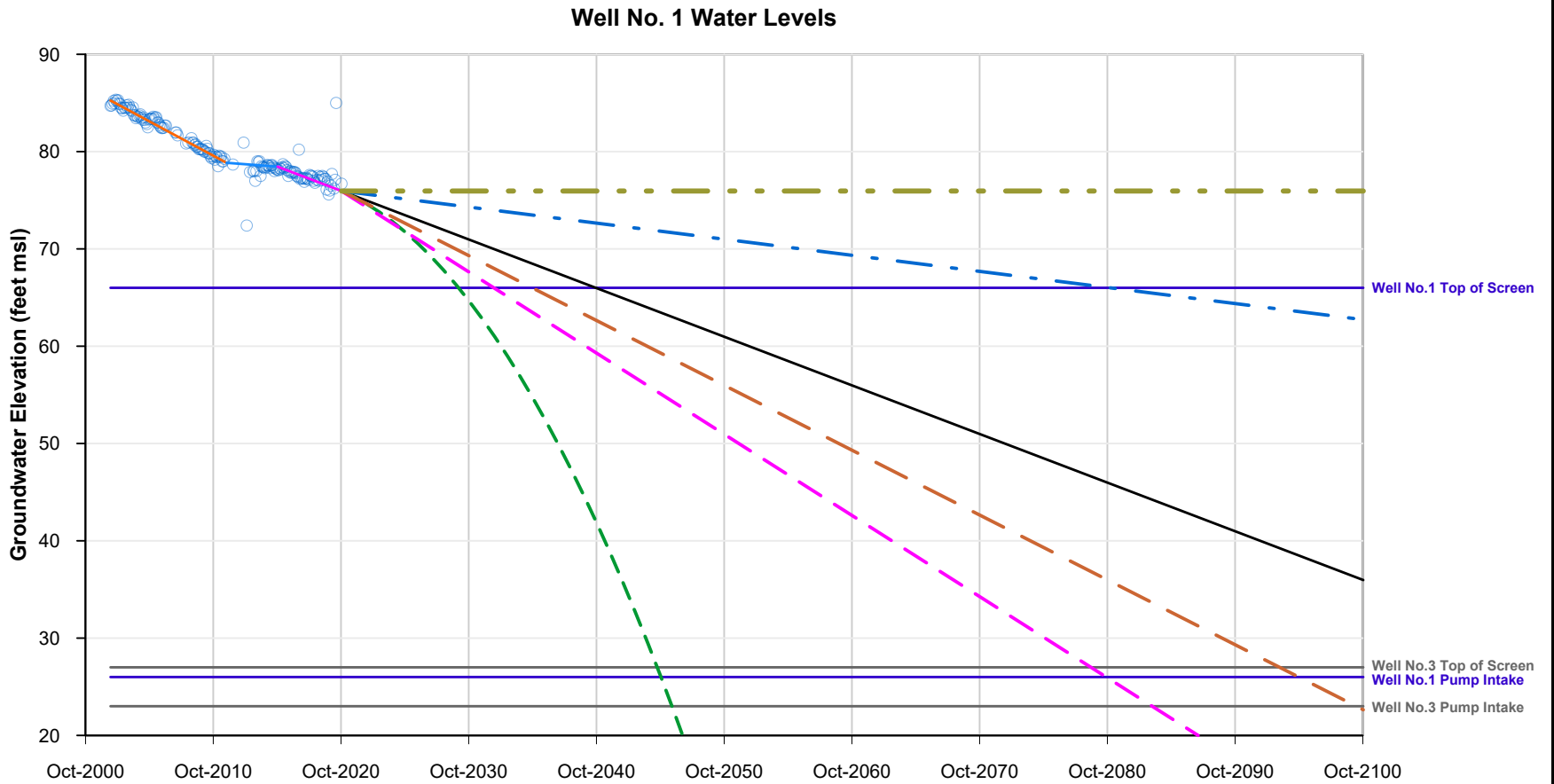


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Figure 9
Storage Depletion
Around Well No. 1

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- | | | |
|---------------------------|-------------------|--------------------------------------|
| — Well No.1 Top of Screen | ○ Historical | --- Growth to Buildout |
| — Well No.1 Pump Intake | — Trend 2002-2011 | --- Existing Pumping 90% Yield |
| — Well No.3 Top of Screen | — Trend 2012-2014 | --- Existing + School + Fire Station |
| — Well No.3 Pump Intake | — Trend 2015-2019 | --- Existing Pumping |
| | — Existing Trend | --- Pumping = Sustainable Yield |

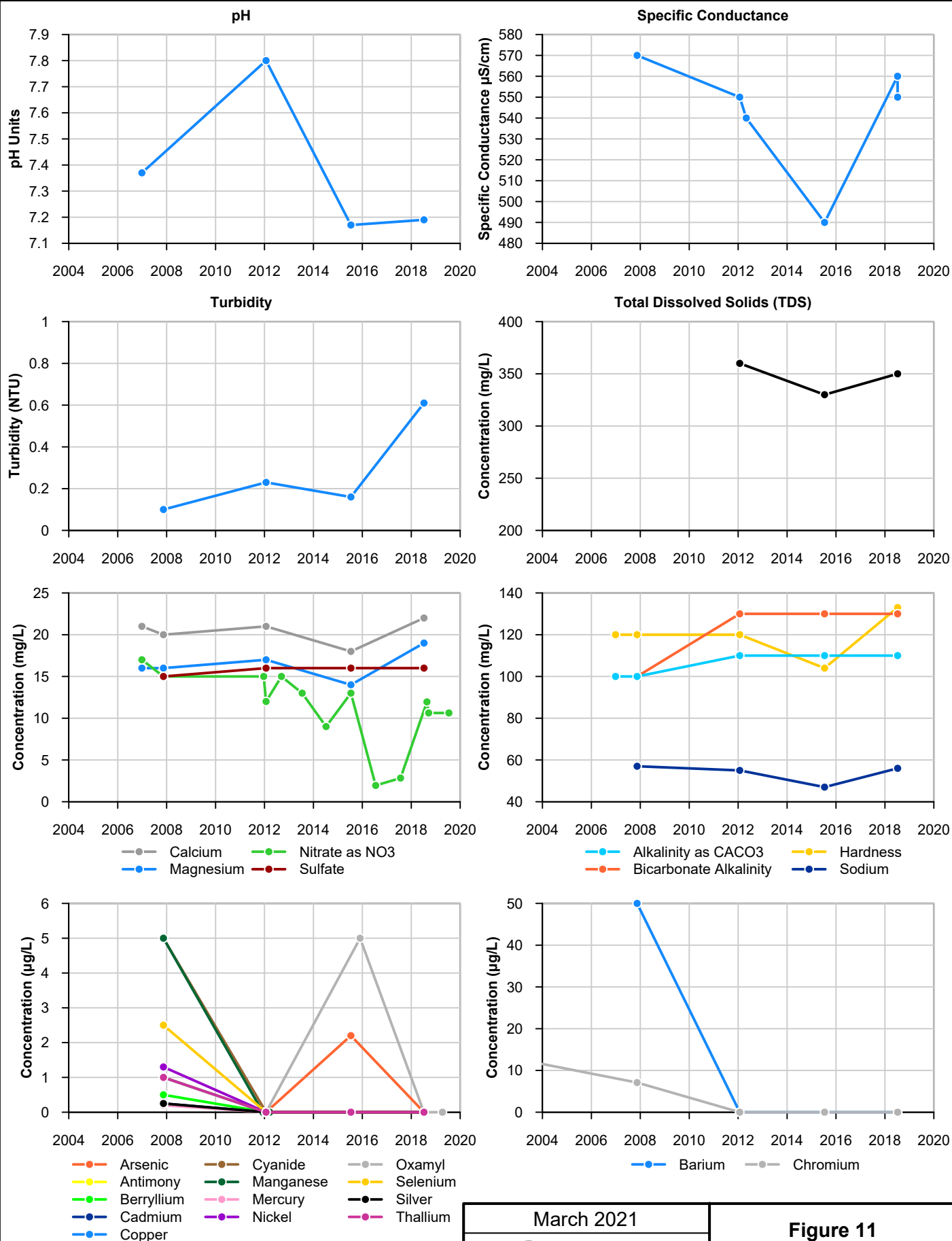
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Figure 10
Projected Future
Water Levels

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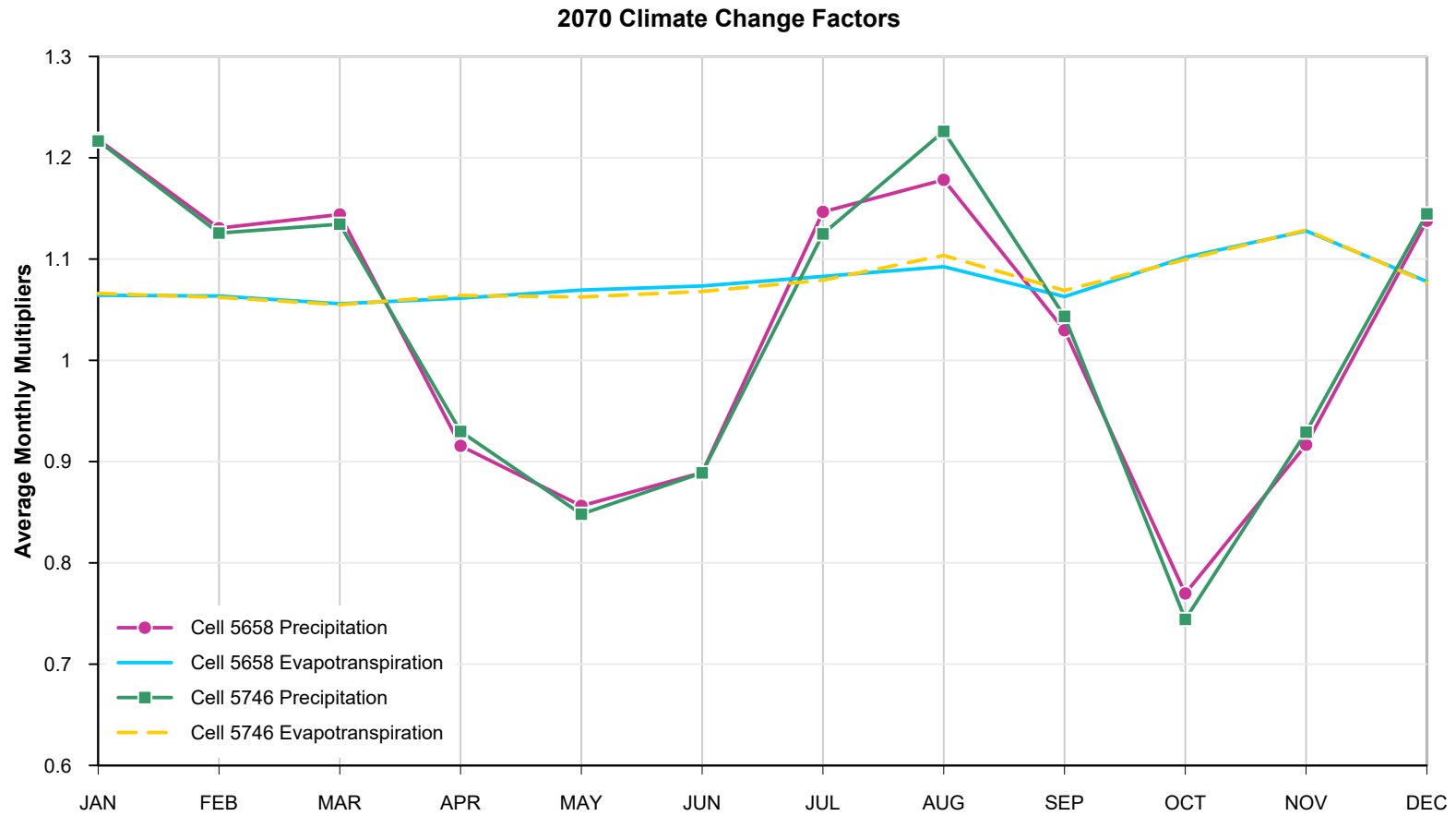
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March 2021

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GROUNDWATER

Figure 11
Water Quality Trends
in CSA-11 Well No.1

Path: T:\Projects\San Mateo Pescadero Water Budget 80102\GRAPHICS\Figure 11 Precipitation and ETo Multipliers for 2070 Climate Conditions.gpl



Note:
Cells refer to statewide grid of 4 km² cells with climate change multipliers for precipitation and evapotranspiration (<https://data.ca.gov/dataset/sgma-climate-change-resources>)

Data:
T:\Projects\San Mateo Pescadero Water Budget 80102\Data\Climate Change\VIC_grid_factor_comparison.xlsx

March 2021	Figure 12 Precipitation and ETo Multipliers for 2070 Climate Conditions
	

Pescadero High School
Alternative #3- Consolidation with CSA11

Major Equipment and Construction Items				
Unit Items	Quantity	Unit	Unit Cost	Total
6-inch Water Main	7000	LF	\$ 250.00	\$1,750,000
Trench Restoration	80	Tons	\$ 250.00	\$20,000
Water Meter Vault & Bypass	1	LS	\$ 15,000.00	\$15,000
Service Meter Vault	3	EA	\$ 7,500.00	\$22,500
Subtotal 1				\$1,807,500
Other Construction Items				
	Cost Estimate			Total
Site Work	10%	of subtotal 1		\$180,750
Mobilization/ Demobilization	10%	of subtotal 1		\$180,750
Other	0%	of subtotal 1		\$0
Project Signage				\$3,000
Subtotal 2		of subtotal 1		\$364,500

Non Construction Implementation Costs (Soft Costs)			
Administration	2%	of (subtotal 1 + 2)	\$43,440
Reporting	2%	of (subtotal 1 + 2)	\$43,440
Land/ROW Acquisition	0%		\$0
Engineering	5%	of (subtotal 1 + 2)	\$108,600
Monitoring Plan	0%		\$0
CEQA - MND	0%	of (subtotal 1 + 2)	\$0
General Permitting	2%	of (subtotal 1 + 2)	\$43,440
Bid Period Services	1.0%	of (subtotal 1 + 2)	\$21,720
Construction Administration	15%	of (subtotal 1 + 2)	\$325,800
Labor Compliance	1%	of (subtotal 1 + 2)	\$21,720
Project Close Out	1%	of (subtotal 1 + 2)	\$21,720
Performance Monitoring	1%	of (subtotal 1 + 2)	\$21,720
Contingency	20%	of (subtotal 1 + 2)	\$434,400
Subtotal 3		of (subtotal 1 + 2)	\$1,086,000

Cost Summary

Total Construction Estimate (w/o Contingency) 100% of (subtotal 1 + 2) **\$2,172,000**

Total Estimated Project Costs **\$3,258,000**

Pescadero High School Alternative #3- Consolidation

Annual Variable Operational Expenditure				
Unit Items	Quantity	Unit	Unit Cost (\$/unit)	Total
Electricity	-	kWh	\$ 0.10	\$ -
Water	-	gal	\$ -	\$ -
Other consumables	-	#	\$ -	\$ -
Subtotal 1				\$ -

Annual Fixed Operational Expenditure				
	Quantity	Unit	Unit Cost (\$/unit)	Total
Monthly Sampling	24	HR	\$ 100.00	\$ 2,400
Monthly Meter Reading	24	HR	\$ 100.00	\$ 2,400
Bi-Annual Valve Exercising	5	HR	\$ 100.00	\$ 450
Annual Flushing	8	HR	\$ 100.00	\$ 800
Leak Detection Survey	1	LS	\$ 3,350.00	\$ 3,350
Auto Expenses (fuel, wear and tear)	1	LS	\$ 500.00	\$ 500
Office Expenses (office, computer, phone)	1	LS	\$ 500.00	\$ 500
Professional Services (contract labor, professional services, licenses, and fees)	-	HR	\$ -	\$ -
Laboratory Fees for Sampling & Testing	1	LS	\$ 1,500.00	\$ 1,500
Subtotal 2				\$ 11,900

Cost Summary

Total Annual Operating Expenditure	\$	11,900
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LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT
360 Butano Cut Off, Pescadero, CA 94060
650-879-0286 • FAX 650-879-0816

Amy Wooliever, Superintendent

A Lighthouse District

May 20, 2024

Mr. Rob Bartoli, Executive Officer
San Mateo County LAFCo
455 County Center, 2nd Floor
Redwood City, CA 94063

Dear Mr. Bartoli,

As the superintendent of La Honda-Pescadero Unified School District (LHPUSD), I write this letter in support of San Mateo County staff's application to LAFCo for a sphere of influence amendment and annexation to add APN 087-53-010 to CSA-11 boundaries.

La Honda-Pescadero Unified School District is a small, rural district serving approximately 300 students on the South Coast of San Mateo County. Encompassing over 160 square miles, LHPUSD is large geographically, yet the smallest San Mateo County school district by enrollment. This application is an important step in securing clean, safe, drinking water for our middle and high school students.

We are proud to partner with San Mateo County in this important effort which will establish a safe facility for our Pescadero firefighters as well as bring clean water to the school. Please let me know if you have any questions about LHPUSD support.

Sincerely,

A handwritten signature in blue ink that reads "Amy Wooliever".

Amy Wooliever
Superintendent, La Honda-Pescadero Unified School District

Board of Trustees

Allison Collins • Renee Erridge • Lisa Mateja • Veronica Mazariegos-Anastassiou • Mary Windram

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: CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2021-00059

OWNERS: County of San Mateo and La Honda Pescadero Unified School District

APPLICANT: County of San Mateo

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

ASSESSOR'S PARCEL NO.: 086-150-050 (Existing Fire Station Site) 1.287 acres; 087-053-010 (Pescadero High School and New Fire Station site) 350-360 Butano Cut Off, 28.61 acres; Pipeline: public right-of-way.

LOCATION: 1200 Pescadero Creek Road (Existing Fire Station site); Pescadero Creek Road, Cloverdale Road, and Butano Cut Off (pipeline); 350-360 Butano Cut Off (Pescadero Middle/High School property).

PROJECT DESCRIPTION

Local Coastal Program amendment for CSA-11 Water Service Extension and Pescadero Fire Station Project and subsequent entitlements to include: (1) Construction of a replacement Pescadero Fire Station (Station 59) to be located on La Honda-Pescadero Unified School District property currently developed with the Pescadero Middle/High School at 350-360 Butano Cut Off, (2) Partial demolition of existing Station 59 located at 1200 Pescadero Creek Road, and (3) CSA-11 water service extension to serve the future fire station and existing Pescadero Middle/High School, both located at 350-360 Butano Cut Off. See attached Initial Study Environmental Evaluation Checklist Project Description section for additional details.

FINDINGS AND BASIS FOR A MITIGATED 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 AG-1: Prior to issuance of the building permit for construction of the fire station, the County shall submit evidence to the Coastal Commission for review and approval indicating that an agricultural easement burdening off-site agricultural property has been granted in perpetuity to the County or other qualifying entity, along with adequate funding to compensate for reasonable administrative costs incurred by the easement holder. The property provided as mitigation shall meet the following criteria:

- The easement shall provide agricultural conservation acreage at a ratio of 2:1 for the loss of agricultural land associated with the approved project (i.e. at least 3.5 acres shall be provided to offset the 1.75 acres of the fire station site).
- The property shall be acquired by the County and placed under an agricultural easement; or the County shall enter into an agreement to newly encumber lands owned by another entity.
- The property shall be located within the Coastal Zone, within reasonable proximity to the project site.
- The property shall be on land of a similar quality as the project site (i.e., Prime Agricultural Lands).

Mitigation BIO-1: Initial ground-disturbing activities shall be avoided between November 1 and March 31 to avoid the time period when amphibians and reptiles are most likely to be moving through the Project Area.

Mitigation BIO-2: Temporary exclusion fencing shall be installed around the limits of work areas and access routes to ensure special-status amphibians, reptiles, and mammals

cannot enter the work area. Installation of exclusion fencing shall occur under the supervision of a designated biologist and immediately following a clearance survey of the area. The exclusion fencing shall have a minimum aboveground height of 30 inches, and the bottom of the fence should be keyed in at least 4 inches deep and backfilled with soil to prevent wildlife from passing under the fencing. Exclusion fencing shall be installed to prevent species entry into active work areas and to mark the limits of construction disturbance at equipment staging areas, site access routes, construction equipment and personnel parking areas, debris storage areas, and any other areas that may be disturbed.

Mitigation BIO-3: Plastic monofilament netting (erosion control matting), loosely woven netting, or similar material in any form shall not be used at the project site because amphibians and reptiles can become entangled and trapped in them. Any such material found on-site shall be immediately removed by the construction personnel. Materials utilizing fixed weaves (strands cannot move), polypropylene, polymer, or other synthetic materials shall not be used.

Mitigation BIO-4: No more than twenty-four (24) hours prior to the date of initial ground disturbance, a pre-construction survey for foothill yellow-legged frog and other sensitive amphibians and reptiles shall be conducted by a designated biologist at the project site.

The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of special-status amphibians and reptiles. The designated biologist shall investigate all potential areas that could be used by the species for feeding, sheltering, movement, and other essential behaviors. If any foothill yellow-legged frogs are found, the designated biologist shall follow the procedures specified in Measure 5.

Mitigation BIO-5: Each encounter with the foothill yellow-legged frog shall be treated on a case-by-case basis in coordination with the USFWS, but the general procedure is as follows: (1) the animal shall not be disturbed if it is not in danger; or (2) the animal shall be moved to a secure location if it is in any danger. These procedures are further described below:

- When a foothill yellow-legged frog is encountered in the project area, all activities which have the potential to result in the harassment, injury, or death of the individual shall be immediately halted. The designated biologist will then assess the situation in order to select a course of action that will avoid or minimize adverse effects to the animal. To the maximum extent possible, contact with the animal shall be avoided and the applicant shall allow it to move out of the potentially hazardous situation to a secure location on its own volition. This procedure shall apply to situations where a foothill yellow-legged frog is encountered while it is moving to another location and is actively dispersing. It does not apply to animals that are uncovered or otherwise exposed or in areas where the individual is not expected to move on its own and may be in danger (e.g., within the fenced construction perimeter).
- Foothill yellow-legged frogs that are in danger (e.g., animals that are uncovered or otherwise exposed or in areas within the fenced construction perimeter where the individual is not expected to move on its own) shall be relocated and released by the

designated biologist outside the construction area within the same habitat. Prior to the initial ground disturbance, the designated biologist shall obtain approval of the relocation protocol from the USFWS and CDFW in the event that a foothill yellow-legged frog is encountered and needs to be moved away from the project site. Foothill yellow-legged frog shall be released in appropriate habitat nearby within the watershed. The designated biologist shall limit the duration of the handling and captivity of the foothill yellow-legged frog to the minimum amount of time necessary to complete the task. The applicant shall immediately notify the USFWS and CDFW once the foothill yellow-legged frog is relocated and the site is secure.

Mitigation BIO-6: Uneaten human food and other refuse attracts crows, ravens, coyotes, raccoons, and other predators of amphibians, reptiles, and other wildlife. A litter control program shall be instituted at the project site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed garbage containers. The garbage containers shall be removed from the project site at the end of each working day.

Mitigation BIO-7: A USFWS-approved biologist(s) shall be onsite until all initial habitat disturbances have ceased. The qualifications of the biologist(s) shall be submitted to USFWS for review and written approval at least thirty (30) days prior to the date earthmoving is initiated at the project site.

Mitigation BIO-8: To the maximum extent practicable, construction activities shall not occur during rain events or within 24-hours following a rain event. Prior to construction activities resuming, a designated biologist will inspect the Project Area and all equipment/materials for the presence of amphibians and reptiles.

Mitigation BIO-9: If construction activities will commence anytime during the nesting/breeding season of native bird species potentially nesting in the Study Area (typically February through August in the project region), a pre-construction survey for nesting birds shall be conducted by a qualified biologist within two weeks of the commencement of construction activities.

If active nests are found in areas that could be directly affected or are within 250 feet (for passerines) or 500 feet (for raptors) of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zone and types of construction activities restricted within it shall be determined through coordination with the CDFW, considering factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and

- Sensitivity of individual nesting species and behaviors of the nesting birds.

Mitigation BIO-10: The County shall ensure that the following stormwater BMPs are implemented to protect water quality entering Pescadero and Butano Creeks:

- Schedule grading and excavation work during dry weather.
- Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matric) until vegetation is established.
- Prevent sediment from migrating offsite and protect from storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.
- Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

Mitigation BIO-11: If construction activities commence during the burrowing owl nesting season (February 1 – August 31), a qualified biologist shall conduct preconstruction surveys covering all areas of suitable habitat within 250 feet of the proposed activity. The survey will last a minimum of 3 hours, and will either begin 1 hour before sunrise and continue until 2 hours after sunrise or begin 2 hours before sunset and continue until 1 hour after sunset. If no owls are detected during a first survey, a second survey will be conducted. If owls are detected during the first survey, a second survey is not needed. All owls observed will be counted and their locations will be mapped, and the following measure will be implemented:

If evidence of nesting burrowing owls is found, a 250-foot-wide no-disturbance buffer zone shall be established around each occupied nest and shall be delineated in the field by the biologist, using a suitable low-impact medium. Construction may proceed outside the no-disturbance buffer zones.

Mitigation BIO-12: A qualified biologist shall conduct a roosting bat habitat evaluation prior to the commencement of construction activities. The evaluation shall determine if any trees proposed for removal or that are located near the work sites provide potential bat roosting habitat. If suitable roost trees or an active roost are confirmed, then a site-specific bat protection plan shall be developed by a qualified biologist to prevent disturbance of an active maternity or hibernation roost.

Mitigation BIO-13: Appropriately-timed focused plant surveys shall be conducted during the harlequin lotus's flowering period (March - June) to detect presence of these species within the project's impact zone.

Mitigation BIO-14: If this species is determined to be present within the project impact zone (where vegetation removal is needed), then potentially impacted populations shall be transplanted to an appropriate adjacent habitat where impacts are not anticipated. The transplanting effort shall be approved by the CDFW prior to implementation.

Mitigation CULT-1: To reduce potential impacts on presently undocumented early Native American cultural resources, a qualified professional archaeologist and a Native American monitor shall be present on-site during all subsurface ground-disturbing activities at the site of the proposed new fire station. If prehistoric remains (e.g., structure traces, stone artifacts, bone and/or shell concentrations) are encountered during subsurface construction and/or

demolition activities, ground disturbances in the vicinity of the find shall cease until the monitor can determine the nature and potential significance of the remains and recommend mitigation. Mitigation can include, but shall not be restricted to, no action, additional documentary research, testing, and contiguous block unit excavation and resource documentation in accordance with CEQA standards.

In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, excavation in the vicinity of the burial shall immediately cease and the primary construction contractor and/or archaeological/Native American monitor shall notify the County. The County or their designated representative shall notify the county coroner who is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner's findings, the County, the archaeologist/Native American monitor, and the NAHC-designated most likely descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American human remains are identified in PRC Section 5097.9.

Mitigation CULT-2: If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the San Mateo County Sheriff/Coroner shall be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission, which will in turn appoint a Most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with the Applicant and a qualified archaeologist to determine the proper treatment of the human remains and any associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via Project construction design change.

Mitigation GEO-1: The pipeline shall be designed and constructed in accordance with design parameters and recommendations included in the geotechnical investigation prepared for the pipeline project (GHD 2021)

Mitigation GEO-2: The fire station foundation and site preparation shall include all recommendations of a preliminary geotechnical/geologic hazards report, which shall be prepared prior to project approval and include assessments of, and recommendations for, soil settlement, liquefaction, differential settlement, expansive soils, and other geologic hazards.

Mitigation HAZ-1: Prior to demolition of the existing fire station barracks, the structures shall be surveyed for potential hazardous materials including but not limited to ACM and LBP. Any such materials encountered shall be removed by a hazardous materials removal firm with staff trained and equipped for such removal activities. Any removed hazardous

materials shall be disposed of in a State-approved Class III Hazardous Waste Disposal Facility.

Mitigation HYDRO-1: County Service Area-11 (County of San Mateo Department of Public Works) shall conduct monthly water level measurement of Well #1 and Well #3 to monitor ongoing aquifer capacity.

Mitigation HYDRO-2: County Service Area-11 (County of San Mateo Department of Public Works) shall evaluate groundwater level trends. Should the water level drop below 6 feet above the top of the well screen in Well #3 during static conditions, CSA-11 shall manage water supply sustainability through operational actions such as lowering the pump, or by developing other local groundwater or surface water supply sources.

Mitigation NOI-1: The following Best Management Practices shall be incorporated into the construction documents to be implemented by the Project contractor:

- Limit the major stages of fire station foundation preparation and building erection to the summer months when school is not in session.
- Limit Project construction activity to between 7 a.m. and 6 p.m. on weekdays, to between 9 a.m. and 5 p.m. on Saturdays, and prohibit it on Sundays, Thanksgiving and Christmas to comply with the San Mateo County Code.
- Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy activity areas on the site.
- Use quietest type of construction equipment whenever possible, particularly air compressors.
- Provide sound-control devices on equipment no less effective than those provided by the manufacturer.
- Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors.
- Prohibit unnecessary idling of internal combustion engines.
- Require applicable construction-related vehicles and equipment to use designated truck routes when entering/leaving the site.
- Designate a noise disturbance coordinator at County Planning Department who shall be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site. Copies of the project purpose, description and construction schedule shall also be distributed to the surrounding residences, schools and library.

Mitigation Traffic-1: If the County Public Works Department determines that a signal at the fire station driveway is potentially warranted to allow emergency fire truck access or otherwise prevent vehicular conflicts, the school would conduct a more refined traffic count. If the count indicates that a signal is warranted, the County would install it, or, the school would require that all drop offs are at the 360 Butano Cutoff address, which is at the far end of the campus and would be less likely to result in any conflicts with the fire station traffic.

RESPONSIBLE AGENCY CONSULTATION

Bay Area Air quality Management District
California Coastal Commission
County Environmental Health Department
San Mateo County Local Agency Formation Commission (LAFCo)
Regional Water Quality Control Board
Water District: CSA-11
State Department of Fish and Wildlife
State Water Resources Control Board
US Army Corps of Engineers
US Fish and Wildlife Service

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: June 8, 2022 – July 7, 2022

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., July 7, 2022**.

CONTACT PERSON

Melissa Ross
Planning Services Manager, 650/599-1559
mross@smcgov.org

Sophie
Mintier

Digitally signed by
Sophie Mintier
Date: 2022.06.06
16:47:02 -07'00'

Sophie Mintier, Interim Assistant Community
Development Director (on behalf of Melissa
Ross, Planning Services Manager)

**County of San Mateo
Planning and Building Department**

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

1. **Project Title:** CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project
2. **County File Number:** PLN2021-00056
3. **Lead Agency Name and Address:** San Mateo County Planning and Building Department, 455 County Center, 2nd Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Melissa Ross, Planning Services Manager, San Mateo County Planning and Building Department, mross@smcgov.org
5. **Project Location:** 1200 Pescadero Creek Road (Existing Fire Station site); Pescadero Creek Road, Cloverdale Road, and Butano Cut Off (pipeline); 350-360 Butano Cut Off (Pescadero Middle/High School property)
6. **Assessor's Parcel Number and Size of Parcel:** 086-150-050 (Existing Fire Station Site) 1.287 acres; 087-053-010 (Pescadero High School and New Fire Station site) 350-360 Butano Cut Off, 28.61 acres
7. **Project Sponsor's Name and Address:** San Mateo County Planning and Building Department, 455 County Center, 2nd Floor, Redwood City, CA 94063
8. **Name of Person Undertaking the Project or Receiving the Project Approval (if different from Project Sponsor):** Same as Project Sponsor
9. **General Plan Designation:** Institutional and Agriculture
10. **Zoning:** Existing Fire Station (086-160-050): PAD/CD (Planned Agricultural District/Coastal Development); New Fire Station site and School (087-053-010): RM-CZ/CD (Resource Management-Coastal Zone/Coastal Development); Pipeline: right-of-way in the Coastal Zone
11. **Description of the Project:** Local Coastal Program amendment for CSA-11 Water Service Extension and Pescadero Fire Station Project and subsequent entitlements to include: (1) Construction of a replacement Pescadero Fire Station (Station 59) to be located on La Honda-Pescadero Unified School District property currently developed with the Pescadero Middle/High School at 350-360 Butano Cut Off, (2) Partial demolition of existing Station 59 located at 1200 Pescadero Creek Road, and (3) CSA-11 water service extension to serve the

future fire station and existing Pescadero Middle/High School, both located at 350-360 Butano Cut Off. See Project Description section below for additional details.

12. **Surrounding Land Uses and Setting:** The project would include a six inch-diameter water pipeline that would run primarily along roadway shoulders in a rural portion of San Mateo County, to Pescadero High School. Surrounding land uses are primarily agricultural (orchards and row crops), with scattered residences and the high school at the pipeline terminus. The fire station site is an open field covered with ruderal vegetation. The existing fire station is on a fully developed site surrounded by undeveloped open space, just west of the community of Pescadero.
13. **Other Public Agencies Whose Approval is Required:** San Mateo Local Agency Formation Commission (LAFCo) (CSA-11 Sphere of Influence amendment and Service Area Annexation); California Coastal Commission (Local Coastal Program amendment certification; Coastal Development Permit (appeals jurisdiction)); California State Water Board, grant approval for water supply improvements; County of San Mateo approval of the Local Coastal Program amendments and subsequent Coastal Development Permits for the fire station sites and CSA-11 extension. The pipeline Project would not require a Stormwater Pollution Prevention Plan (SWPPP) from the Regional Water Quality Control Board, but the contractor would be required to submit a plan to control water pollution effectively during construction. The fire station project would require a SWPPP. La Honda-Pescadero Unified School District approval of lease of fire station site to County of San Mateo.
14. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?:** Solano Archaeological Services (SAS) emailed a letter and a map depicting the CSA-11 project area to the Native American Heritage Commission (NAHC) on December 3, 2020 on behalf of the County. The letter requested a Sacred Land File (SLF) search of the project area, and a list of Native American community representatives who should be contacted about the Project under AB-52. On December 11, 2020, Ms. Sarah Fonseca, Cultural Resources Analyst for the NAHC, replied in an emailed letter that the Sacred Lands File search was completed with negative results. Ms. Fonseca also provided a list of local Native American contacts. On December 14, 2020, SAS mailed letters to the following Native American representatives identified by the NAHC:
 - Irenne Zwierlein, Chair - Amah Mutsun Tribal Band of Mission San Juan Bautista
 - Tony Cerda, Chair - Costanoan Rumsen Carmel Tribe
 - Kanyon Sayers-Roods, MLD Contact - Indian Canyon Mutsun Band of Costanoan Indians
 - Ann Marie Sayers, Chair - Indian Canyon Mutsun Band of Costanoan Indians
 - Charlene Mijmeh, Chair - Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
 - Monica Arellano - Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
 - Andrew Galvan - Ohlone Indian Tribe

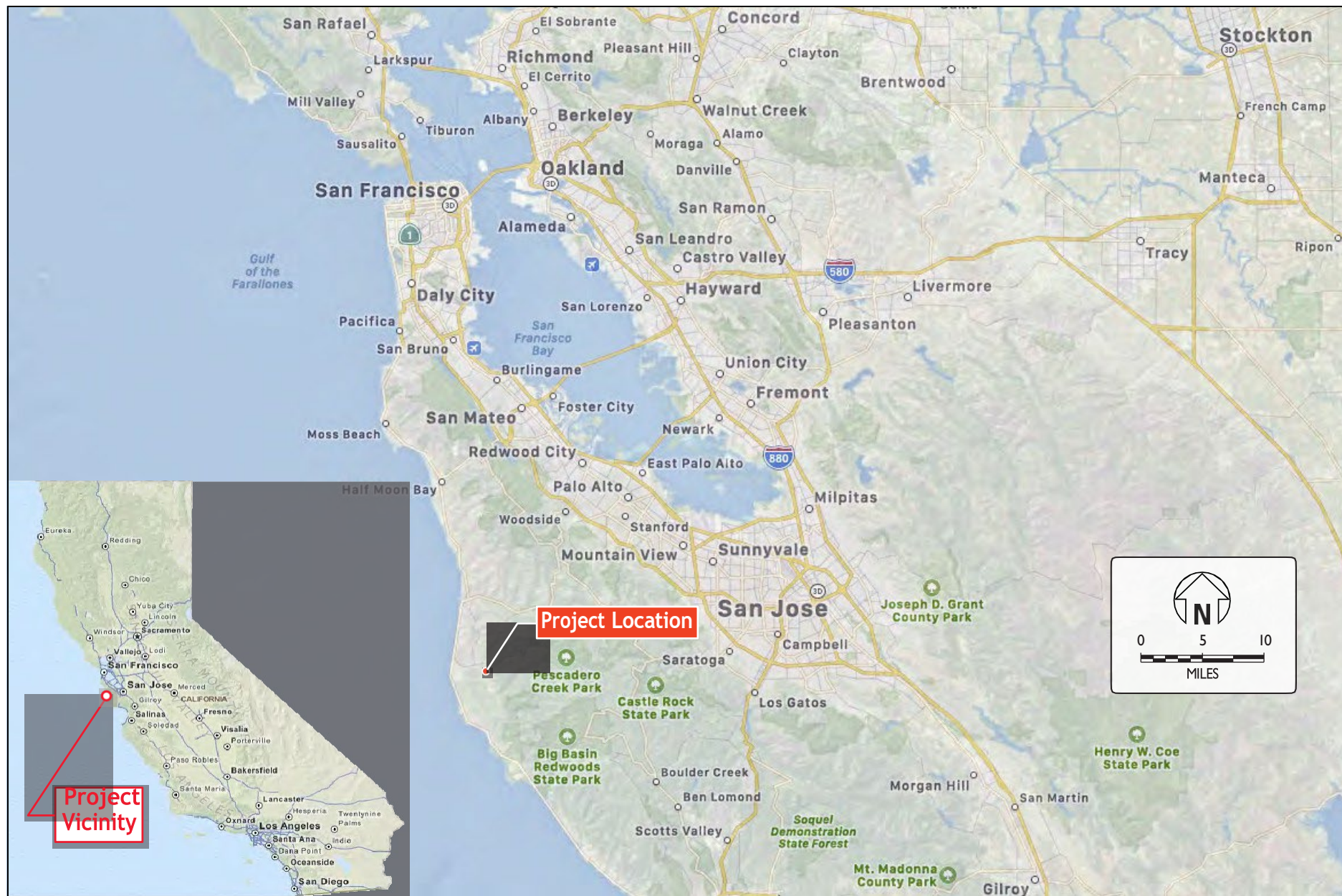
No responses were received to the letters mailed to the above-listed contacts. On January 6, 2021, SAS called each of the individuals listed by the NAHC and left phone messages. An additional attempt was made via email to each of the contacts on January 27, 2021, and a final email contact attempt reiterating that the Project was subject to AB-52 was made on February 2, 2021. On March 2, 2021, an email response was received from Canyon Sayers-Roods of the Canyon Mutsun Band of Costanoan Indians recommending that a Native American Monitor and Archaeologist be present to observe earth moving activities at both projects. Native American and archaeologist monitoring are included in the Cultural Resources mitigation measures in this Initial Study. As of March 23, 2021, no other responses have been received. If substantive additional comments or information are provided at a later date, SAS may prepare an addendum to this report. Outreach also was performed by the County in 2018-2019 for the test well at the high school.

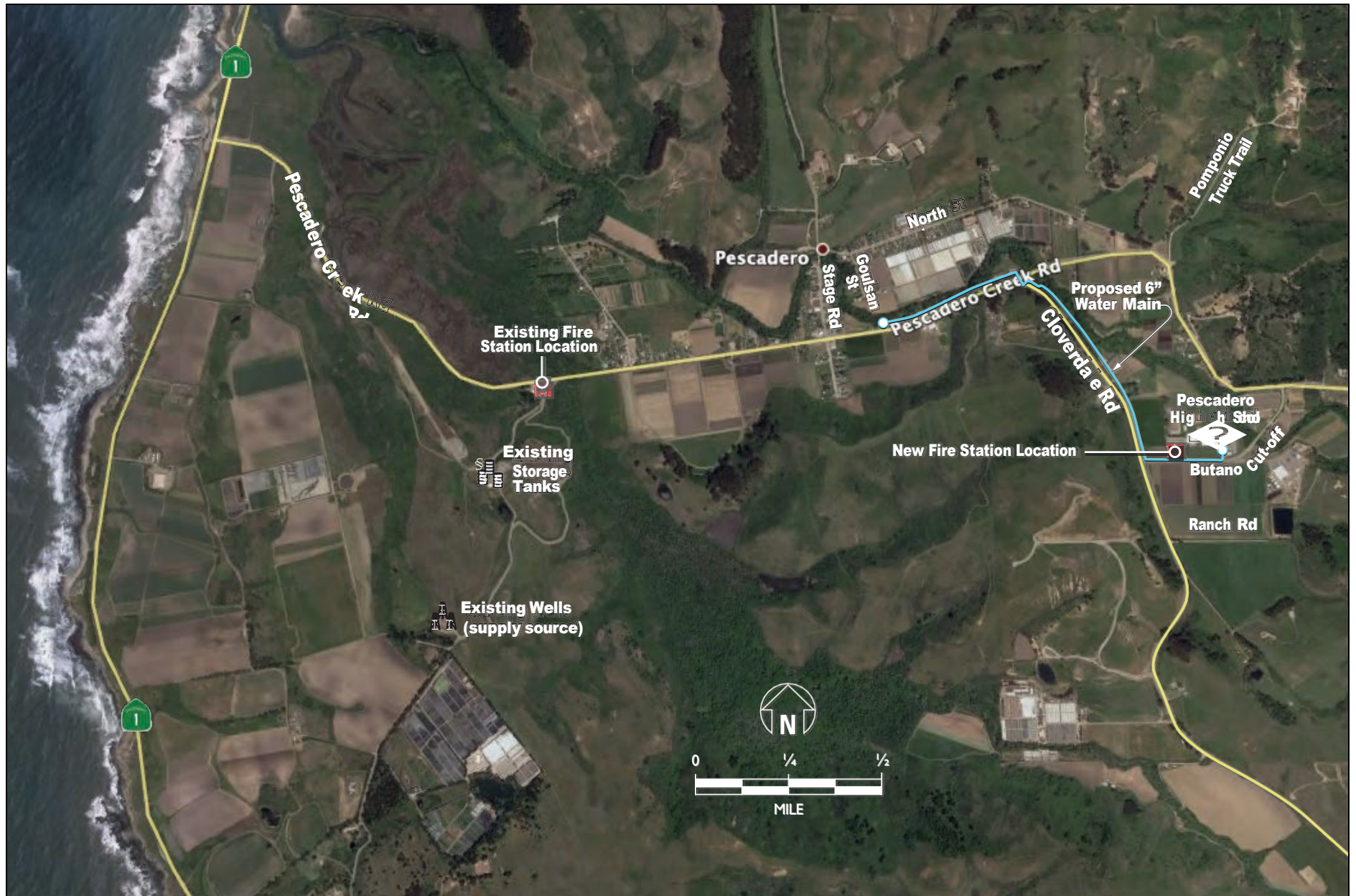
PROJECT DESCRIPTION

The project analyzed by this Initial Study includes the following components, all proposed by San Mateo County:

- Local Coastal Program text and map amendment to facilitate CSA-11 water service extension to the Pescadero Middle/High School and new fire station.
- A new water supply pipeline extending from the existing CSA-11 water line east of the intersection of Pescadero Creek Road and Stage Road in the Town of Pescadero to the Pescadero Middle/High School (to be funded by the State Water Board) to serve the existing school and new fire station. Connections along the pipeline extension are prohibited.
- A new County fire station on an undeveloped portion of La Honda-Pescadero Unified School District owned parcel adjacent to Pescadero Middle/High School.
- Partial demolition and remodel of the existing fire station located at 1200 Pescadero Creek Road. The existing CSA-11 connection to the existing fire station at 1200 Pescadero Creek Road will be retained.
- Sphere of Influence amendment and annexation by CSA 11 of the Pescadero Middle/High School and new fire station property, subject to approval by the San Mateo Local Agency Formation Commission

The regional and site-specific locations of these projects are shown on Figures 1 and 2. Although considered together in this document, the projects are independent and would require independent review and approval by the County. The projects are described in detail below.





1. LOCAL COASTAL PROGRAM AMENDMENT

Project Objectives/Required Approvals

Amendments to the San Mateo County Local Coastal Program (LCP) are proposed to facilitate potable water service to the existing Pescadero Middle/High School and new Fire Station #59 located at 350-360 Butano Cut Off, and partial demolition and remodel of the existing fire station at 1200 Pescadero Creek Road. Additional background and details can be found in the Project Description Sections 2-4, below. The following LCP policies and table are proposed for amendment or addition.

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1. LCP PUBLIC WORKS COMPONENT (AMENDED POLICY)

2.37 Monitoring

Require the managing entity of the water system to monitor water consumption by use, **groundwater level trends and sustainability**, and revise the estimated buildout capacity limits and the reservations for the priority uses annually on the basis of this monitoring.

2. LCP PUBLIC WORKS COMPONENT (AMENDED POLICY)

2.39 Service Area Boundary

Limit water connections to uses within the boundary of the rural service center and to the fire protection facilities **ies and public schools** serving the rural service center on July 28, 1993.

3. LCP PUBLIC WORKS COMPONENT (NEW POLICY)

2.60 **Pescadero Fire Station**

No provision of this Local Coastal Program shall be interpreted in such a manner as to prohibit, or effectively prohibit, the construction and use of a fire protection facility and related uses at 350-360 Butano Cut Off in the Town of Pescadero, subject to conditions of a permit under Policy 5.6(b)(6) that achieves maximum compliance with Local Coastal Plan policies.

4. LCP PUBLIC WORKS COMPONENT (AMENDED TABLE)

TABLE 2.16 ESTIMATE OF WATER CONSUMPTION DEMAND AT LAND USE PLAN BUILDOUT FOR THE TOWN OF PESCADERO				
	Existing	Proposed	Total	Demand GPD ⁵
Dwelling Units	125 ¹	125 ³	250	61,250–97,000
Commercial Outlets	20 ²	20 ⁴	40	9,800–15,520
Fire Station ⁶	1	1	1	4,000 390
Public School ⁷	1	1	1	835
TOTAL				72,050 – 113,520 72,275 – 113,745
NOTES: 1. In the special census done for Pescadero in 1977, there were 100 households and 143 dwelling units in the census area. For the purpose of projecting water connections, it is assumed that when safe water is available, approximately 25 of the abandoned dwellings will be rehabilitated or repaired. 2. Count of retail outlets. 3. All lots infilled, all residential areas fully developed at densities shown. 4. Assumes slightly higher ratio of acreage to commercial outlets than exists, since best sites are already developed. 5. Assumes average consumption per connection at 245 to 388 gpd. Basis: Per capita consumption of 70 gpd is low compared to Midcoast per capita consumption of 90 gpd; 70 gpd is considered sufficient in Pescadero providing water conservation is practiced and/or public domestic supply is supplemented by water from existing private wells for non-potable uses such as lawn watering or car washings. Household size at buildout is assumed to be 3.5 persons. (3.5) (70) = 245 gpd. It is also assumed that each commercial outlet will consume as much water as one residence, with stores and similar establishments with low water needs balancing restaurants with greater water needs. 6. County Fire Station 59 average daily (CSA-11) potable water use is estimated at 326 gpd for the replacement station located at 350-360 Butano Cut Off (data based on actual use for the fire station facility at 1200 Pescadero Creek Road). Total GPD demand in this Table includes the fire station at Butano Cut Off and removal of the barracks and continued emergency staffing of the apparatus bay at 1200 Pescadero Creek Road of 8 days per year at 8 gpd. Source: Todd Groundwater, Town of Pescadero (CSA-11) Water Supply Yield and Sustainability Study, Final, March 31, 2021 7. Pescadero Middle/High School located at 350-360 Butano Cut Off anticipated average daily potable water use is 835 gpd. Source: Todd Groundwater, Town of Pescadero (CSA-11) Water Supply Yield and Sustainability Study, Final, March 31, 2021				

5. LCP LAND USE MAPS (AMENDMENT)

For consistency with land use designations for public facilities, a land use designation change is included in the project changing the LCP Land Use Designation from “Agriculture” to “Institutional” for the portion of the parcel proposed for the replacement fire station. Two LCP maps are proposed for amendment: Land Use (Pescadero) and Land Use (South Coast). The land use designation change is consistent with the County’s General Plan which already identifies the existing fire station and school parcel as Institutional.

Reasonably foreseeable impacts relating to the proposed amendments are narrow in scope and relate only to pipeline, new fire station, and decommission/remodel of the existing fire station.

Approval of the amendment requires review by Advisory Committees, Planning Commission, approval by the County Board of Supervisors, and certification by the California Coastal Commission.

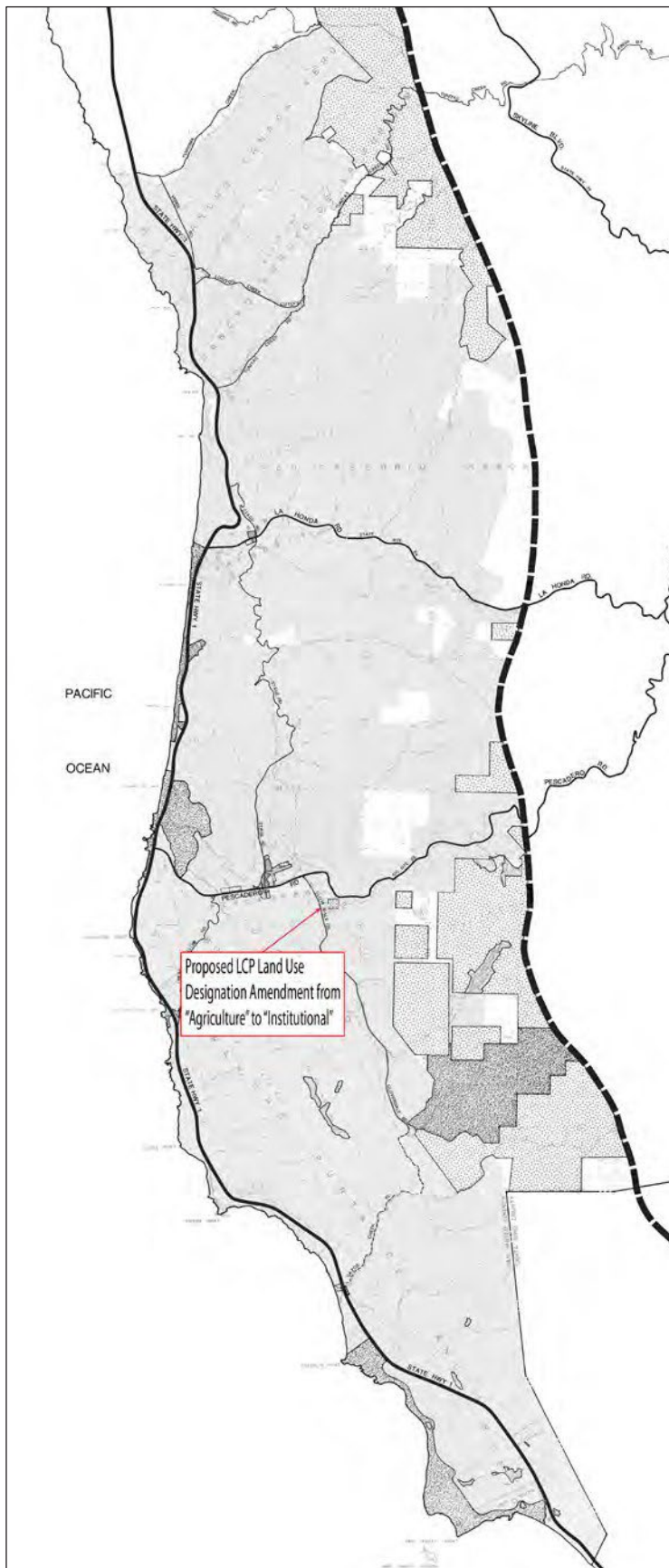
3. WATER SUPPLY SYSTEM

Background/Project Objectives/Required Approvals

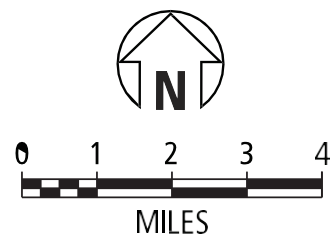
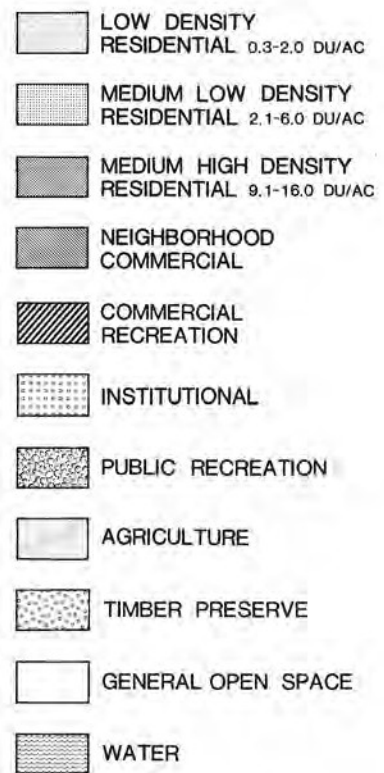
The Pescadero Middle/High School (school) water system (Water System CA4100513) provides treated potable water to approximately 192 students and staff. The school is located approximately one mile from the unincorporated Town of Pescadero (Pescadero) which is served by the County of San Mateo’s (County) Service Area 11 (CSA-11). The school’s potable water was historically provided from an on-site groundwater well (Well #1) with subsequent pH adjustment. The school’s water storage and distribution system includes a 10,000-gallon horizontal cylindrical steel tank, a 1,000-gallon steel pressure tank, a separate domestic and fire booster pump system, and distribution pipes.

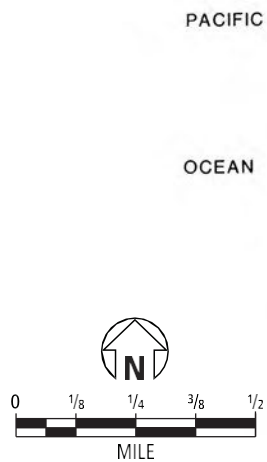
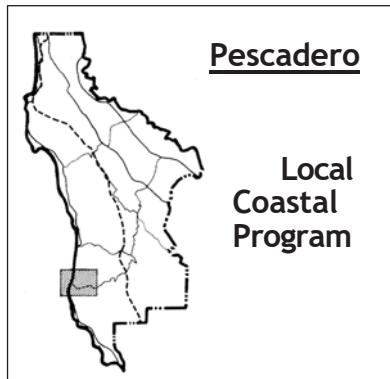
The school’s only water source (Well #1) has had four exceedances (between 2015 and 2017) of the nitrate and coliform maximum contaminant level (MCL) standards. A citation (Citation No. 02_17_17C_018) was issued by the State Water Resources Control Board on May 10, 2017, specifically based on a nitrate exceedance in April 2017, requiring the school to bring the water system up to regulatory drinking water standards. Since that time, in the absence of a safe drinking water source, students at the school have been supplied bottled water.

There is a consensus, among the local District office for the State Water Board’s Division of Drinking Water (DDW), San Mateo County, and the school officials, that the challenge of a viable water supply source for the school can be addressed by connecting the school to the existing CSA-11 water supply system. The current well (Well #1) could then be used for non-potable water use. The County also is planning to construct a replacement fire station adjacent to the school on La Honda-Pescadero Unified School District (District) property. Both the new fire station and the school would be connected to CSA-11 by this project. The proposed project would involve a new 6-inch water line to connect the school to the existing CSA-11 system.



LAND USE:





Proposed LCP Land Use Designation Amendment from "Agriculture" to "Institutional"

LAND USE:

LOW DENSITY RESIDENTIAL 0.3-2.0 DU/AC	MEDIUM HIGH DENSITY RESIDENTIAL 9.1-16.0 DU/AC	INSTITUTIONAL	AGRICULTURE
MEDIUM DENSITY RESIDENTIAL 6.1-9.0 DU/AC	NEIGHBORHOOD COMMERCIAL	PUBLIC RECREATION	WATER

The current CSA 11 service area does not include the school and the service area will need to be expanded to permit CSA 11 to serve the school. In order to expand the service area boundary of CSA-11 to include the District property, the County needs to amend certain policies of the County's Local Coastal Program (LCP). Before submitting the LCP amendments to the California Coastal Commission for certification, the County's Planning Commission and Board of Supervisors must approve the proposed LCP amendments. Following approval by the Planning Commission and Board of Supervisors, the County will submit the LCP amendments to the Coastal Commission for certification. The County will also need to transmit, after approval by the Board of Supervisors, a resolution of annexation application and Sphere of Influence amendment to the San Mateo Local Agency Formation Commission (LAFCo). LAFCo must review and approve Sphere of Influence amendment and annexation of the District property into the CSA-11 service area. Finally, entitlements, including LAFCo annexation, Coastal Development Permit (CDP), and building permits, must then be approved before construction can commence.

Project Location and Existing Conditions

This project is located in Pescadero, California, within an unincorporated portion of the County, on the San Francisco Peninsula (See Figures 1 and 2). The Pacific Ocean is about two miles to the west. Pescadero is flanked on the west by the Pacific Ocean and on the east by the Southern Coast Range. The area can be accessed by California State Route 1 and Pescadero Creek Road, Cloverdale Road, and Butano Cutoff. The proposed water main alignment would be entirely within the public right-of-way (ROW) of Pescadero Creek Road, Cloverdale Road, and Butano Cutoff, which are all County built and maintained roads. Traffic along these three roads is generally light but includes vehicular, bicycle, and pedestrian traffic. Bike lanes are marked on both sides of Pescadero Creek Road and Cloverdale Road. The area around Pescadero is rural with multiple agricultural fields and ranching.

Proposed Improvements

Proposed Pipeline Alignment

The existing pipeline along Pescadero Creek Road lies in the unpaved shoulder of the northern west-bound lane. In general, the new water main would be similarly installed in the unpaved roadway shoulders of Pescadero Road, Cloverdale Road, and Butano Cutoff. The proposed pipeline alignment is shown on Figure 2 (blue line). In addition to minimizing pavement restoration costs, installing the water main in this location allows for the best opportunity to provide safer traffic control during pipeline maintenance activities. This also keeps water main appurtenances (i.e. vaults and buried valves) out of the travelled way creating a safer environment for cyclists and keeping vehicle loads off water main appurtenances.

There are some portions of the alignment where it would not be feasible to install the pipeline in the

unpaved roadway shoulder. In these cases, the water main would be installed near the center of one lane or along the fog line. The final pipeline alignment would be designed to maximize operational safety and access for the County staff.

The pipeline would cross the ditch at Butano Cutoff and Cloverdale above the existing box culvert (bringing it to ground level) with a protective feature to prevent disturbance of pipeline. This would allow for repair and maintenance.

Proposed Pipeline Characteristics and Construction

The new 6-inch PVC water pipeline would tie into the existing 6-inch PVC water main at the fire hydrant furthest east from the Town of Pescadero along Pescadero Creek Road. The new water pipeline would be approximately 1.2 miles in length and would parallel Pescadero Creek Road, Cloverdale Road, and Butano Cutoff, connecting CSA-11 potable water service to Pescadero High School and the replacement fire station. Typical installation would involve placing the pipeline in a 4-foot by 4-foot by 2-foot trench with a sand bedding and 2.5 feet of structural backfill cover. Where the line is under pavement, two inches of asphalt cover would be placed over six inches of base. The pipeline would maintain the required horizontal separations of five feet from storm drain, gas, telephone, electric, and communication lines, and 10 feet from sanitary sewer lines. Vertical separations of two feet where crossing other utility lines would be maintained.

Construction Equipment and Activities

The project would be constructed primarily by open trenching. At Butano Cutoff and Cloverdale Road, the pipeline would cross a drainage ditch above the existing box culvert. Construction staging is proposed to occur at a graveled site on Pescadero Creek Road immediately west of its intersection with Cloverdale Road.

Traffic Control and Access

The pipeline alignment is located in Pescadero Creek Road, Cloverdale Road, and Butano Cutoff. Several private driveways also cross the proposed water main alignment. Contractor activities impacting traffic include material deliveries, off-haul of trench spoils, contractor personnel parking, and equipment staging and storage. A traffic control plan will be developed for approval by the County's Road Services Division, and will be implemented during various parts of construction. Coordination with the County's Road Services Division and an encroachment permit will be required.

Construction Schedule and Phasing

Construction of the water supply intertie would be conducted in a single phase over an approximately 6 to 9-month construction period, beginning Fall of 2022 or Spring of 2023.

4. PROPOSED NEW FIRE STATION

Background/Project Objectives/Required Approvals

The existing Pescadero Fire Station #59 is proposed for replacement at the Pescadero Middle/High School site. A replacement fire station would be constructed at the school property and the barracks at the existing fire station site would be demolished. The apparatus bay building at the current site will be retained for support use during emergencies, particularly during times Pescadero Creek Road is flooded at the Butano Creek bridge. The existing barracks are in a floodplain and are threatened annually with interior flooding. In the past, high water has caused mold and plumbing backups at the facility. Additionally, seasonal flooding of the adjacent Butano Creek denies the fire personnel direct access to the Pescadero community.

This project would require approval by the San Mateo County Board of Supervisors, as well as by the California State Coastal Commission.

Project Location and Existing Conditions

The proposed new fire station would be located on an approximately 1.65-acre site that is a part of the 28.61-acre property housing the Pescadero Middle/High School (see Figure 5). The property is owned by the Pescadero-La Honda Unified School District and would be leased to San Mateo County. Surrounding land uses include the Middle/High School parking lot and agricultural fields.

Proposed Improvements

Under the proposed project, the new fire station would be constructed and then the existing fire station barracks would be removed. The proposed new fire station would be an approximately 12,560-sq. ft building housing living space and equipment space (See Figure 6). The building would be two stories, with a maximum height of about 34 feet. It would be of modern design, with a standing-seam metal roof (See Figure 6).

The fire station would include the following:

- Living quarters for up to 12 firefighters
- Fire Department Operations and Command Center
- Offices, physical training room, conference room, restrooms, etc.
- Apparatus bay for 4 firefighting vehicles with space for 1 smaller vehicle
- Site parking for 12 staff vehicles and 12 public vehicles; parking area to accommodate a 55' firefighting vehicle turning radius.
- Fueling station with 500-gallon diesel and 250-gallon unleaded fuel tanks.
- Enclosures: 1 oil, 1 trash, 1 recycling
- Propane tank: 1 tank of 1,000-gallons

- Emergency generator (with integral fuel “day tank” and piping to onsite tank).
- New septic system with an approximately 9750 sq. ft. septic leach field
- Water line extension of CSA-11 (See Section C, below)
- Two fire suppression water tanks (to be supplied by non-potable well water at the school (Well #1))
- Abandonment of 2019 domestic well
- Drainage systems with three stormwater drainage detention basins and landscaping
- Earthwork of approximately 1,000 cu/yds export

Traffic Improvements

Minor striping along Butano Cut Off at the station may be installed to assure safe access from/to the fire station and eliminate potential conflicts with any queued vehicles accessing the adjacent high school at drop-off and pick-up times.

Grading and Stormwater Control

Although the site is flat, grading will be necessary to remove topsoil, dig footings, and install infrastructure; the project civil engineers believe the overall import/export would balance out nearly to zero.

Septic System Leach Field

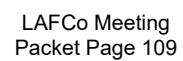
Sanitary sewage from the proposed fire station would be treated by a septic system. An approximately 15,000 sq. ft. shallow leach field is proposed on open land adjacent to the fire station site. A percolation/design recommendation study been conducted of the adequacy of the proposed fire station leach field site, which determined that the field would be adequate (BKF 2018). A detailed leach field study would be completed as part of the detailed project design.

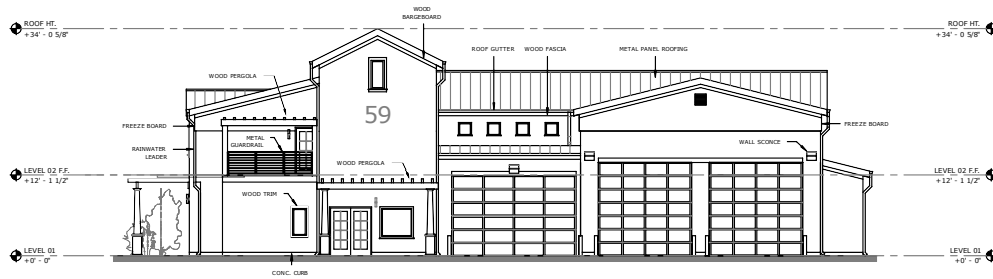
Water Supply

Potable and domestic water for the Fire Station would be from the new CSA-11 pipeline. Water tanks for fire flow requirements and truck washing would be filled with well water from the school's well supply (Well #1).

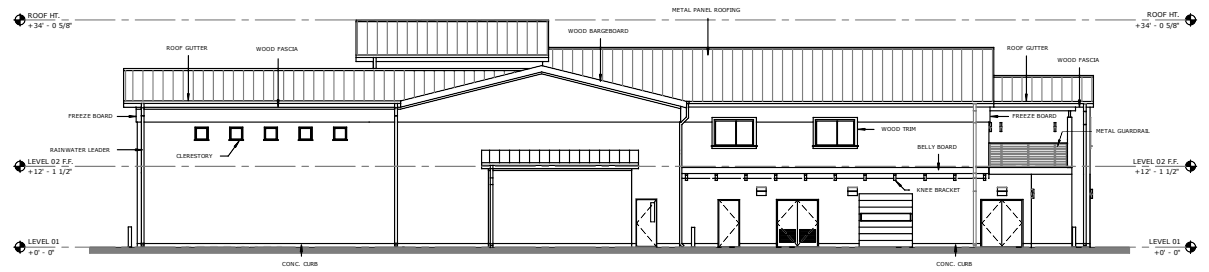
Construction Staging

Construction staging would occur on site, with minor equipment staging at the existing site (e.g. preparation to move equipment for reuse).

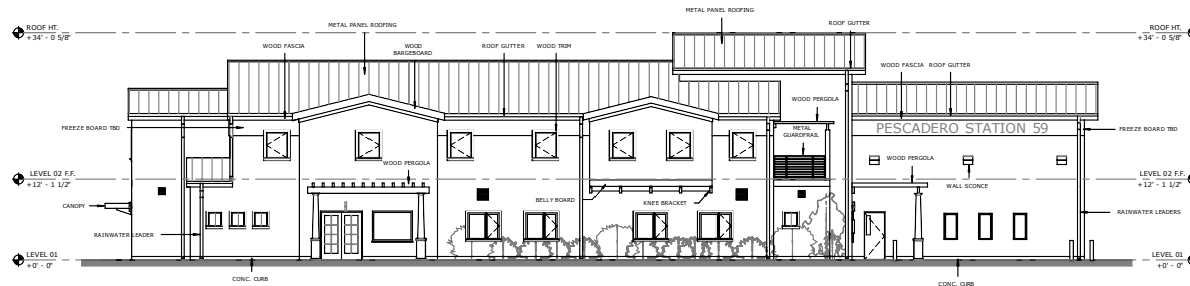




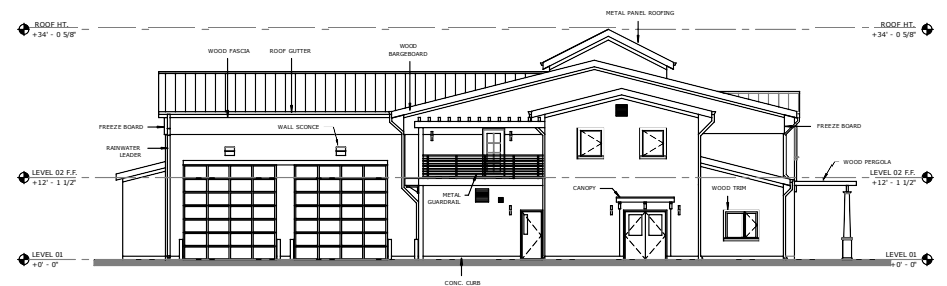
East Elevation



North Elevation



South Elevation



West Elevation

Construction Schedule and Phasing

Construction duration for replacement fire station would be 16 months, tentatively beginning Fall 2022 and completed in June 2024. Fire station construction may overlap with the water pipeline extension construction.

Construction Equipment and Activities

Construction Equipment and Staging

Construction equipment would not be determined precisely until a General Contractor is selected, but in general it would include medium-size backhoes, grading equipment, forklifts, and dump trucks; small cranes for roofing and rooftop equipment; welding equipment and high-voltage generators; compressors; office trailers; heavy-duty pickup trucks; and trailers. Most construction staging would occur on-site, with minor equipment at the existing site.

Construction Workers

The average number of construction workers would be 10-12 per day, plus a General Contractor superintendent and project manager(s). There will be 6-8 workers on site per day during the grading and underground phase (2 months), rising to an average of 12-14 per day during concrete, framing, and interior buildout (about 12 months) with some days over 20; the equipment and closeout phase would vary more widely, from 5-25 for the final months.

Proposed New Fire Station Operations

On a typical day there would be 6-8 firefighters at a time at the facility, and under “surge” conditions (such as fire season) when as many as 12 or 13 will be on-site.

Post-COVID-19, it is possible that other activities may occur at the facility (in addition to fire-fighting activities/facilities). Firefighter training, Sheriff’s Office small office, a training/community room for meetings, and a small medical treatment room for walk-in medical emergencies also would be housed at the facility.

Water tanks for fire flow requirements would be filled with well water from the school’s well supply (Well #1) for non-potable uses (irrigation, truck washing, etc.). Connection of the fire station (and school) to CSA-11 is only to meet domestic demands.

Fire trucks would be washed at the new station- an average of three apparatus will be washed per week. Light apparatus maintenance would take place at the new fire station. More intensive annual maintenance takes place off site.

Typical station responses would be as follows (based on 2019 data)

- Average Number of Dispatches per Day: 1
- Maximum Number of Dispatches Per Day: 7
- Minimum Number of Dispatches Per Day: 1

There would be no restrictions for siren use around the High School. Fire apparatus operators would utilize the siren as needed.

5. PROPOSED DECOMMISSIONING AND RE-USE OF EXISTING FIRE STATION FACILITY

As shown on Figure 7, the existing fire station at 1200 Pescadero Creek Road would be decommissioned. The project includes following actions on existing fire station site once replacement station is operational:

1. Demolition of barracks to serve as (gravel) station parking and emergency staging
2. Retention of existing small fuel pump outbuilding and existing small generator building; demolition of all other outbuildings
3. Retention of existing apparatus bay building and remodel to include 1 restroom and 1 sleeping/ready room for fire personnel
4. Retention of existing on-site well to be utilized for irrigation and fire suppression
5. Proposed retention of existing CSA-11 service for domestic water purposes (toilet, shower, and sink) within the apparatus bay building (if possible based on Water Budget Analysis conclusions)
6. Evaluation of existing septic system to include: adequate size/location of septic tank/pumps, and minor repair to leach field located partially uphill on APN 086-160-060, as necessary
7. Existing fuel tanks would remain in service (proposed)

This demolition would involve approximately 3 months of work. Materials would be dispersed between recycling (metals, glass), mulching/composting (wood and fibers), hazmat disposal (if needed), and dumps. All County guidelines for waste diversion will be met or exceeded.

6. PERMITS AND APPROVALS

Water Pipeline Permits and Approvals

The water pipeline project would require the following permits and approvals:

- County of San Mateo approval of project
- San Mateo Local Agency Formation Commission Sphere of Influence amendment and annexation for CSA-11
- Regional Water Quality Control Board approval of NPDES Permits
- State Water Resources Control Board Division of Drinking Water amendment of CSA-11 Domestic Water Supply Permit
- County approval of Local Coastal Program Amendment (California Coastal Commission certification)
- Coastal Development Permit and Grading Permit for construction (appealable to the California Coastal Commission)
- Department of Public Works Encroachment Permit

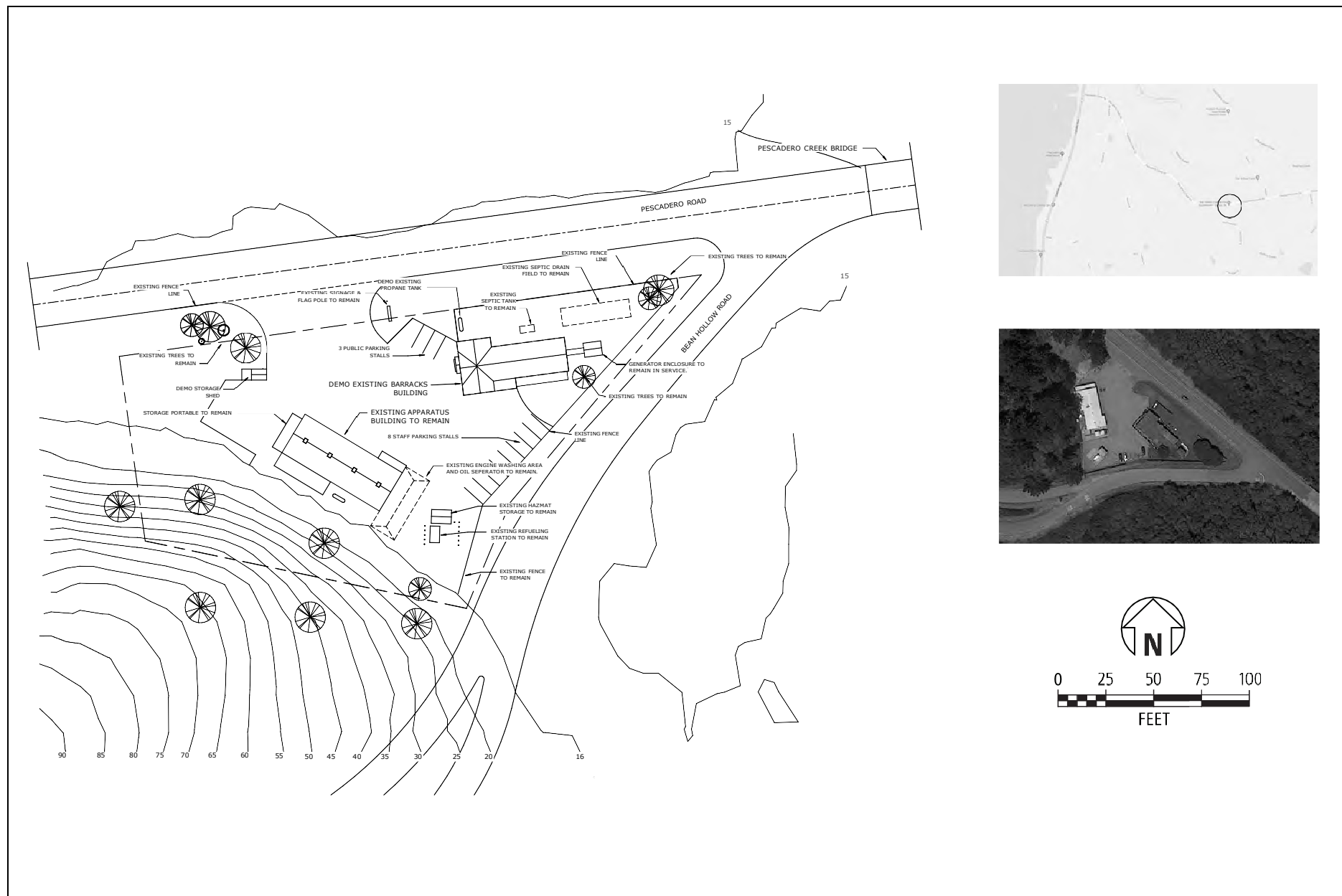


Figure 7
Existing Fire Station Site Plan

Source: Dreyfuss + Blackford Architects, Inc.

Fire Station Permits and Approvals

The fire station project would require the following permits and approvals:

- County of San Mateo Approval of Project
- Local Coastal Program Amendment (California Coastal Commission certification)
- Coastal Development Permit and Grading Permit for construction (appealable to the California Coastal Commission)
- Regional Water Quality Control Board approval of NPDES Permits
- Onsite Wastewater Treatment System Permit, Aboveground and Underground Storage Tank Permits from County Environmental Health Services
- Bay Area Air Quality Management District (BAAQMD) Permit to Operate for the new diesel generator.
- Building Permits for construction and demolition of the fire stations (issued by Planning & Building Department)
- Department of Public Works Encroachment Permit
- Lease agreement with the Pescadero-La Honda Unified school district to allow for building on school property

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Significant Unless Mitigated” as indicated by the checklist on the following pages.

	Aesthetics		Energy		Public Services
X	Agricultural and Forest Resources	X	Hazards and Hazardous Materials		Recreation
	Air Quality		Hydrology/Water Quality	X	Transportation
X	Biological Resources		Land Use/Planning		Tribal Cultural Resources
	Climate Change		Mineral Resources		Utilities/Service Systems
X	Cultural Resources	X	Noise		Wildfire
X	Geology/Soils		Population/Housing	X	Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a. Have a substantial adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?			X	
Discussion: Both Pescadero Creek Road and Cloverdale Road are within designated San Mateo County Scenic Corridors. The existing visual character of the area is rural/agricultural, with occasional rural residences. The existing high school is the only large, institutional structure in the project area, and is surrounded by open fields and agricultural land uses. The proposed fire station site is a fallow field with sparse ruderal vegetation (See Figure 8).				



FIGURE 8: View of Fire Station Site Looking Northwest on Butano Cut Off

Pipeline. The proposed pipeline would have minor visual effects during construction. Vehicles and materials would be visible at the laydown area along Pescadero Creek Road, and construction activities would be visible to passing motorists during the construction period. These impacts would be less than significant and temporary in nature. There would be no long-term aesthetic impacts associated with the pipeline.

New Fire Station. The proposed new Fire Station would be visible from Butano Cut Off Road as a visual expansion of the high school campus development. It may be visible in distant views from Cloverdale Road, which is a County Scenic Corridor. It would be consistent in scale with the adjacent existing high school buildings, and of “Modern Mission” design, in keeping with the local architectural vernacular. The site would be converted from an open field to a developed, landscaped fire station complex. This impact would be less than significant.

Existing Fire Station. The removal of the barracks building would slightly reduce the developed appearance of the existing fire station site in views from Bean Hollow and Pescadero Creek Roads, however the overall site appearance would not be substantively changed.

Source: San Mateo County General Plan, Scenic Corridors Map
(https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/GP_Scenic_Corridor.pdf)

1.b.	Substantially damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
Discussion: Neither the pipeline nor the new or proposed fire station sites would be visible from a State Scenic Highway. Highway 1 is the nearest such highway, and is over a mile west of the sites. Additionally, neither project would remove any large trees or affect any rock outcroppings or historic buildings. Therefore, no impact would occur. Source: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways; Project Plans					
1.c.	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings, such as significant change in topography or ground surface relief features, and/or development on a ridgeline? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
Discussion: Please see response to question 1.a, above. None of the projects would alter site topography, affect any historic buildings, or block or alter views of ridgelines. Both would be in low-lying agricultural and rural development areas. The pipeline would be subsurface, so would have no effect. The fire station would be visually consistent with the adjacent school. Therefore, neither would have a significant effect on the area's visual character, views, topography, or ridgelines. Source: Google Maps					
1.d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
Discussion: Pipeline. The pipeline project would not involve any new lighting. No impact would occur. New Fire Station. The new fire station would have security lighting and also emit light from nighttime use by resident firefighters. Exterior lighting would be shielded and similar to that at the existing adjacent high school and Dark Sky compatible fixtures will be used. There are no sensitive receptors or sensitive habitats/species that could be affected by project lighting near the site. Therefore this impact would be less than significant.					

Existing Fire Station. The elimination of the barracks building and reduction in use of the existing fire station would slightly reduce lighting associated with that facility. No impact would occur.

Source: Project plans.

1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
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Discussion: See discussions in Items 1a and 1b, above. The sites would be within County Scenic Corridors, but would not adversely affect the aesthetics of the corridors.

Source: San Mateo County General Plan, Scenic Corridors Map
(https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/GP_Scenic_Corridor.pdf)

1.f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
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Discussion:

None of the project sites are located in a Design Review District. General design criteria for the Pescadero/Rural Areas are identified in the zoning regulations, and GP/LCP, and will be reviewed as part of the subsequent CDP. No impact would occur.

Source: <https://gis.smcgov.org/Html5Viewer/?viewer=raster>

1.g. Visually intrude into an area having natural scenic qualities?			X	
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Discussion:

Pipeline. As described above, the pipeline would have minor aesthetic impacts during construction and no post-construction aesthetic impacts. Therefore it would not affect any natural scenic qualities.

New Fire Station. As described above, the fire station would convert an open field adjacent to the High School to a developed institutional building. It would detract slightly from the natural scenic qualities of the area, but, because of its limited size (about 1.75 acres in total) and location adjacent to the existing developed school, this impact would be less than significant.

Existing Fire Station. There would be no new development at the existing fire station site, so no visual intrusion to natural scenic qualities would occur.

Source: Site visit, Google Earth, Project Plans

2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
Discussion: All project sites are within the Coastal Zone, therefore this question is not applicable. Source: https://gis.smcgov.org/Html5Viewer/?viewer=raster				
2.b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
Discussion: Pipeline. The proposed pipeline would be buried along roadway shoulders and not affect agricultural lands. The proposed pipeline laydown area is adjacent to a roadway and is a graveled, non-agricultural property. No impact would occur. New Fire Station. The fire station site is an open field that has been used for agriculture in the past. It is currently not in agricultural use, not under Williamson Act contract, or within an open space easement. Existing Fire Station. The existing fire station site is fully developed as a fire station facility, and no new development is proposed. No impact would occur from removal of the barracks building. Both projects would be permissible under existing zoning, with Coastal Development Permits. Source: https://gis.smcgov.org/Html5Viewer/?viewer=raster				

2.c.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?		X		
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Discussion: According to the Department of Conservation Farmland Mapping and Monitoring Program California Important Farmland Finder (2018 Interactive GIS), the project areas are classified into two categories: Prime Farmland and Other Land.

Pipeline. No impact. Road right-of-way is mapped “Other Land.”

New Fire Station. If the project area were to be irrigated, the land would be designated as Prime Farmland, which is defined as: *Irrigated land with the best combination of physical and chemical features able to sustain long term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date.*

The project area has been fallow since 2013, this exceeds the four year requirement prior to the 2018 map year. Though the project area may be of a quality to sustain high yield irrigated crops, the project area has not been in agricultural use for at least eight years, as opposed to the adjacent field to the north of the site consistently used for irrigated agriculture. However, the conversion of soils for fire station use is a potentially significant impact that would be reduced to a less-than-significant level by implementation of Mitigation Measure AG-1, below. The project would have no impact on the adjacent land to continue agricultural operations.

Existing Fire Station. No impact. Entire parcel is mapped as “Other Land.”

Mitigation Measures

Mitigation AG-1: Prior to issuance of the building permit for construction of the fire station, the County shall submit evidence to the Coastal Commission for review and approval indicating that an agricultural easement burdening off-site agricultural property has been granted in perpetuity to the County or other qualifying entity, along with adequate funding to compensate for reasonable administrative costs incurred by the easement holder. The property provided as mitigation shall meet the following criteria:

- The easement shall provide agricultural conservation acreage at a ratio of 2:1 for the loss of agricultural land associated with the approved project (i.e. at least 3.5 acres shall be provided to offset the 1.75 acres of the fire station site).
- The property shall be acquired by the County and placed under an agricultural easement; or the County shall enter into an agreement to newly encumber lands owned by another entity.
- The property shall be located within the Coastal Zone, within reasonable proximity to the project site.

The property shall be on land of a similar quality as the project site (i.e., Prime Agricultural Lands). Source: Project Plans, https://maps.conservation.ca.gov/DLRP/CIFF/.				
2.d.	For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?		X	
Discussion: Pipeline. Although the pipeline alignment runs through Class I and II soils, the pipeline would be within roadway shoulders or under roadway pavement. No impact to agricultural lands would occur. New Fire Station. The fire station site is mapped as Class I Agricultural Soils. Even though the site is small (about 1.75 acres) and part of the high school campus parcel, and is separated from other agricultural soils by the high school campus and parking lot and Butano Cutoff Road, the loss of the Class 1 soils would be a potentially significant impact. This impact would be reduced to a less-than-significant level with implementation of Mitigation Measure AG-1, above. Existing Fire Station. The existing fire station is fully developed and contains no agricultural lands. No impact would occur. Source: https://gis.smcgov.org/Html5Viewer/Index.html?configBase=https://gis.smcgov.org/Geocortex/Essentials/REST/sites/publicplanning/viewers/HTML52110/virtualdirectory/Resources/Config/Default				
2.e.	Result in damage to soil capability or loss of agricultural land?			X
Discussion: See discussions under Items 2a-d, above. The pipeline project would not have any potential to adversely affect agricultural lands. The new fire station project would result in a less-than-significant loss of such lands. The existing fire station would not affect agricultural lands. Source: https://gis.smcgov.org/Html5Viewer/Index.html?configBase=https://gis.smcgov.org/Geocortex/Essentials/REST/sites/publicplanning/viewers/HTML52110/virtualdirectory/Resources/Config/Default				
2.f.	Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?			X

Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.

Discussion: There are no forest or timber lands on or near either the pipeline or the new or existing fire station sites. Therefore no impact to any such lands would occur.

Source: Site visit; San Mateo County General Plan

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
3.a. Conflict with or obstruct implementation of the applicable air quality plan?				X

Discussion: The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) currently focus much of their air pollutant control efforts on five major air pollutants: ozone, nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), and particulate matter (PM). These are the most prevalent air pollutants emitted nationwide and statewide, and they are known to be harmful to human health when their ambient levels exceed certain concentrations. Consequently, federal and state ambient air quality standards have been set for each of these pollutants (known as “criteria air pollutants”) at levels protective of human health, with an added margin of safety to afford additional protection to the young, the old and the infirm (i.e., sensitive receptors), who are more susceptible to their adverse health effects.

Ozone and suspended particulate matter (i.e., two types of the latter - particulate matter less than ten microns in diameter [PM₁₀], and particulate matter less than 2.5 microns in diameter [PM_{2.5}]) are of particular concern in the Bay Area, which is currently designated “nonattainment” for state and national ozone ambient air quality standards, for the state PM₁₀ standards, and for state and national PM_{2.5} standards; it is “attainment” or “unclassified” with respect to all the other major air pollutants.

Many other chemical compounds emitted into the air, termed toxic air contaminants (TACs), are regulated to limit their adverse impacts to human health and welfare. In California and in the Bay Area, the majority of the estimated carcinogenic/chronic health risks from TAC exposures have been attributed to relatively few TACs, the most important being particulate matter from diesel-fueled engines (DPM), which, according to the CARB, is responsible for about 70% of the cumulative cancer risk in California from all airborne TAC exposures.

The air quality analysis addressing this Initial Study’s checklist items was performed using the methodologies and significance thresholds of the Bay Area Air Quality Management District (BAAQMD), as recommended in *CEQA Air Quality Guidelines* (May 2017). The air pollutant impacts

evaluated in the Items “a” and “b” discussions below are from precursors to ozone formation (i.e., reactive organic compounds [ROG] and nitrogen oxides [NO_x]) and small-diameter particulate matter (i.e., PM₁₀ and PM_{2.5}).

According to the *Guidelines*, any Project would have a significant potential for obstructing air quality plan implementation or making a cumulatively considerable contribution to a regional air quality problem if its pollutant emissions would exceed any of the thresholds presented in Table AQ-1 during construction or operation. Thus, the significance criteria established by the BAAQMD may be relied upon to make the following determinations.

Table AQ-1: CEQA Air Quality Significance Thresholds for Criteria Air Pollutant Emissions

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82*	82	15
PM _{2.5}	54*	54	10
Fugitive Dust	BAAQMD Best Management Practices (BMPs)	Not Applicable	
Greenhouse Gases			
CO ₂ e	None	1,100 MT of CO₂e per year, OR 4.6 MT CO₂e per service population per year (residents + employees)	
Project-Level Health Risk/Hazard/PM2.5 Thresholds			
Excess Cancer Risk	10 per one million		
Chronic or Acute Hazard Index	1.0		
Incremental annual average PM _{2.5}	0.3 µg/m ³		
Cumulative Health Risk/Hazard/PM2.5 Thresholds (total contribution from all sources within the Project site Zone of Influence)			
Excess Cancer Risk	100 per one million		
Chronic Hazard Index	10.0		
Annual Average PM _{2.5}	0.8 µg/m ³		
Notes: *PM ₁₀ and PM _{2.5} thresholds for construction apply only to exhaust emissions and do not include the fugitive dust component. CO ₂ e = CO ₂ equivalent µg/m ³ = micrograms per cubic meter MT = metric ton			

In the Bay Area, including Pescadero, the applicable regional air quality plan is the BAAQMD's *2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 Plan)*, which focuses on two closely-related goals: protecting public health from air pollutant/TAC exposures and protecting the climate (the latter addressed in Climate Change, Section 8, below). The *2017 Plan* defines an integrated, multipollutant control strategy to reduce emissions of particulate matter, TACs, ozone precursors and greenhouse gases (GHG) based on four key priorities:

- Reduce emissions of criteria air pollutants and TACs from all key sources.
- Reduce emissions of "super-GHGs" such as methane, black carbon and fluorinated gases.
- Decrease demand for fossil fuels (i.e., gasoline, diesel and natural gas).
- Decarbonize the energy system.

The purpose of the Project is to provide a new water source for the existing high school and to replace an existing fire station. Once these infrastructure/public safety improvements are installed, the Project would have no net new operational air pollutant emissions. Thus, it would not add to the Bay Area's regional emission inventories nor impede the Bay Area-wide maintenance/attainment of established air quality standards nor cause exceedance of TAC health risk guidelines at local sensitive receptors.

Since compliance with BAAQMD-approved CEQA thresholds of significance for major air pollutant emissions is another condition for determining Project consistency with the *2017 Plan*, the Project would meet all BAAQMD CEQA ozone precursor and particulate emission thresholds (as addressed in the Item "b" discussion below). Thus, Project would not conflict with the regional air quality plan.

Source: BAAQMD, *2017 Clean Air Plan: Spare the Air, Cool the Climate*

3.b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?			X	

Discussion: Construction of the water supply pipeline would occur in a single phase over 6 – 9 months, beginning in the first half of 2022. Construction of replacement fire station would occur over 16 months, beginning late 2021 to mid – 2022. Fire station construction may overlap with the water pipeline construction. Demolition of the old fire station barracks would occur after the new fire station is operational.

Construction would generate temporary emissions of criteria pollutants in construction equipment exhaust and of fugitive dust from equipment and material movement. The *CEQA Air Quality Guidelines* recommend quantification of construction-related exhaust emissions and comparison of those emissions to the CEQA significance thresholds. The California Emissions Estimator Model (CalEEMod, Version 22.4.0) was used for this purpose.

Table AQ-2 provides the estimated pollutant emissions from construction equipment, material delivery/haul trucks, and worker commute vehicles associated with each project component. The estimates are for worst-case daily average emissions during the sub-phases of project construction when equipment use is the most intense (i.e., during water pipeline trench excavation and pipe installation, and during the fire station foundation preparation and building erection). These worst-case average daily construction period emissions are compared to the CEQA significance thresholds, either separately by component or combined (since there could be substantial overlap during construction) as shown below. In either case, daily emissions of each regulated air pollutant from Project construction activities would be below the CEQA significance thresholds, a less-than-significant impact.

Table AQ-2: Construction Criteria Pollutant Emissions – Year 2023 (Average Pounds per Work Day)

Project Phase	ROG	NOx	PM ₁₀ (Exhaust)	PM _{2.5} (Exhaust)
Water Pipeline Construction (3 months/65 work days for major excavation/pipe installation phases)	1.88	15.58	0.61	0.56
Fire Station Construction (2 months/44 work days for major site preparation/building foundation phases)	1.88	15.58	0.61	0.56
Significance Thresholds	54	54	82	54
Significant Impact?	No	No	No	No

Even though air pollutants in equipment/vehicular exhaust would not exceed CEQA thresholds, fugitive dust resulting from earth movement and equipment/vehicular travel over unpaved ground during Project construction could lead to local violations of ambient particulate standards unless adequate dust suppression measures are implemented.

The BAAQMD *CEQA Air Quality Guidelines* require the following basic Best Management Practices (BMP) to control fugitive dust; these measures will be included in all construction contracts for the proposed projects.

The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD basic fugitive dust control measures, including:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved surfaces shall be limited to 15 miles per hour.
- Paving shall be restored as soon as possible after construction/repair is complete.
- A publicly visible sign shall be posted at each active worksite with the telephone number and person to contact at the County Planning Department regarding dust complaints. This person

shall respond and take corrective action with 48 hours. The BAAQMD's phone number shall also be included to ensure compliance with applicable regulations.

Source: CalEEMod *User's Guide* (Version 2016.3.2, November 2017); and *Appendix D – Default Data Tables* <http://www.caleemod.com/>

3.c. Expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District?

X

Discussion: Cancer risk is the lifetime probability of developing cancer from exposure to carcinogenic substances. The potential for other adverse health impacts related to long-term TAC exposure (e.g., birth defects, neurological damage, asthma, bronchitis, genetic damage, etc.) and/or from short-term exposure (e.g., eye watering, respiratory irritation, throat pain, headaches, etc.) are evaluated using a hazard index (HI), which is defined as the ratio of a project's incremental TAC concentration at a sensitive receptor to an accepted reference exposure level (REL) as determined by the California Office of Environmental Health Hazard Assessment (OEHHA). If the HI is greater than 1.0, then the impact is considered to be significant for CEQA purposes.

Ambient DPM produced by construction equipment could substantially affect sensitive receptors within 1,000 feet of the locus of construction activity if such emissions were strong enough and lasted long enough. For the latter, the CEQA significance thresholds for TACs are based on assumptions of exposure duration of a year or longer (i.e., 70 years for cancer risk; a year for chronic non-cancer health impacts or for PM_{2.5} levels).

Pipeline – Construction. Installation of the new water supply pipeline and its connection with the existing County distribution network would occur in a single phase over 6 – 9 months; the pipeline route would follow Pescadero Creek Road and Cloverdale Road from its connection point to the existing County water line to the Pescadero school, a length of about 1.2 miles (about 6,300 feet). Since the locus of Project pipeline construction activity (including the DPM-emitting construction equipment) would move along the pipeline corridor over the 3 months required for trenching and pipe installation, no individual local sensitive receptor would be close (i.e., within 1000 feet) to this active locus for more than about a week. Thus, the DPM exposure period for any local residential receptors would be very short in comparison to the exposure times needed to threaten adverse health impacts. Thus, Project-related TAC health risks would be substantially below the CEQA health- risk significance thresholds for Project pipeline construction emissions, a less-than-significant impact.

New Fire Station – Construction. Construction of the replacement fire station would occur over a total of 16 months. But work on the most DPM-emitting, equipment-intensive stages (i.e., station foundation preparation and building erection) would take place over a much shorter period (i.e., about 2 months). The closest residential receptors to the fire station site are within 1000 feet north along Cloverdale Road; the closest school receptors are within a few hundred feet to the east and northeast of the site. Thus, local TAC exposure from fire station construction would be short in comparison to the exposure times needed to pose adverse health impacts. Thus, Project-related

TAC health risks would be substantially below the CEQA health- risk significance thresholds for fire station construction emissions, a less-than-significant impact.

New Fire Station – Operation (Emergency Generator). Project plans call for the installation of a diesel-powered generator (of as yet undetermined horsepower rating and other design specifications) that would be available to supply electric power in the event of disruption of power from external sources. Any diesel engine emits DPM, which could pose a substantial potential health risk to those living nearby depending on the size of the engine, the DPM concentration in the exhaust, the hours of operation over time, and/or its proximity to residential areas or other sensitive receptors. But in the Bay Area, all standby emergency diesel generators greater than 25 brake horsepower rating must apply for and operate under the conditions specified in a BAAQMD permit. Typically, such a permit limits the DPM content of the engine exhaust to 0.15 grams of DPM per brake horsepower, requires that the operator demonstrate through modeling that the same health risk criteria that apply to CEQA project-level TAC impacts be met for receptors near the proposed permitted source, and limits non-emergency operation of the diesel generator to a maximum of 50 hours per year for the purposes of maintenance and testing. The Project diesel-powered generator could not be installed or operated on the Project site unless it met these BAAQMD permit conditions. Further, operation of the generator for maintenance testing purposes could be limited to weekday evening and/or weekend hours when school is not in session. Thus, the incremental health risk from generator DPM emissions would pose a less than significant impact to nearby residents and Pescadero school students.

Existing Fire Station - Demolition. Demolition of the existing fire station would result in dust and construction equipment emissions during demolition activities. There are no residential or other sensitive receptors near the site, so no potentially significant impact would occur.

Source: BAAQMD, *CEQA Air Quality Guidelines* (May 2017).

3.d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	
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Discussion: CEQA odor criteria typically applies to odor sources with the potential to frequently expose substantial populations to objectionable odors over extended periods of time. But for the Project pipeline construction, the odor-emitting construction equipment would move along the pipeline corridor over the 3 months required for trenching and pipe installation, and no individual local sensitive receptor would be close to this active locus for more than about a week. For the proposed new fire station, major construction activity would occur over a short time (i.e., 2 months) in the Summer months when the Pescadero schools would not be in session. Demolition of the existing fire station barracks would generate small amounts of construction equipment odors, and there are no sensitive receptors near that site. Thus, odor impacts would be less than significant.

Source: BAAQMD, *CEQA Air Quality Guidelines* (May 2017).

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?		X		

Discussion:

Pipeline and New Fire Station Sites - A biological resources assessment of both the pipeline alignment and proposed new fires station site was conducted by Vollmar Natural Lands Consulting (VNLC) in January 2021, and is included as Attachment A to this IS. That evaluation identified the following species as having the potential to occur within the reaches of Pescadero and Butano Creeks (and associated riparian habitat) as well as coast scrub within the project area:

- Foothill yellow-legged frog (*Rana boylei*; Federally threatened and California Department of Fish and Wildlife (CDFW) Species of Special Concern),
- California red-legged frog (*Rana draytonii*; Federally threatened and CDFW Species of Special Concern),
- Santa Cruz black salamander (*Aneides niger*; CDFW Species of Special Concern),
- San Francisco gartersnake (*Thamnophis sirtalis tetrataenia*; Federally endangered, State endangered, and CDFW Fully Protected),
- Western pond turtle (*Actinemys marmorata*; CDFW Species of Special Concern),
- Bank swallow (*Riparia riparia*; State threatened),
- Long-eared owl (*Asio otus*; CDFW Species of Special Concern),
- Burrowing owl (*Athene cunicularia*; CDFW Species of Special Concern),
- Salt marsh common yellow throat (*Geothlypis trichas sinuosa*; CDFW Species of Special Concern),
- Steelhead (*Oncorhynchus mykiss irideus* pop. 8; Federally threatened),
- Tidewater goby (*Eucyclogobius newberryi*; Federally endangered),
- Pallid bat (*Antrozous pallidus*; CDFW Species of Special Concern and WBWG: High),
- Townsend's big-eared bat (*Corynorhinus townsendii*; CDFW Species of Special Concern and WBWG: High),
- Hoary bat (*Lasiurus cinereus*; WBWG: Medium), harlequin lotus (*Hosackia gracilis*, CNPS Rare Plant Rank 4.2), and
- Other migratory birds

Project activities could potentially have indirect impacts to these species and their habitats. Implementation of mitigation measures identified in the Biological Habitat Evaluation Report (Mitigation Measures BIO-1 through 14, below) would bring project impacts to a less-than-significant level.

Tricolored blackbird (*Agelaius tricolor*; State threatened, CDFW Species of Special Concern), black swift (*Cypseloides niger*; CDFW Species of Special Concern), American peregrine falcon (*Falco peregrinus anatum*; CDFW Fully Protected), have potential to occur within the Project Area for foraging only (no nesting). There are no direct or indirect impacts are anticipated as a result of project activities; therefore, no avoidance, minimization, or mitigation measures are recommended in the Biological Habitat Evaluation Report. This project would have less than significant impacts on these species.

Existing Fire Station. The existing fire station site is fully developed and includes no sensitive habitats.

Mitigation Measures

Foothill Yellow-Legged Frog

Mitigation BIO-1: Initial ground-disturbing activities shall be avoided between November 1 and March 31 to avoid the time period when amphibians and reptiles are most likely to be moving through the Project Area.

Mitigation BIO 2: Temporary exclusion fencing shall be installed around the limits of work areas and access routes to ensure special-status amphibians, reptiles, and mammals cannot enter the work area. Installation of exclusion fencing shall occur under the supervision of a designated biologist and immediately following a clearance survey of the area. The exclusion fencing shall have a minimum aboveground height of 30 inches, and the bottom of the fence should be keyed in at least 4 inches deep and backfilled with soil to prevent wildlife from passing under the fencing. Exclusion fencing shall be installed to prevent species entry into active work areas and to mark the limits of construction disturbance at equipment staging areas, site access routes, construction equipment and personnel parking areas, debris storage areas, and any other areas that may be disturbed.

Mitigation BIO-3: Plastic monofilament netting (erosion control matting), loosely woven netting, or similar material in any form shall not be used at the project site because amphibians and reptiles can become entangled and trapped in them. Any such material found on-site shall be immediately removed by the construction personnel. Materials utilizing fixed weaves (strands cannot move), polypropylene, polymer, or other synthetic materials shall not be used.

Mitigation BIO-4: No more than twenty-four (24) hours prior to the date of initial ground disturbance, a pre-construction survey for foothill yellow-legged frog and other sensitive amphibians and reptiles shall be conducted by a designated biologist at the project site.

The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of special-status amphibians and reptiles. The designated biologist shall investigate all potential areas that could be used by the species for feeding, sheltering,

movement, and other essential behaviors. If any foothill yellow-legged frogs are found, the designated biologist shall follow the procedures specified in Measure 5.

Mitigation BIO-5: Each encounter with the foothill yellow-legged frog shall be treated on a case-by-case basis in coordination with the USFWS, but the general procedure is as follows: (1) the animal shall not be disturbed if it is not in danger; or (2) the animal shall be moved to a secure location if it is in any danger. These procedures are further described below:

- When a foothill yellow-legged frog is encountered in the project area, all activities which have the potential to result in the harassment, injury, or death of the individual shall be immediately halted. The designated biologist will then assess the situation in order to select a course of action that will avoid or minimize adverse effects to the animal. To the maximum extent possible, contact with the animal shall be avoided and the applicant shall allow it to move out of the potentially hazardous situation to a secure location on its own volition. This procedure shall apply to situations where a foothill yellow-legged frog is encountered while it is moving to another location and is actively dispersing. It does not apply to animals that are uncovered or otherwise exposed or in areas where the individual is not expected to move on its own and may be in danger (e.g., within the fenced construction perimeter).
- Foothill yellow-legged frogs that are in danger (e.g., animals that are uncovered or otherwise exposed or in areas within the fenced construction perimeter where the individual is not expected to move on its own) shall be relocated and released by the designated biologist outside the construction area within the same habitat. Prior to the initial ground disturbance, the designated biologist shall obtain approval of the relocation protocol from the USFWS and CDFW in the event that a foothill yellow-legged frog is encountered and needs to be moved away from the project site. Foothill yellow-legged frog shall be released in appropriate habitat nearby within the watershed. The designated biologist shall limit the duration of the handling and captivity of the foothill yellow-legged frog to the minimum amount of time necessary to complete the task. The applicant shall immediately notify the USFWS and CDFW once the foothill yellow-legged frog is relocated and the site is secure.

Mitigation BIO-6: Uneaten human food and other refuse attracts crows, ravens, coyotes, raccoons, and other predators of amphibians, reptiles, and other wildlife. A litter control program shall be instituted at the project site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed garbage containers. The garbage containers shall be removed from the project site at the end of each working day.

California Red-Legged Frog

Mitigation Measures BIO-1 through BIO-6 also would apply to this species. In addition, the following measures would apply:

Mitigation BIO-7: A USFWS-approved biologist(s) shall be onsite until all initial habitat disturbances have ceased. The qualifications of the biologist(s) shall be submitted to USFWS for review and written approval at least thirty (30) days prior to the date earthmoving is initiated at the project site.

Mitigation BIO-8: To the maximum extent practicable, outdoor construction activities shall not occur during rain events or within 24-hours following a rain event. Prior to outdoor construction activities resuming, a designated biologist will inspect the Project Area and all equipment/materials for the presence of amphibians and reptiles.

Bank Swallow

Mitigation BIO-9: If construction activities will commence anytime during the nesting/breeding season of native bird species potentially nesting in the Study Area (typically February through August in the project region), a pre-construction survey for nesting birds shall be conducted by a qualified biologist within two weeks of the commencement of construction activities.

If active nests are found in areas that could be directly affected or are within 250 feet (for passerines) or 500 feet (for raptors) of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zone and types of construction activities restricted within it shall be determined through coordination with the CDFW, considering factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

Steelhead, Central California Coast DPS

Mitigation BIO-10: The County shall ensure that the following stormwater BMPs are implemented to protect water quality entering Pescadero and Butano Creeks:

- Schedule grading and excavation work during dry weather.
- Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matric) until vegetation is established.
- Prevent sediment from migrating offsite and protect from storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.

- Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

Tidewater Goby

Mitigation BIO-10, above, would also apply to this species.

San Francisco Gartersnake

See **Mitigations BIO-1-8** above. **Mitigation BIO- 5**, relocation protocol, will remain the same for San Francisco gartersnake.

Santa Cruz Black Salamander

Mitigations BIO-1-3, and **BIO-6**, above, also would apply to this species

Long-eared Owl

Mitigation BIO-9, above, also would apply to this species.

Burrowing Owl

Mitigation BIO-11: If construction activities commence during the burrowing owl nesting season (February 1 – August 31), a qualified biologist shall conduct preconstruction surveys covering all areas of suitable habitat within 250 feet of the proposed activity. The survey will last a minimum of 3 hours, and will either begin 1 hour before sunrise and continue until 2 hours after sunrise or begin 2 hours before sunset and continue until 1 hour after sunset. If no owls are detected during a first survey, a second survey will be conducted. If owls are detected during the first survey, a second survey is not needed. All owls observed will be counted and their locations will be mapped, and the following measure will be implemented:

If evidence of nesting burrowing owls is found, a 250-foot-wide no-disturbance buffer zone shall be established around each occupied nest and shall be delineated in the field by the biologist, using a suitable low-impact medium. Construction may proceed outside the no-disturbance buffer zones.

Salt Marsh Common Yellowthroat

Mitigation BIO-9, above, also would apply to this species.

Pallid Bat, Townsend's Big-Eared Bat, and Hoary Bat

Mitigation BIO-12: A qualified biologist shall conduct a roosting bat habitat evaluation prior to the commencement of construction activities. The evaluation shall determine if any trees proposed for removal or that are located near the work sites provide potential bat roosting habitat. If suitable roost trees or an active roost are confirmed, then a site-specific bat protection plan shall be developed by a qualified biologist to prevent disturbance of an active maternity or hibernation roost.

Western Pond Turtle

Mitigations BIO-1-3 and **BIO-6**, above also would apply to this species.

Other Migratory and Nesting Birds

Mitigation BIO-9, above also would apply to these species.

Special-Status Plant Species

Mitigation BIO-13: Appropriately-timed focused plant surveys shall be conducted during the harlequin lotus's flowering period (March - June) to detect presence of these species within the project's impact zone.

Mitigation BIO-14: If this species is determined to be present within the project impact zone (where vegetation removal is needed), then potentially impacted populations shall be transplanted to an appropriate adjacent habitat where impacts are not anticipated. The transplanting effort shall be approved by the CDFW prior to implementation.

Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.

4.b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?		X		
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Discussion: A formal wetlands delineation using US Army Corps of Engineers and California Coastal Commission protocols has been conducted for the project site and is included as Attachment B to this IS (Vollmar Natural Lands Consulting, May 2021). Pescadero Creek and Butano Creek would be considered "jurisdictional waters" by the Army Corps of Engineers (ACOE). The riparian habitat associated with these streams would be considered jurisdictional by CDFW up to the top of bank, or edge of riparian dripline, whichever is further. In addition, because the Project Area is within the Coastal Zone, potentially jurisdictional features need to only contain one wetland parameter (e.g., hydric vegetation), compared to presence of all three wetland parameters typically needed for areas outside of the California Coastal Commission's jurisdiction.

Pipeline. In the southwest corner of Pescadero High School, the pipeline is proposed to be located beneath Cloverdale Road, where a ditch conveys surface water to Pescadero Creek. This ditch is a jurisdictional wetland feature. There are also several culverts located along Pescadero Creek Road and Cloverdale Road that drain upland sheetflow to these streams.

No trees or large shrubs would be removed. In addition, location of the pipeline beneath the roadway would avoid either direct or indirect adverse impacts to habitat and aquatic resources associated with Pescadero Creek and Butano Creek. In combination with the SWPPP (see Geology discussion) this would reduce any impacts to off-site wetlands to less than significant.

New Fire Station. The proposed development footprint of the new fire station is located on a disced field. At the time of the site visit (both on December 7, 2020 and May 7, 2021), there were no indications of direct-surface water connection from the agricultural features to the emergent channel feature to the west; these features are separated by an at-grade, unpaved roadway. Overall, there were no hydric indicators (vegetation, soils, and hydrology) present for these agricultural features. The CDFW has been consulted and concurs with this conclusion (Schweitzer, pers. com.).

Therefore, the new fire station site is considered an upland feature that would likely not be subject to federal, state, or county jurisdiction. In addition, the proposed fire station leach field is a sufficient distance from the drainage swale area to assure that untreated wastewater from the fire station would not enter the drainage or Pescadero Creek. Similarly, the site's distance from any drainage features in combination with the SWPPP (see Geology discussion) would reduce any impacts to off-site wetlands to less than significant.

Existing Fire Station. No wetland features or habitats were mapped on the existing developed fire station site (Vollmar Natural Lands Consulting, May 2021). Therefore no impacts to riparian or wetland habitats would occur.

Sources: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021; Delineation of Potential Jurisdictional Waters, CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Projects. Vollmar Natural Lands Consulting, May 19, 2021

4.c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

X

Discussion: See discussion in 4.b, above.

Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.

4.d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

X

Discussion: See discussion of special-status fish and wildlife in 4.a, above. The projects would not affect migration routes of any species because the pipeline would be underground and the fire station site is not in a migratory pathway. In addition, fish migration would not be impeded by the project assuming fisheries mitigation measures identified above are implemented.

Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.

4.e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or

X

ordinance (including the County Heritage and Significant Tree Ordinances)?				
Discussion: No trees are anticipated to be removed as a result of project activities. As a result, this project would have no impact on local policies or ordinances protecting biological resources. Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.				
4.f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?		X		
Discussion: A portion of the site is within designated critical habitat for California red-legged frog; specifically, the existing Fire Station No. 59 site. Critical habitat for this species also covers a majority of the surrounding land. Critical habitat for tidewater goby is located approximately 0.5-mile downstream (northwest) of the project area, and critical habitat for marbled murrelet is located approximately 1.3 miles to the east. Finally, both Butano and Pescadero Creeks are designated critical habitat for steelhead (Central California Coast DPS). Implementation of the mitigation measures for these species would reduce the potential for indirect impacts to these species to a less-than-significant level; see discussion in 4.a, above. Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.				
4.g. Be located inside or within 200 feet of a marine or wildlife reserve?				X
Discussion: The Project Area is not within 200 feet of a marine or wildlife reserve. The projects would have no impact on marine or wildlife reserves. Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.				
4.h. Result in loss of oak woodlands or other non-timber woodlands?				X
Discussion: There are no oak woodlands located within the project area. There would be no impacts to oak woodlands. There are riparian woodlands (non-timber woodlands) within the Project Area that could potentially be indirectly impacted as a result of project activities. See discussion 4.b. Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.				

5. CULTURAL RESOURCES. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?			X	

Discussion: A cultural resources assessment was conducted for the pipeline and fire station sites (SAS 2021). That study included a records search through the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University as well as a field survey of the sites.

The record search results (NWIC File No. 20-1076) provided to SAS on January 6, 2021 indicated that no previously documented cultural resources were identified directly in the project area. However, a total of 39 prehistoric and historic-era sites and features have been documented within the half-mile search area. With the exception of a single prehistoric habitation site east of Pescadero Creek and about 1,500 ft. east of Cloverdale Road, all of the previously documented resources consist of historic-era buildings in and near the old town of Pescadero. As described below, the field surveys did not identify any evidence of historic or prehistoric resources on the sites.

Pipeline. The proposed water main trenching runs from the main driveway entrance to the Pescadero High School, west long the north side of Butano Cutoff, north along the east side of Cloverdale Road, cutting across to the west of Cloverdale Road then west along the west side Pescadero Creek Road. The alignment then cuts across the roadway again and terminates at a designated point near the main business district of Pescadero. The surveyed alignment was along a roadside easement and crossed drainage ditches and residential properties/farms.

No historic-era or prehistoric cultural materials were identified along the pipeline route.

New Fire Station. On January 20, 2021, SAS archaeologists conducted an intensive pedestrian survey of the entire project area using parallel transects spaced no greater 20 meters apart in the open field on the north side of Butano Cutoff. (fire station site) The remainder of the project area consisted primarily of a linear corridor within or immediately adjacent to Butano Cutoff, Cloverdale Road, and Pescadero Creek Road. When possible, eroded areas and other occurrences of mineral soil such as rodent burrows were examined closely for any indications of surface or near-surface cultural remains. Where ground surface visibility existed in the open field on Cloverdale Road and Butano Cutoff, the SAS survey did not identify any historic-era or prehistoric cultural resources.

Existing Fire Station. The existing fire station site is fully developed and has been graded for construction of that facility. The building to be removed is of modern design and does not appear to have any historic properties. Therefore removal of the existing barracks would not affect any historical resource.

Source: Solano Archaeological Services (SAS), Cultural Resources Technical Memorandum, Pescadero County Service Area 11 Project, San Mateo County, California. February 3, 2021. <https://www.smcgov.org/media/127981/download?inline=>

5.b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?

X

Discussion: As described in Item 5a, above, a records search and intensive site survey found no evidence of archaeological resources. In addition, the Native American Heritage Commission's Sacred Lands File search indicated that no properties possessing cultural significance to the Native American community are known to be located within or in the vicinity of the project area, and none of the NAHC-listed representatives contacted by SAS provided any information on the project area. However, it is possible that unknown cultural resources may be encountered during project construction. Mitigation Measures CULT-1, below, would reduce this impact to ***less than significant***.

Mitigation CULT-1. To reduce potential impacts on presently undocumented early Native American cultural resources, a qualified professional archaeologist and a Native American monitor shall be present on-site during all subsurface ground-disturbing activities at the site of the proposed new fire station. If prehistoric remains (e.g., structure traces, stone artifacts, bone and/or shell concentrations) are encountered during subsurface construction and/or demolition activities, ground disturbances in the vicinity of the find shall cease until the monitor can determine the nature and potential significance of the remains and recommend mitigation. Mitigation can include, but shall not be restricted to, no action, additional documentary research, testing, and contiguous block unit excavation and resource documentation in accordance with CEQA standards.

In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, excavation in the vicinity of the burial shall immediately cease and the primary construction contractor and/or archaeological/Native American monitor shall notify the County. The County or their designated representative shall notify the county coroner who is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner's findings, the County, the archaeologist/Native American monitor, and the NAHC-designated most likely descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American human remains are identified in PRC Section 5097.9.

Source: Solano Archaeological Services (SAS), Cultural Resources Technical Memorandum, Pescadero County Service Area 11 Project, San Mateo County, California. February 3, 2021. <https://www.smcgov.org/media/127981/download?inline=>

5.c.	Disturb any human remains, including those interred outside of formal cemeteries?		X		
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Discussion: As described in Item 5a, above, a records search and intensive site survey found no evidence of archaeological resources. However, it is possible that unknown human remains may be encountered during construction of the pipeline or new fire station projects. Mitigation Measure CULT-2, below, would reduce this impact to ***less than significant***.

Mitigation CULT-2. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the San Mateo County Sheriff/Coroner shall be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission, which will in turn appoint a Most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with the Applicant and a qualified archaeologist to determine the proper treatment of the human remains and any associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via Project construction design change.

Source: Solano Archaeological Services (SAS), Cultural Resources Technical Memorandum, Pescadero County Service Area 11 Project, San Mateo County, California. February 3, 2021. <https://www.smcgov.org/media/127981/download?inline=>

6. ENERGY. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6.a.	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	

Discussion:

Pipeline. The Project would not result in wasteful, inefficient, or unnecessary consumption of energy. Water would be supplied to the School largely by existing system pressure – only pipeline construction would require additional energy expenditure and there would be no on-going expenditure of energy for pipeline operation. The school's well, near the administrative buildings, will remain and continued to be used for irrigation and other non-potable uses. The well drilled within the fire station lease area would be abandoned.

New Fire Station. The existing fire station nearer Pescadero would be decommissioned and the new fire station would be constructed adjacent to the existing school with minimal net energy

increase from operation of the Project fire station. The new fire station building would comply with State of California energy conservation regulations and San Mateo County General Plan energy conservation/efficiency policies (see Item 6.b discussion below).

Existing Fire Station. The existing fire station barracks would be demolished, but the apparatus bay will remain; a bathroom may be added to the apparatus bay. Minimal use of energy would occur for demolition and partial reuse of the facility.

Source: Project plans.

6.b.	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.			X	
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Discussion: The State Building Standards Commission adopted updates to the California Green Building Standards Code (CALGreen), which went into effect in January 2011. CALGreen contains requirements for construction site selection, storm water control during construction, construction waste reduction, indoor water use reduction, material selection, natural resource conservation, and site irrigation conservation. CALGreen provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. CALGreen also requires building commissioning, which is a process for verifying that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency. CALGreen provides the minimum standard that buildings need to meet in order to be certified for occupancy, but does not prevent a local jurisdiction from adopting more stringent requirements. CALGreen is intended to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; and (3) reduce energy and water consumption.

The *San Mateo County General Plan – Chapter 17 – Energy and Climate Change Element* contains the following goals and policies regarding energy efficiency:

Goal 2: Maximize energy efficiency in new and existing development.

- **Policy 2.5: Continue implementation of green building standards that exceed state energy efficiency standards.**
 - Implementing Strategy 2.5A: Continue to require the participation of new development and significant remodels in green certification programs or standards that reduce energy use, such as the Leadership in Energy and Environmental Design (LEED) program, GreenPoint Rated, or CALGreen.
 - Implementing Strategy 2.5B: Consider options to expand the requirements or applicability of the Green Building Ordinance to achieve higher levels of energy efficiency.

The new fire station would be built in accordance with California's CALGreen standards and, thus, would be in accord with *San Mateo County General Plan* energy efficiency goals and policies.

Source: Project plans.

7. GEOLOGY AND SOILS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>			X	

Discussion: Both the pipeline and the fire station sites are partially within mapped fault hazard zone of the San Gregorio Fault, with mapped faults a short distance to the south and west of the sites. Damage could occur to one or both facilities in the event of a major earthquake in the region, including possible fault rupture damage.

Based on GHD's review of the USGS Quaternary Fault and Fold Database, the San Gregorio fault zone crosses through the proposed project alignment and exits in an Alquist-Priolo Earthquake Fault Zone. The next nearest active fault is the San Andreas Fault Zone and the Monte Vista-Shannon Fault Zone located approximately 11.2 miles east and 12.4 miles east, respectfully. The proposed project is an underground utility and is not expected to contain standing structures. Therefore, according to the Alquist-Priolo Earthquake Fault Zoning Act, Section 2621.6 2(a) the project is exempt from the Special Studies Zones requirements.

A fault evaluation study was conducted of the fire station site (ENGEO 2016). That study included cutting and evaluating two long trenches on the site to determine whether the site is crossed by a fault. The study concluded that no faults cross the site. It also identified two areas on the western and eastern sides of the site where construction of habitable structures should be avoided.

Pipeline. Given its proximity to several fault traces of the San Gregorio fault zone, it is possible that the pipeline could be damaged and service disrupted due to fault rupture. This damage would be repairable in a relatively short period of time, therefore this impact is considered less than significant.

New Fire Station. The fire station could be damaged or destroyed if unmapped faults on the site were to rupture. However, fault trenching across the entire site did not encounter evidence of past faulting on the site. Therefore this impact would be considered less than significant.

Existing Fire Station. Removal of the existing barracks would have no effect with respect to fault hazards.

Sources:

<https://gis.smcgov.org/Html5Viewer/Index.html?configBase=https://gis.smcgov.org/Geocortex/Essentials/REST/sites/publicplanning/viewers/HTML52110/virtualdirectory/Resources/Config/Default>; ENGEO, Fault Evaluation Report, Proposed Fire Station (Apr 087-053-010), 360 Butano Cutoff, Pescadero, California. July 21, 2016.

ii. Strong seismic ground shaking?

X

Discussion: Both projects could be exposed to extreme ground shaking from a major earthquake on the nearby faults.

Pipeline. The pipeline could be damaged and service disrupted due to seismic shaking-induced ground settlement, including liquefaction. This impact would be reduced to a less-than-significant level by implementation of Mitigation Measure GEO-1, below. (See Item 7.c, below)

New Fire Station. The fire station also could be damaged and service disrupted due to seismic shaking-induced ground settlement. In addition, fire equipment may be damaged and unsecured objects may topple and pose a hazard to residents of the station. If extensive station damage were to occur, it is possible that equipment and personnel may not be able to respond to other earthquake-related effects requiring their services. This potentially significant impact would be reduced to a less-than-significant level with implementation of design recommendation in the project geotechnical report, as required in Mitigation Measure GEO-2.

Mitigation GEO-1: The pipeline shall be designed and constructed in accordance with design parameters and recommendations included in the geotechnical investigation prepared for the pipeline project (GHD 2021)

Mitigation GEO-2: The fire station foundation and site preparation shall include all recommendations of a preliminary geotechnical/geologic hazards report, which shall be prepared prior to project approval and include assessments of, and recommendations for, soil settlement, liquefaction, differential settlement, expansive soils, and other geologic hazards.

Existing Fire Station. Removal of the existing fire station barracks would have no effect with respect to seismic shaking.

Source:

<https://gis.smcgov.org/Html5Viewer/Index.html?configBase=https://gis.smcgov.org/Geocortex/Essentials/REST/sites/publicplanning/viewers/HTML52110/virtualdirectory/Resources/Config/Default>; GHD, Geotechnical Investigation Report, Pescadero High School Water System Improvement Project. January 21, 2021.

iii. Seismic-related ground failure, including liquefaction and differential settling?

X

Discussion: The project area, both pipeline and fire station sites, is in low and moderate liquefaction zones. Liquefaction hazards can be limited to less-than-significant levels by appropriate foundation (fire station) and pipeline design. Mitigation Measures GEO-1 and GEO-2, above, would ensure that the fire station design accounts for liquefaction risks.

Source: County of San Mateo, Earthquake Liquefaction Map, Entire San Andreas Fault.

iv. Landslides?

X

Discussion: None of the sites are mapped as in a landslide hazard zone. Both the pipeline and new fire station sites are on generally level ground distant from potentially unstable hillsides. No landslide impacts are expected.

Source:

<https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>

v. Coastal cliff/bluff instability or erosion?

X

Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).

Discussion: Both the pipeline and both fire station project sites are over a mile inland from the coast and therefore neither would be subject to cliff erosion. No impact would occur.

Source: Google Maps

7.b. Result in substantial soil erosion or the loss of topsoil?

X

Discussion: The project sites are located in a generally semi-rural area that is comprised of typically flat terrain with nearby rolling hills. Soil conditions in the area are mainly derived from sedimentary alluvial deposits and are expected to contain fine grained native sand, silt, and clay. Minor rock and stone may exist within the nearby hilly terrain. Also, it is expected that near-surface engineer- compacted fill may be encountered near the roadways, which was placed there during roadway construction. Groundwater levels are expected to be shallow, approximately 8.0 feet below the surface, according to the California Department of Water Resources, Water Data Library.

During construction, both the pipeline and new fire station project sites would be subject to minor soil erosion during construction, however, because both project sites are on generally level lands, this erosion would not be significant. Removal of the existing barracks at the existing fire station would temporarily expose soils on that level site. The new fire station would involve about 3,000 cubic yards of cut and 930 cubic yards of fill. Cut and fill for pipeline trenching has not been estimated but cut material would be replaced in the trench after the pipeline is laid down, so cut-and fill would be approximately balanced on that project. No cut or fill is proposed at the existing fire station site.

Each of the projects would be subject to erosion-control requirements of the Regional Water Quality Control Board, including construction Stormwater Pollution Prevention Plans. Post-construction, erosion would be minimal as the sites would be developed (fire station), or revegetated and/or compacted (pipeline). Therefore this impact would be less than significant.

Source: Project Plans., GHD Final Engineering Report, Pescadero High School, February 2021.
[https://planning.smcgov.org/sites/planning.smcgov.org/files/2-17-2021%20CSA-11%20Final%20Engineering%20Report%202-9-2021%20\(GHD\).pdf](https://planning.smcgov.org/sites/planning.smcgov.org/files/2-17-2021%20CSA-11%20Final%20Engineering%20Report%202-9-2021%20(GHD).pdf)

7.c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?

X

Discussion: See responses to items 7a and 7b, above. Implementation of Mitigation Measures GEO-1 and GEO-2, above, would reduce the impacts of geologic instabilities to the projects to a less-than-significant level.

Source: Project Plans., GHD Final Engineering Report, Pescadero High School, February 2021.
[https://planning.smcgov.org/sites/planning.smcgov.org/files/2-17-2021%20CSA-11%20Final%20Engineering%20Report%202-9-2021%20\(GHD\).pdf](https://planning.smcgov.org/sites/planning.smcgov.org/files/2-17-2021%20CSA-11%20Final%20Engineering%20Report%202-9-2021%20(GHD).pdf) GHD, Geotechnical Investigation Report, Pescadero High School Water System Improvement Project. January 21, 2021.

7.d. Be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code, creating substantial direct or indirect risks to life or property?

X

Discussion: Based on the GHD field exploration and laboratory analysis along the pipeline alignment, including the fire station site frontage, the subsurface materials generally consist of varying layers of medium dense to very dense sand and medium stiff to hard clay. Typically, the near surface soils consist of low to medium plastic material with fine-grained gravel particles, underlain by medium to highly plastic clay. Clays can exhibit high shrink-swell potential that may damage foundations and infrastructure. However, these impacts would be reduced to a less-than-significant level with implementation of Mitigation Measures GEO-1 and GEO-2, above. Removal of the existing fire station barracks building would have no affect with respect to expansive soils.

Source: GHD, Geotechnical Investigation Report, Pescadero High School Water System Improvement Project. January 21, 2021.

7.e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

X

Discussion:

Pipeline. The pipeline would not generate any wastewater and therefore have no impacts with respect to septic systems.

New Fire Station. The proposed fire station would include a septic system with an approximately 15,000 sq. ft. leach field to be located immediately west of the fire station facility. This location has been evaluated with respect to leach field location requirements (distance from property lines, buildings, wells and water courses, and avoidance of flood hazards), and found to be suitable (ENGEO June 2018). A percolation test of the proposed leachfield site showed a percolation rate of 7.4 inches per hour in the upper sandy soils on the site, which is considered excellent for a leachfield. The lower soils (below about 5 feet below the surface) are high-plastic clays with much lower percolation rates. The septic treatment is proposed to be via a shallow system, which would also ensure that it is not affected by high groundwater, meeting the 5-foot vertical clearance required by the Health Code. This would assure that impacts of the system on soil capabilities would be less than significant.

Existing Fire Station. Removal of the barracks building would reduce septic system use at that site. No impact would occur.

Source: ENGEO, Well and Leachfield Placement Study, Revised June 11, 2018; BKF Engineers, Memo from Dale Leda, Project Manager, to Laurence Miller, San Mateo County, November 16, 2018.

7.f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
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Discussion: Paleontological resources—or fossils—are the remains of ancient plants and animals that can provide scientifically significant information about the history of life on Earth. Paleontological “sensitivity” is defined as the potential for a geologic unit to produce scientifically significant fossils. This sensitivity is determined by rock type, past history of the rock unit in producing significant fossils, and fossil localities that are recorded from that unit. Paleontological sensitivity is assigned based on fossil data collected from the entire geologic unit, not just at a specific site. Paleontological resources are considered to be non-renewable because they are the remains of prehistoric animal and plant life. Impacts to paleontological resources are identified from high to zero depending on the resource sensitivity of impacted formations.

To determine if the proposed project has any potential to impact significant paleontological resources or unique geologic features, a review of various archival sources was conducted to identify previous finds and documented paleontologically and geologically sensitive landforms within or near the project area. These sources included, but were not necessarily limited to the University of California Museum of Paleontology (UCMP) database, California Department of Conservation geologic map sheets, and information available through the University of California Berkeley Natural History Museums.

The underlying geology of the project area and vicinity consists largely of Middle Miocene marine formations made up of highly erodible, interbedded sandstones, mudstones, limestones, and sediments derived from these rock types (Natural Resources Conservation Service 2021). The presence of the San Andreas Fault in the area created the San Gregorio strike-slip fault, which is the

cause of significant uplifting and rock deformation in the area. Further deformation of the region was caused by lower sea levels and exposure to weathering during the last ice age 10,000 to 70,000 years ago. Currently, erosional weathering and strike-slip fault motion dominate the geomorphology (UC Santa Cruz 2019). These tectonic processes led to the exposure of fossil-bearing rock strata in and near the project area.

A review of the UCMP database indicated that while several specimens of quaternary gastropods have been found in Pescadero, no paleontological specimens appear to have been recorded directly within or immediately adjacent to the project area. A large number of paleontological samples, however, have been documented in the surrounding area in a range of geologic settings and formations. For example, cretaceous invertebrates such as Anthoza (anemones and corals), and Cephalopoda (squid, octopus, cuttlefish, etc.) (UCMP 2021) and various tertiary species have been found in the nearby Butano Creek and Pescadero Creek channels. Finds have been made at Mussel Rock (about 6.5 miles north of Pescadero) consisting of two plant fossils (Pinopsida - a class of conifer) (USDA 2021), at Purisma Creek approximately 12 miles northeast of the project area (Tertiary bivalves and gastropods), and Pigeon Point, about 5 miles south of Pescadero where dozens of examples of quaternary gastropods have been recorded. Specimens of quaternary gastropods have also been noted in Lobitos which is located about nine miles north of Pescadero, and on Hoffman Creek, about 5 miles east of the project area. Therefore, construction of the new fire station and water pipeline, and removal of the existing barracks would not have an adverse effect on paleontological resources.

Sources: UCMP (University of California Museum of Paleontology) 2021

<https://ucmp.berkeley.edu/cnidaria/anthozoa.html>

University of California Santa Cruz 2019 <https://eps.ucsc.edu/>

USDA (U.S. Department of Agriculture) 2021

<https://plants.usda.gov/java/ClassificationServlet?source=display&classid=Pinopsida>

NRCS (Natural Resources Conservation Service) 2021

<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

8. CLIMATE CHANGE. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	

Discussion: Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse. The accumulation of GHGs has been implicated as the driving force for global

climate change. The primary GHGs are carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O), ozone, and water vapor. While the presence of the primary GHGs in the atmosphere are naturally occurring, they are also emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere.

There is international scientific consensus that human-caused increases in GHGs have and would continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that statewide GHG emissions will be reduced to 1990 levels by 2020.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine-county San Francisco Bay Area Air Basin. As part of that role, the BAAQMD has prepared CEQA Air Quality Guidelines (May 2017) that provide CEQA thresholds of significance for operational GHG emissions from land use projects (i.e., 1,100 metric tons of CO₂e per year¹, which is also considered the definition of a cumulatively considerable contribution to the global GHG burden and, therefore, of a significant cumulative impact), but has not defined thresholds for project construction GHG emissions. The Guidelines methodology and thresholds of significance have been used in this Initial Study's analysis of potential GHG impacts associated with the Project.

Discussion: The CalEEMod model (Version 2020.4.0) was used to quantify GHG emissions associated with Project construction activities. For the water pipeline, the estimated construction GHG emissions would be 119.4 metric tons of CO₂e. For the fire station, the estimated construction GHG emissions would be 80.8 metric tons of CO₂e.

A small amount of additional emissions would occur during demolition of the existing fire station barracks building; this would occur after completion of the new fire station. There is no BAAQMD CEQA significance threshold for GHG emitted from construction activities. However, there would be no or minimal net new operational GHG emissions after project construction is complete (i.e., the new firehouse would replace existing facilities of the same type, and the pipeline would not generate emissions after construction). Thus, Project GHG emissions would be less than significant.

Source: CalEEMod model (Version 2016.3.2)

8.b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the			X	
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¹ CO₂e, or carbon dioxide equivalent, is a standard unit for measuring GHG emissions impact. Each different GHG is expressed in terms of the amount of CO₂ that would create the same amount of global warming.

purpose of reducing the emissions of greenhouse gases?				
Discussion: Since the project would not contribute any permanent net new operational GHG, it would be consistent with the GHG reduction targets adopted by the State of California. The project would not conflict with any plan, policy or regulation adopted for the purpose of reducing GHG emissions nor conflict with any BAAQMD or State policies to reduce GHG emissions. Therefore it would have a less-than-significant impact. Source: BAAQMD CEQA Air Quality Guidelines, May 2017.				
8.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
Discussion: There is no forest land on any of the project sites. No impact would occur. Source: Google Maps, site visit.				
8.d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X
Discussion: The proposed pipeline and the new and existing fire station sites are on level ground well inland and neither would be susceptible to cliff erosion/retreat hazards. Source: Google Maps				
8.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
Discussion: The proposed pipeline and fire station would be on level ground well inland from the coast, and neither would be susceptible to sea level rise hazards. Source: Google Maps				
8.f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
Discussion: Pipeline. The proposed pipeline would be subsurface and therefore would not affect flood flows.				

New Fire Station. The proposed new fire station would be outside of the 100-year flood plain.

Existing Fire Station. Removal of the existing barracks would not place any new structures in a floodway.

Source: Project Plans; Pescadero Floodway Map

(<https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Pescadero%20floodway%20map.pdf>)

8.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?

X

Discussion:

Pipeline. The proposed pipeline would be subsurface and therefore would not affect flood flows.

New Fire Station. The proposed fire station would be outside of the 100-year flood plain, so no impact to flood flows would occur.

Existing Fire Station. Removal of the existing barracks would not place any new structures in a floodway.

Source: Project Plans; Pescadero Floodway Map

(<https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Pescadero%20floodway%20map.pdf>)

9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?			X	

Discussion: Both the water pipeline and fire station would be beneficial to the public with respect to responding to hazardous materials spills or other incidents associated with such materials. Both would involve small quantities of fuels solvents, and other hazardous materials during construction. Neither involve transporting, use or disposal of large quantities of hazardous materials, however the fire station does include fuel tanks and a fire truck fueling station.

Pipeline. No transport, storage, or use of hazardous materials would occur.

New Fire Station. The fire station would involve use of paints, solvents, and other construction materials during construction. These would be handled only by professionals and typically stored off-site until needed in construction. This impact would be less than significant.

During project operations, the fire station would have a fueling station and also store oils and chemicals associated with light vehicle maintenance. Heavy maintenance would be done off-site. The fueling station would include containment facilities for any fuel spills, and all storage of fuels would be in conformance with all state, local, and federal regulations governing fuel storage. Additionally, the firefighters on-site would be trained to respond to fuel spills and associated hazards. Other hazardous materials stored at the new fire station would be fire suppression foam, and normal daily cleaning supplies. These would be properly stored, handled by trained staff, and not pose a hazard to the community or students and staff at the adjacent school. Therefore this impact would be less than significant.

Existing Fire Station. Removal of the existing barracks building would not involve routine transport of any hazardous materials.

Source: Project Plans

9.b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X (fire station)	X (pipeline)	
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Discussion:

Pipeline. The proposed pipeline would be carrying water, so any upset would not pose a hazard to the public other than a disruption of water supplies. No impact would occur.

New Fire Station. The proposed new fire station does not include any components that would pose a “reasonably foreseeable” significant hazard to the public. Hazards associated with fuel storage and use are addressed above in response to Items 9a.

Existing Fire Station. Removal of the existing fire station barracks could release lead-based paints (LBP) and/or asbestos containing materials (ACM). Mitigation Measure HAZ-1 would reduce this impact to a less-than-significant level.

Mitigation HAZ-1: Prior to demolition of the existing fire station barracks, the structures shall be surveyed for potential hazardous materials including but not limited to ACM and LBP. Any such materials encountered shall be removed by a hazardous materials removal firm with staff trained and equipped for such removal activities. Any removed hazardous materials shall be disposed of in a State-approved Class III Hazardous Waste Disposal Facility.

Source: Project Plans

9.c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within			X	
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one-quarter mile of an existing or proposed school?				
Discussion: A portion of the pipeline would serve Pescadero Middle/High School and the proposed new fire station would be adjacent to the Middle/High School campus. Neither project would emit or handle hazardous substances, wastes, or acutely hazardous materials other than those associated with the fueling station. Pipeline. Small quantities of construction-related materials would be used in the construction of the pipeline near and on the school campus. These would not pose a hazard to the school. This impact would be less than significant. New Fire Station. The fire station would handle and store hazardous materials at the fueling station, which are addressed in response to Items 9a and b, above. Existing Fire Station. Removal of the existing fire station barracks and reuse of the apparatus bay building would not result in the operational emissions of hazardous materials. Source: Project Plans				
9.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
Discussion: None of the sites are listed pursuant to Government Code Section 65962.5 (Cortese List) and there are no such listed sites in or near Pescadero. Therefore no impact would occur. Source: https://www.envirostor.dtsc.ca.gov/public/search?CMD=search&city=Pescadero&zip=&county=San+Mateo&case_number=&business_name=&FEDERAL_SUPERFUND=True&STATE_RESPONSE=True&VOLUNTARY_CLEANUP=True&SCHOOL_CLEANUP=True&CORRECTIVE_ACTION=True&tiered_permit=True&evaluation=True&operating=True&post_closure=True&non_operating=True&inspections=True				
9.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?				X
Discussion: There are no airports within two miles of Pescadero. The nearest airport is at Half Moon Bay, nearly 15 miles north of the project sites. Therefore there would be no impacts from any of the projects.				

Source: Google Maps				
9.f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X
Discussion: Both the pipeline and replacement fire station projects would enhance emergency response, and neither would conflict with any emergency response plan. Removal of the barracks at the existing fire station would not reduce emergency response because the apparatus bays may be re-used and the existing emergency response services would be relocated to the new fire station. Source: Project Plans				
9.g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X
Discussion: The projects would enhance wildfire response abilities, providing enhanced water supply and fire protection services. No adverse impact would occur. Source: Project Plans				
9.h.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X
Discussion: Pipeline. The pipeline project does not include any housing. No impact would occur. New Fire Station. The proposed fire station would include housing for up to 12 firefighters. However, the station would be outside of the mapped 100-year flood plain, so no impact would occur. Existing Fire Station. Housing at the existing fire station barracks would be removed and replaced at the new fire station; no net impact on housing would occur. Source: Pescadero Floodway Map (https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Pescadero%20floodway%20map.pdf)				
9.i.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?			X

Discussion:

Pipeline. Although there has been periodic flooding along Cloverdale Road associated with the Cloverdale Road Ditch, the proposed pipeline would be subsurface and therefore would not affect flood flows.

New Fire Station. The proposed fire station would be outside of the 100-year flood plain, so no impact would occur.

Existing Fire Station. Removal of the existing barracks would not place any new structures in a floodway.

Source: Project Plans; Pescadero Floodway Map

(<https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Pescadero%20floodway%20map.pdf>); WRECO, Cloverdale Road Ditch Hydraulic and Hydrologic Analysis, March 14, 2017.

9.j.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
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Discussion: The project sites are not in areas mapped by the County as subject to dam failure inundation. Also see responses to Items 9h and I, above. No impacts would occur.

Source:

https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Dam_Failure_Inundation.pdf

9.k.	Inundation by seiche, tsunami, or mudflow?				X
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Discussion:

Neither the pipeline nor the proposed new fire station sites would be subject to inundation from tsunamis. The existing fire station is subject to tsunami hazards, but the project would remove housing from that facility, reducing exposure. The pipeline and new fire station sites are on level ground and distant from any slopes where mudflows may occur. Seiches occur in enclosed basins; no such basins occur near the sites. No impacts would occur.

Source: https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Inundation_SanGregorio_Quad_SanMateo.pdf

10. HYDROLOGY AND WATER QUALITY. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?			X	

Discussion: The current water supply for Pescadero High School is in violation of water quality standards. The project is intended to alleviate this condition by connecting the school to CSA-11 water supplies, which comply with those standards.

Both the pipeline and fire station involve earthwork that could result in off-site sedimentation, which could adversely affect water quality, however both would include construction Stormwater Pollution Prevention Plans that would assure that this impact would be less than significant.

Fire Station. The proposed fire station would involve truck fueling, light maintenance of vehicles, and truck washing. Truck fueling, maintenance, and washing would be conducted in contained areas. The fire apparatus parking, service, and wash areas would drain internally and runoff would be directed to a 750-gallon oil/water separator. Collected oils, greases, and other contaminants would be hauled to an appropriate disposal site. Spilled hazardous materials also would be collected and could be separated out for disposal in this system. Non-contaminated water, including wash water, would be directed first to an on-site underground septic collection tank and then directed to the septic system and drain field adjacent to the fire station.

The fire station includes a septic system for treatment of domestic wastewater and vehicle wash-water. A preliminary design study (including a percolation test) indicates that the proposed septic system site would be suitable to serve the project. The final septic system design has been reviewed for adequacy by the San Mateo County Environmental Health Services prior to project approval.

Source: Project Preliminary Grading, Drainage and Utility Plan; BKF Engineers, Memo from Dale Leda, Project Manager, to Laurence Miller, San Mateo County, November 16, 2018.

10.b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		X		
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Discussion: A groundwater supply study was prepared for CSA-11 (Todd Groundwater, June 2019). That study indicated that the CSA-11 supply is overdrawn on an annualized basis, but would be adequate for about 90 years, with a decline of about 0.5 feet/year, depending on the climate and weather during that period. However, it is possible that the rate of groundwater level decline may increase in the future, if rates of recharge to the Butano Ridge aquifer decrease and/or nearby pumping by other groundwater users increases. In addition, as the climate warms, the combination of potential decreased rainfall (and associated decreased groundwater recharge) and increased air temperature (and associated increased evapotranspiration and possible increased outdoor water use) may result in less groundwater supply and greater demand. CSA 11 water supply sustainability can be partially managed through operational actions, such as future lowering the pump in Well No. 3, or by developing additional local water supply sources (groundwater and/or surface water). It is also possible that the water table decline may stabilize or equilibrate, as a cone of depression may have developed or may continue to develop around the CSA 11 wells to the degree that causes increased local hydraulic gradients and associated increased groundwater inflow from adjacent areas of the aquifer. The 2019 Todd report also recommended that CSA 11 limit future expansion of the service area boundary and associated increased water demand, at least until an alternative water source is identified and developed.

School Water Supply

Supplying CSA-11 water to the high school for potable use (non-potable uses would continue to be supplied by the school's well), and supplying the new fire station would slightly increase the demand on CSA-11's water supply. A follow-up study was prepared that audited existing water connections, and assessed long term water supply yield, sustainability, and water quality impacts with the proposed connections to the high school and new fire station (Todd Groundwater, March, 2021). That study found total system-wide water use during calendar years 2015-2019 averaged 19,442 gallons per day (gpd) as measured by customer meters at the 101 active connections. The study then assessed irrigation use of CSA-11 water and found that a strict prohibition on landscape irrigation probably would not be sufficient by itself to eliminate the long-term water-level declines noted in the earlier study. Water loss by leakage in the system also was assessed.

Non-potable water use at Pescadero Middle/High School is presently supplied by an on-site well, and its production is metered. During 2014-2016, the amount of water produced averaged 736 gpd. School staff confirmed that in 2019 water use was "about 25,000 gallons per month", or 822 gpd (LaGow, 2020). This rate is within 12 percent of the 2014-2016 average. The maximum monthly use during 2014-2016 was 35,500 gal/mo (1,168 gpd), or 1.42 times greater than average use during 2014-2016. This reflects recent but pre-Covid-19 use, which is the appropriate basis for long-term planning.

Groundwater produced by the school well reportedly has elevated nitrate concentrations that exceed State Maximum Contaminant Limits (MCLs) for drinking water. About three years ago, the school

began purchasing bottled water for drinking. Detailed records for a 6-month period in 2017-2018 indicated a fairly steady consumption averaging 13.1 gpd (over all days of the month during the school year) (LaGow, 2020). This represents less than 0.07 percent of total water use by existing CSA-11 customers.

Non-potable uses at the school could continue to be supplied by the school's well after potable uses have been switched to the CSA-11 system. These include infrequent water use for storage tank cleaning, pressure tank maintenance, bus washing, initial irrigation for establishing turf, and filling fire trucks. During 2012-2016 those uses corresponded to an average daily use of 123 gpd (LaGow, 2017). Landscaping on the front side of the school is not irrigated. The playing field behind the school building is flood irrigated once in spring by pumping out of Pescadero Creek. The baseball infield was formerly irrigated but is no longer (LaGow, 2020). Although toilet flushing is a non-potable use, it could be expensive to separate the toilet supply from the rest of the building supply. That use is conservatively included in the demand that would be switched to the CSA-11 supply. In 2019 there were about 165 students and 33 staff. Men's bathroom urinals are flushless.

The total new demand placed on the CSA-11 system by connecting the school would average about 835 gpd, which corresponds to an increase of 4.3 percent in systemwide demand. This estimate is conservatively high because it uses the higher of the two estimates of average monthly use and includes some infrequent non-potable uses that in the future likely could continue to be supplied by the well (historically on the order of 120 gpd).

Fire Station Water Supply

The current fire station is served by a well and by the CSA-11 distribution system. The well supplies the "apparatus bay" building, which houses an office, toilet, sink, clothes washer and three fire trucks. The fire station well appears to be in good working order. The limitation on yield appears to be the well itself. The storage tank provides sufficient capacity to supply one-time demands of up to 2,350 gallons, but the well might need to operate for two days to replenish that volume. Water use for the toilet, sink, and clothes washer is 20-25 gallons per day according to the station captain (Cunningham, 2020). The barracks building is already connected to the CSA-11 distribution system (since at least 2012), and water use is metered. This use includes washing of fire trucks. During non-emergency periods, fire trucks are filled with water from the CSA-11 system, but typically from an off-site hydrant. That use is not metered but is estimated to be less than 5,000 gallons per year (equivalent to less than 14 gpd). However, a single major fire event can use more than 10,000 gallons (Gregg, 2020). Average annual use of CSA-11 water at the fire station has been fairly steady at 326 gpd since 2012. The maximum bimonthly use recorded during that period was 836 gpd, or 2.56 times greater than average annual use. One of the leading sites under consideration for the new station is next to Pescadero Middle/High School. Potable uses would be served by the municipal distribution system extension to the school (same as potable uses at the existing station). The number of staff at the new facility is expected to be the same as at the existing fire station. Those uses are supplied by the CSA-11 system at present. Thus, CSA-11 water use at the new station is expected to be the same or slightly less than current CSA-11 water use at the existing station.

After the move, the existing fire station would be staffed only during emergencies, or an estimated 5-8 days per year (Mintier, 2020). A conservatively high estimate of average monthly use in the future would be the current daily use at the barracks (326 gpd) multiplied by 8 days per year and divided by

365 days, which is 8.0 gpd. This assumes future emergency staffing would have as many people on-site as current routine staffing. If the emergency staff are in addition to the normal staff at the new fire station, this use would be an increase of 0.04 percent in total annual system demand.

Water Supply System Operational Impacts

The maximum measured water use over a bimonthly measurement period for the entire system during 2015-2019 was 24,164 gpd during June-July 2016. This is 1.24 times the average use during 2015-2019 (19,442 gpd). The average and maximum water use amounts are equivalent to flows of 13.5 gallons per minute (gpm) and 16.8 gpm, respectively. Well No. 1 pumps at a rate of 60-70 gpm. To keep up with average demand, Well No. 1 pumps approximately 5.0 hours/day into the storage tanks. During the maximum month, it needed to pump approximately 6.2 hours/day. To supply the additional maximum-month demands from the middle/high school (1,168 gpd), the well would need to operate an additional 17 minutes per day. To supply the future water demand at the existing fire station when it is staffed during an emergency (326 gpd), the well would need to operate an additional 5 minutes per day. New CSA-11 Well No. 3 has a sustainable pumping rate greater than 100 gpm. Therefore, the daily operating times required to meet the aforementioned demands will be less than the operating times for Well No. 1.

Well No. 1 or Well No. 3 could easily supply the average and maximum demands associated with the middle/high school and fire station simply by operating a few additional minutes per day. Total well operating time for either well would remain less than 7 hours per day (even less for Well No. 3), which is comfortably sustainable. Under peak demand periods, wells can operate up to 24 hours per day without adverse effect, although 12 hours per day is often used as a target long-term duty cycle.

The storage tanks provide sufficient buffer to accommodate maximum day and peak hour demands. Tank No. 1 has a capacity of 140,000 gallons, which can supply average demand for 7 days. Tank No. 2 is slightly larger and can supply average demand for 8.5 days (some of its contents are designated for emergency use only) (Todd Groundwater, 2019). Maximum day demand for municipal water systems in California is commonly on the order of 2.0 times average day demand (West Yost & Associates, 2014; Black & Veatch, 2018). The maximum day demand factor is probably smaller in Pescadero because the factor correlates with the amount of irrigation, which is a small percentage of total use in Pescadero. Conservatively assuming a maximum day demand factor of 2.0, the additional water needed on the maximum day could be obtained by temporarily using one-seventh of the storage capacity of Tank No. 1 or by running the supply well by an additional 3-4 hours. Peak hour demands involve smaller volumes of water that are easily absorbed by tank storage. Thus, between the storage capacity of the tanks and the additional operating time available for the wells, the system can easily supply maximum day and peak-hour demands.

Long-Term Water Supply and Demand Impacts

The effect of connecting Pescadero Middle/High School and the proposed replacement fire station to the CSA-11 water distribution system depends on how much they would increase existing overdraft. The steady long-term decline in water levels at the CSA-11 wells since 1992 shows that pumping has consistently exceeded recharge. Some of the pumping is supplied by recharge, and the remainder is overdraft.

Linear extrapolations of the recent Well No. 1 water level trend and increased decline rates for increased pumping scenarios were developed to estimate potential future water levels

and dates associated with reaching critical depths such as depths to the well pump intakes. If the existing 2015-2019 trend of 0.5 ft/yr of water level decline continues, the water level will drop below the top of the Well No. 1 well screen around 2039 and would reach the pump intake at around 2115. It would not reach the top of the well screen and pump intake in Well No. 3 until approximately 2115 and 2120, respectively. Adding the demand from the school and fire station would shorten those time frames for Well No. 3 to about 2094 and 2099, respectively.

These results are sensitive to the estimate of sustainable yield because a small percent change in the yield estimate creates a much larger percent change in the overdraft estimate. For example, if the current estimate of yield is increased or decreased by 10 percent, the projected water-level trends for current demand (without the school and fire station) are shown as the blue dot-dashed line and dashed magenta line, respectively. This range of uncertainty is larger than the effect of adding the school and fire station.

The above analysis is for static water levels. Based on the measured specific capacity and likely pumping rate (100 gpm) of Well No. 3, pumping water levels are 24 feet lower than static water levels. This means that the pump in Well No. 3 could break suction 35 years sooner than shown on the figure, or in approximately 2064 for the scenario with the school and fire station. Breaking suction occurs when the water level in the falls to the depth of the pump intake, at which point air becomes entrained in the pumped water, and water production rates decrease. The pump in Well No. 1 would start to break suction around 2057. It would no longer be serviceable as a backup well after that date because the pump was already lowered to near the bottom of the well and cannot be lowered farther.

If the pump in Well No. 3 started to break suction, it could be lowered, as was done in Well No. 1. It is presently four feet below the top of the screen, and the screen extends for another 96 feet. If that option is pursued, the limiting factor for water level decline could be the risk of sea water intrusion or depletion of flow in Butano Creek if water levels declined 70 feet from their current elevation. At that point, however, static and pumping levels would be below the top of the screen, which could decrease well output and cause air entrainment in the well water that would potentially damage the pump.

Groundwater Quality Impacts

There has been no historical correlation between groundwater levels and water quality at the CSA-11 well field. Todd Engineers (2002) found no relationship between water levels and water quality in Wells 1 and 2. Water quality data for the CSA-11 wells since 2004 indicate that although a few of the variables such as turbidity and barium have occasional high values, none of the parameters exhibit an increasing or decreasing trend over time. Nitrate might be an exception, with a possible decreasing trend since 2004. Overall, water quality does not appear to be dependent on groundwater levels. Therefore, connecting the middle/high school and fire station to the CSA-11 system is not expected to affect the quality of water delivered to customers.

The water quality of Well No. 1 meets all drinking water standards. Of the constituents shown in the figure, sixteen are regulated under primary (health-based) drinking water standards and three under secondary (aesthetic) drinking water standards. All but one of the measured concentrations were less than half of the primary or secondary maximum contaminant level (MCL), including nitrate at 5-

26 percent of the primary MCL. Total dissolved solids (TDS) was the exception at 63-72 percent of the long-term secondary MCL (500 mg/L).

Future Development Impacts to Water Supply

Table 2.16 of the 2013 Local Coastal Program (LCP) lists estimated annual water demands for existing and proposed land development categories in Pescadero. Buildout demand equals the sum of the existing and proposed water demands. The table shows revisions made for this study based on actual water use during 2015-2019. The LCP estimates for existing conditions were high in terms of number of connections and water use per connection. The actual number of residential connections is 90. If there are 3.5 residents per household, per-capita use is 48 gpcd. Commercial use is similarly smaller than the LCP estimate with respect to number of connections and water use per connection. For the third category, the LCP recognized that there is one fire station, but metered use of CSA-11 water at the station has been only one-third the LCP estimate. Overall actual water use during 2015-2019 has averaged 19,442 gpd, or only 34-53 percent of the LCP estimate.

Estimated total water use with the additional connections plus the middle/high school (a demand that was not anticipated in the LCP) is 48,544 gpd, or 43-68 percent of the LCP estimate. It is 29,102 gpd greater than existing total water demand.

If the additional future water demand were supplied by the existing CSA-11 wells, water level declines would accelerate rapidly. Water levels would decline to the Well No. 3 pump intake by 2044 and to the top of the screen by 2047. New water supplies would be needed to support the growth envisioned in the LCP.

Climate Change Effects on Water Supply

The California Department of Water Resources has developed statewide grids of climate change factors representing anticipated precipitation and reference evapotranspiration (ET_o) conditions in 2030 and 2070. That grid, applied to the project area, estimates that that rainfall (and hence groundwater recharge) are expected to be greater under 2070 climate conditions, which at least partly offsets the effect of increased ET on water supply. Thus, the warmer but wetter climate expected by 2070 would not likely cause a large net increase or decrease in net water consumption.

Conclusions of Significance

As detailed above, the proposed fire station and high school demands would incrementally affect CSA-11 water supply and demand. Although there would be an adequate water supply for CSA-11 for the next 20-30 years, wells would continue to decline. Eventually, new water supplies would be necessary, with or without the proposed projects. This impact is considered potentially significant, but would be reduced to a less-than-significant level with implementation of Mitigation Measures HYDRO-1 and HYDRO-2, below.

Mitigation Measures

Mitigation HYDRO-1: County Service Area-11 (County of San Mateo Department of Public Works) shall conduct monthly water level measurement of Well #1 and Well #3 to monitor ongoing aquifer capacity.

Mitigation HYDRO-2: County Service Area-11 (County of San Mateo Department of Public Works) shall evaluate groundwater level trends. Should the water level drop below 6 feet

above the top of the well screen in Well #3 during static conditions, CSA-11 shall manage water supply sustainability through operational actions such as lowering the pump, or by developing other local groundwater or surface water supply sources.

Sources: Daniel Craig and Amber Ritchie, Todd Groundwater, Memorandum to Mark Chow, County of San Mateo. June 12, 2019 <https://www.smcgov.org/media/127966/download?inline=>;
Todd Groundwater, Town of Pescadero (CSA-11) Water Supply Yield and Sustainability Study, Final, March 31, 2021. <https://www.smcgov.org/media/127971/download?inline=>

10.c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:

i. Result in substantial erosion or siltation on- or off-site;

X

Discussion: None of the projects would alter any drainage patterns such that increased erosion or siltation would occur. The fire station would include stormwater retention/infiltration basins to limit peak flows from the site to existing levels or lower. Therefore this impact would be less than significant.

Source: Project Preliminary Grading, Drainage and Utility Plan

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

X

Discussion:

Pipeline. The pipeline project would not increase impervious surfaces and therefore would not increase runoff from the site.

New Fire Station. The fire station could increase the overall quantity of site stormwater runoff because much of the site (33,8781 sq. ft.) would be covered with impervious surfaces. However the project would collect much of the runoff and direct it to three on-site stormwater retention/infiltration basins, which would be sized to limit peak runoff from the site to no greater than existing conditions. Additionally, runoff collected from the apparatus parking and washing areas would be collected, cleaned via an oil-water separator, and directed to the project septic system. Therefore, additional off-site surface runoff would be minimal, and this impact would be less than significant.

Existing Fire Station. The amount of impervious surfaces at the existing fire station would be reduced by removal of the barracks building and converting that site to a gravel parking area. Therefore runoff from that site would be reduced.

Source: Project Preliminary Grading, Drainage and Utility Plan

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
Discussion: Pipeline. The pipeline project would not increase impervious surfaces and therefore would not increase runoff from the site. New Fire Station. See Item 10.cii, above. The fire station could increase overall site stormwater runoff because much of the site (33,8781 sq. ft.) would be covered with impervious surfaces. However the project would collect much of the runoff and direct it to three on-site stormwater retention/infiltration basins, which would be sized to limit peak runoff from the site to no greater than existing conditions. Additionally, runoff collected from the apparatus parking and washing areas would be collected, cleaned via an oil-water separator, and directed to the project septic system. Therefore additional off-site surface runoff would be minimal, and this impact would be less than significant. Existing Fire Station. The amount of impervious surfaces at the existing fire station would be reduced by removal of the barracks building and converting that site to a gravel parking area. Therefore runoff from that site would be reduced. Source: Project Preliminary Grading, Drainage and Utility Plan				
iv. Impede or redirect flood flows?				X
Pipeline. The proposed pipeline would be subsurface and therefore would not affect flood flows. New Fire Station. The proposed fire station would be outside of the 100-year flood plain, so no impact to flood flows would occur. Existing Fire Station. Removal of the existing barracks would not place any new structures in a floodway. Source: Project Plans; Pescadero Floodway Map (https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Pescadero%20floodway%20map.pdf)				
10.d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
Discussion: See items 10.c.iv and 9k, above. Neither the new fire station nor pipeline project would risk release of pollutants due to project inundation from these causes. The removal of the barracks building at the existing fire station would reduce potential pollution impacts from that structure in a tsunami event.				

Source: Project Plans; Pescadero Floodway Map

(<https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Pescadero%20floodway%20map.pdf>); https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Inundation_SanGregorio_Quad_SanMateo.pdf

10.e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

X

Discussion: As described in Item 10.b, above, none of the projects would adversely affect a water quality control plan or sustainable groundwater management plan. Both projects would slightly increase demand for water from the CSA-11 system, however this increased demand would not substantially affect the long-term sustainability of that system.

Source: Daniel Craig and Amber Ritchie, Todd Groundwater, Memorandum to Mark Chow, County of San Mateo. June 12, 2019. <https://www.smcgov.org/media/127966/download?inline=>; Todd Groundwater, Town of Pescadero (CSA-11) Water Supply Yield and Sustainability, Draft, January 22, 2021. <https://www.smcgov.org/media/127971/download?inline=>

10.f. Significantly degrade surface or groundwater quality?

X

Discussion: See response to Items 10a and 10d.iii, above. The projects would have a less-than-significant adverse effect on surface or groundwater quality.

Source: Project Preliminary Grading, Drainage and Utility Plan; add septic study

10.g. Result in increased impervious surfaces and associated increased runoff?

X

Discussion: See responses to Items 10d.ii and iii, above. The projects would have a less-than-significant adverse effect on increased runoff.

Source: Project Preliminary Grading, Drainage and Utility Plan

11. LAND USE AND PLANNING. Would the project:

**Potentially
Significant
Impacts**

**Significant
Unless
Mitigated**

**Less Than
Significant
Impact**

**No
Impact**

11.a. Physically divide an established community?

X

Discussion:

Pipeline. The pipeline would be a small-diameter subsurface pipe along existing roadways. Therefore it would have no potential to divide a community.

New Fire Station. The fire station would be adjacent to an existing high school surrounded by agricultural lands distant from the main town of Pescadero. Therefore it would have no potential to divide a community.

Existing Fire Station. Removal of the existing barracks building would not have any potential to divide a community.

Source: Project Plans; Google Maps

11.b. Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	
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Discussion: As described in this Initial Study, none of the projects would have a significant unmitigable impact on the environment. Therefore they would not have the potential to conflict with environmental plans or policies.

Source: Initial Study Evaluation

11.c. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?			X	
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Discussion:

Pipeline. The pipeline would be designed to serve only the high school and fire station's domestic water needs. No additional hookups would be permitted. The proposed annexation area for CSA 11 is only inclusive of the high school and new fire station property. In addition, the area's general plan and zoning designations are for agricultural uses, which substantially limits the area's development potential. Therefore the pipeline would not encourage additional development in the school/fire-station area, or elsewhere along the pipeline route. Non-potable fire station water would be supplied by high school's existing well.

New and Existing Fire Station Projects. The relocation of the fire station from the existing site on Pescadero Road to this site would improve the operations of the station in adverse conditions, but would not provide new or expanded fire services that would induce growth to the region.

Source: San Mateo County General Plan and Zoning Ordinance

12. MINERAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
Discussion: None of the projects would occur on mapped mineral resources lands. Therefore no impact to mineral resources would occur. Source: https://maps.conservation.ca.gov/mineralresources/				
12.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Discussion: None of the projects would occur on mapped mineral resources lands. Therefore no impact to mineral resources would occur. Source: https://maps.conservation.ca.gov/mineralresources/				

13. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X (fire station)	X (pipeline)	
Discussion: Background. Sound is created when vibrating objects produce pressure variations that move rapidly outward into the surrounding air. The more powerful the pressure variations, the louder the sound perceived by a listener. The decibel (dB) is the standard measure of loudness relative to the human threshold of perception. Noise is a sound or series of sounds that are intrusive, objectionable				

or disruptive to daily life. Many factors influence how a sound is perceived and whether it is considered disturbing to a listener; these include the physical characteristics of sound (e.g., loudness, pitch, duration, etc.) and other factors relating to the situation of the listener (e.g., the time of day when it occurs, the acuity of a listener's hearing, the activity of the listener during exposure, etc.). Environmental noise has many documented undesirable effects on human health and welfare, either psychological (e.g., annoyance and speech interference) or physiological (e.g., hearing impairment and sleep disturbance).

Just as vibrating objects radiate sound through the air, if they are in contact with the ground, they also radiate mechanical energy through the ground. If such an object is massive enough and/or close enough to an observer, the ground vibrations can be perceptible and, if the vibrations are strong enough, they can cause annoyance to the observer and, if still stronger, damage to buildings. Annoyance and structural damage correlate strongly with the velocity produced by the vibration source at receptor locations. The vibration metric most commonly used to correlate vibration levels with human annoyance and structural damage is the vibration decibel (VdB).

Regulatory Setting

The San Mateo County General Plan contains the following noise control goals, objectives and definitions

GOALS AND OBJECTIVES

16.1 Strive Toward a Livable Noise Environment

- *Strive toward an environment for all residents of San Mateo County which is free from unnecessary, annoying, and injurious noise.*

16.2 Reduce Noise Impacts Through Noise/Land Use Compatibility and Noise Mitigation

- *Reduce noise impacts within San Mateo County through measures which promote noise/land use compatibility and noise mitigation.*

16.3 Promote Protection of Noise Sensitive Land Uses and Noise Reduction in Quiet Areas and Noise Impact Areas

- *Promote measures which: (1) protect noise sensitive land uses, (2) preserve and protect existing quiet areas, especially those which contain noise sensitive land uses, and (3) promote noise compatibility in Noise Impact Areas (i.e., defined as areas experiencing noise levels of 60 dB CNEL² or greater).*

Noise emissions within the County of San Mateo are also regulated by the County Code, Chapter 4.88 – Noise Control:

330 - Exterior noise standards.

- *It is unlawful for any person at any location within the unincorporated area of the County to create any noise, or to allow the creation of any noise on property owned, leased, occupied*

² CNEL, the Community Noise Equivalent Level, is a 24-hour average sound level with a 5 dB “penalty” added to sound levels occurring in the evening between 7:00 p.m. and 10:00 p.m., and a 10 dB penalty added to sound levels occurring between 10:00 p.m. and 7:00 a.m.

or otherwise controlled by such person which causes the exterior noise level when measured at any single or multiple family residence, school, hospital, church, public library situated in either the incorporated or unincorporated area to exceed the noise level standards as set forth in Table I following:

Table NOI-1 - Receiving Land use: Single or Multiple Family Residence, School, Hospital, Church, or Public Library Properties Noise Level Standards, dB

Category	Cumulative Number of Minutes in any one-hour time period	Daytime 7 A.M.—10 P.M.	Nighttime 10 P.M.—7 A.M.
1	30	55	50
2	15	60	55
3	5	65	60
4	1	70	65
5	0	75	70

The County Code contains the following exemption for construction noise (Section 4.88.360):

The following activities shall be exempted from the provisions of this chapter:

- *Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property, provided said activities do not take place between the hours of 6:00 P.M. and 7:00 A.M. weekdays, 5:00 P.M. and 9:00 A.M. on Saturdays or at any time on Sundays, Thanksgiving and Christmas.*

Pipeline. Installation of the new water supply pipeline and its connection with the existing County distribution network would occur in a single phase over 6 – 9 months. The pipeline route would follow Pescadero Creek Road and Cloverdale Road from its connection point to the existing County water line to the existing Pescadero school site, a length of about 1.2 miles (about 6300 feet). Since the locus of Project pipeline construction activity (including the major noise-emitting construction equipment) would move along the pipeline corridor over the 3 months required for trenching and pipe installation, no individual local residential sensitive receptor would be close (i.e., within several hundred feet) to this active locus for more than about a week. Thus, Project-related pipeline construction noise impacts would be less than significant.

New Fire Station. The Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) was used to estimate the noise levels at various distances from the locus of construction work produced by the project working group (i.e., a dump truck, a backhoe, and a loader) during the 3-month foundation preparation and building erection stages, with results as displayed **Table NOI-2**.

Since the closest existing Pescadero school receptors are within a few hundred feet of the Project construction site's east and north boundaries, noise levels at these school receptors during foundation preparation and building erection could at times exceed the limits imposed by the San Mateo County Code. Thus, to protect existing students/faculty/staff at the existing schools from

substantial Project construction noise intrusions, the following measures shall be implemented to assure that Project incremental temporary construction noise impacts would be less than significant.

Table NOI-2: RCNM Modeled Project Construction Noise Levels

Distance from Area of Construction Activity (feet)	Average Construction Daytime Noise Level L_{eq} (dB)	Maximum Construction Daytime Noise Level L_{max} (dB)
25	84	87
50	78	81
100	72	75
200	66	69
400	60	63
800	54	57

Source: Federal Highway Administration, Roadway Construction Noise Model (RCNM).

Mitigation NOI-1. The following Best Management Practices shall be incorporated into the construction documents to be implemented by the Project contractor:

- Limit the major stages of fire station foundation preparation and building erection to the summer months when school is not in session.
- Limit Project construction activity to between 7 a.m. and 6 p.m. on weekdays, to between 9 a.m. and 5 p.m. on Saturdays, and prohibit it on Sundays, Thanksgiving and Christmas to comply with the San Mateo County Code.
- Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy activity areas on the site.
- Use quietest type of construction equipment whenever possible, particularly air compressors.
- Provide sound-control devices on equipment no less effective than those provided by the manufacturer.
- Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors.
- Prohibit unnecessary idling of internal combustion engines.
- Require applicable construction-related vehicles and equipment to use designated truck routes when entering/leaving the site.
- Designate a noise disturbance coordinator at County Planning Department who shall be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site. Copies of the project purpose, description and construction schedule shall also be distributed to the surrounding residences, schools and library.

Existing Fire Station. There are no nearby sensitive receptors to the existing fire station site, so demolition noise would have a less-than-significant impact.

Source: Federal Highway Administration, Roadway Construction Noise Model (RCNM).

https://www.fhwa.dot.gov/ENVIRONMENT/noise/construction_noise/rcnm/index.cfm

13.b. Generation of excessive ground-borne vibration or ground-borne noise levels?			X	
Discussion: There are no standards in the San Mateo General Plan or County Code for avoiding/reducing annoyance or structural damage from vibration impacts. It is most common for government agencies to rely on assessment methodologies, impact standards and vibration-reduction strategies developed by the Federal Transit Administration (FTA) in <i>Transit Noise and Vibration Impact Assessment</i> (September 2018). According to the FTA, limiting vibration levels to 94 VdB or less would avoid structural damage to wood and masonry buildings (which are typical of most residential uses), while limiting vibration levels to 80 VdB or less at residential buildings would avoid significant annoyance to the occupants. The most vibration-intensive piece of construction equipment is a pile driver (which would not be needed for Project construction), which can introduce a substantial potential for annoyance at sensitive receptors within 1000 feet; other types of construction equipment are far less vibration-intensive. Yet all construction equipment has the potential for causing annoyance and/or structural damage if the construction activity is too close to vibration-sensitive receptors. Pipeline. Since the locus of Project pipeline construction activity (including the major construction equipment with the potential to cause vibration impacts) would move along the pipeline corridor over the 3 months required for trenching and pipe installation, no individual local residential sensitive receptor would be close enough to this active locus (i.e., 100 feet or less) for vibration to be a concern for more than about a few days. Thus, Project-related pipeline construction vibration impacts would be less than significant. New Fire Station. Since the closest existing Pescadero school receptors come no closer than a few hundred feet of the Project construction site's east and north boundaries, vibration levels at these school receptors during foundation preparation and building erection would not be high enough to threaten substantial annoyance to the school occupants or damage to the school buildings. Thus, Project construction vibration impacts would be less than significant. Existing Fire Station. There are no nearby sensitive receptors to the existing fire station site, so demolition-related vibration would have a less-than-significant impact. Source: FTA, <i>Transit Noise and Vibration Impact Assessment Manual</i> (September 2018) https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf				
13.c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X

Discussion: There are no airports within two miles of Pescadero. The nearest airport is at Half Moon Bay, nearly 15 miles north of the project sites. Therefore there would be no airport noise impacts associated with any of the projects.

Source: Google Maps

14. POPULATION AND HOUSING. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	

Discussion:

Pipeline. The pipeline would be designed to serve only the high school and fire station's potable water needs. No additional hookups would be permitted. The proposed annexation area for CSA 11 is only inclusive of the high school and new fire station property. In addition, the area's general plan and zoning designations are for agricultural uses, which substantially limits the area's development potential. Therefore the pipeline would not encourage additional development in the school/fire-station area, or elsewhere along the pipeline route. Non-potable fire station water would be supplied by high school's existing well.

New and Existing Fire Stations. The relocation of the fire station from the existing site on Pescadero Creek Road to this site would improve the operations of the station in adverse conditions, but would not provide new or expanded fire services that would induce growth to the region.

Source: San Mateo County General Plan and Zoning Ordinance

14.b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
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Discussion: The projects would not displace any housing. Existing fire fighter barracks at the current fire station would be demolished and replaced in kind at the new fire station. Therefore no impact would occur.

Source: Project Plans

15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Fire protection?				X
15.b. Police protection?				X
15.c. Schools?				X
15.d. Parks?				X
15.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X

Discussion: The proposed water supply pipeline and fire station projects would improve operations of the Pescadero High School and Fire Department services. The new fire station also would include a Sherriff's Department radio facility, which would improve police services. No parks or other public facilities would be affected. No adverse impacts to public services would occur from either project.

Source: Project Plans

16. RECREATION. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X

Discussion: Neither the pipeline nor either of the fire station projects would generate any new residents or otherwise affect use of recreational facilities. No impact would occur.

Source: Project Plans

16.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
Discussion: Neither the pipeline nor either of the fire station projects would include, affect, or require construction of recreational facilities. No impact would occur. Source: Project Plans				

17. TRANSPORTATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and parking?			X	
Discussion: Neither the pipeline nor fire station projects, when operational would alter the circulation system or affect transit, roadway, bicycle, or pedestrian facilities, or parking, so operations would not have the potential to conflict with transportation-related plans and policies. Pipeline. During construction, one lane of the roadways along the pipeline route may require closure while that section of the pipeline is constructed. Traffic control would be provided by the project contractors, with a traffic control plan to be approved by the County Public Works Department prior to start of construction. In no cases would both lanes be blocked. This would reduce impacts to transit, roadway, bicycle and pedestrian facilities, and roadside parking, to less-than-significant levels, and no plan conflicts would occur. New and Existing Fire Stations. All construction work on the new fire station and demolition work on the existing fire station would be staged on the site. No roadway blockage would be required. No plan conflicts would occur. Source:				
17.b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) <i>Criteria for Analyzing Transportation Impacts</i> ?				X

<i>Note to reader: Section 15064.3 refers to land use and transportation projects, qualitative analysis, and methodology.</i>				
Discussion: None of the projects would affect vehicle miles traveled compared with existing conditions, therefore neither would have a potential to conflict with Guidelines Section 15064.3 (b) provisions. Some trips associated with the new fire station (employee commutes and responses to service calls) may be increased and other may decrease compare to existing fire station trips, but the overall effect would be minimal. Travel associated with the school would not change. Source: Project Plans				
17.c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X (new fire station)	X (pipeline) X (existing fire station)
Discussion: Pipeline. See response to Item a., above. A traffic control plan would be implemented during construction, which would reduce the potential impact of creating traffic hazards to a less-than-significant level. New Fire Station. The high school has 15-18 staff members making daily trips with 2-4 parking on other side of campus in the District Office lot. There are also 150 students on campus, half of whom come by bus. Remaining 75 students probably come in 40 cars with the majority dropping students at the District Office driveway as it is easier to get in and out. Approximately 10 students drive and park in the high school lot. Overall, this would result in about 30 peak hour trips at the school. This level of traffic is unlikely to result in a hazardous condition when combined with the fire station traffic. However, this issue will be reviewed by County Public Works and the Fire Department and Mitigation Traffic-1 will assure no safety hazards. Mitigation Traffic-1. If the County Public Works Department determines that a signal at the fire station driveway is potentially warranted to allow emergency fire truck access or otherwise prevent vehicular conflicts, the school would conduct a more refined traffic count. If the count indicates that a signal is warranted, the County would install it, or, the school would require that all drop offs are at the 360 Butano Cutoff address, which is at the far end of the campus and would be less likely to result in any conflicts with the fire station traffic. Existing Fire Station. Removal of the existing fire station barracks would have no effect on roadway hazards. Source: County of San Mateo Fire Department and La Honda Pescadero Union School District, in email response from the County.				
17.d.	Result in inadequate emergency access?			X

Discussion: See discussion under Item 17.c., above. Potential traffic hazards associated with the projects would either be minimal or be reduced to less-than-significant levels by Mitigation Measure Traffic-1, above.

Source: County of San Mateo Fire Department and La Honda Pescadero Union School District, in email response from the County.

18. TRIBAL CULTURAL RESOURCES. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)				X

Discussion: As described in Section 5, Cultural Resources, there are no CRHR-listed or eligible properties that could be affected by the proposed project.

Solano Archaeological Services (SAS) emailed a letter and a map depicting the CSA-11 project area to the Native American Heritage Commission (NAHC) on December 3, 2020 on behalf of the County. The letter requested a Sacred Land File (SLF) search of the project area, and a list of Native American community representatives who should be contacted about the Project under AB-52. On December 11, 2020, Ms. Sarah Fonseca, Cultural Resources Analyst for the NAHC, replied in an emailed letter that the Sacred Lands File search was completed with negative results. Ms. Fonseca also provided a list of local Native American contacts. On December 14, 2020, SAS mailed letters to the following Native American representatives identified by the NAHC:

- Irenne Zwierlein, Chair - Amah Mutsun Tribal Band of Mission San Juan Bautista
- Tony Cerda, Chair - Costanoan Rumsen Carmel Tribe

- Canyon Sayers-Roods, MLD Contact - Indian Canyon Mutsun Band of Costanoan Indians
- Ann Marie Sayers, Chair - Indian Canyon Mutsun Band of Costanoan Indians
- Charlene Mijmeh, Chair - Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- Monica Arellano - Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- Andrew Galvan - Ohlone Indian Tribe

No responses were received to the letters mailed to the above-listed contacts. On January 6, 2021, SAS called each of the individuals listed by the NAHC and left phone messages. An additional attempt was made via email to each of the contacts on January 27, 2021, and a final email contact attempt reiterating that the Project was subject to AB-52 was made on February 2, 2021. On March 2, 2021, an email response was received from Canyon Sayers-Roods of the Canyon Mutsun Band of Costanoan Indians recommending that a Native American Monitor and Archaeologist be present to observe earth moving activities at both projects. Native American and archaeologist monitoring are included in the Cultural Resources mitigation measures in this Initial Study (Mitigation CULT-1). As of March 23, 2021, no other responses have been received. If substantive additional comments or information are provided at a later date, SAS may prepare an addendum to this report.

If substantive additional comments or information are provided at a later date, SAS may prepare an addendum to this report.

Source: Solano Archaeological Services (SAS), Cultural Resources Technical Memorandum, Pescadero County Service Area 11 Project, San Mateo County, California. February 3, 2021.
<https://www.smcgov.org/media/127981/download?inline=>
 Communication from Canyon Mutsun Band of Costanoan Indians.

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of Public Resources Code Section 5024.1.(In applying the criteria set forth in Subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

X

Discussion: As described in Section 5, Cultural Resources, there are no significant cultural resources, including sacred lands, that could be affected by the proposed project. As described in item 18a, above, tribal representatives were contacted regarding their concerns about the project's potential effects to tribal cultural resources and consultation with the Canyon Mutsun Band of Costanoan Indians is ongoing. Therefore the project is considered to have no impact to tribal cultural resources.

Source: Solano Archaeological Services (SAS), Cultural Resources Technical Memorandum, Pescadero County Service Area 11 Project, San Mateo County, California. February 3, 2021.
<https://www.smcgov.org/media/127981/download?inline=>

19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
19.a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		X (pipeline)	X (new fire station)	X (existing fire station)
Discussion: Pipeline. The water pipeline itself would be an expansion of the CSA-11 water supply system, and as such, would require LAFCo approval for the annexation and Sphere of Influence amendment for the project property. Environmental effects of the pipeline are addressed in this IS. Potentially significant impacts would be mitigated to a less-than-significant level. New Fire Station. The new fire station would rely on the water pipeline extension project for domestic water. All other utilities except sewage treatment serving the fire station exist in or adjacent to Butano Cutoff. The fire station would include a septic system to meet its sewage treatment needs. The impact would be less than significant. Existing Fire Station. The existing fire station is currently served by water and wastewater facilities. The project would reduce demand at that facility by eliminating the existing barracks building. No impact would occur. Source: Project Plans				
19.b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
Discussion: The pipeline and existing fire station would not directly affect project water demand, however, the water use at the high school and new fire station associated with the pipeline would increase demand on the CSA-11 system. Please see response to question 10.b for a detailed discussion of the project's potential effects on long-term water supplies. The project's overall impacts to long-term water supply are considered less than significant. Source: Daniel Craig and Amber Ritchie, Todd Groundwater, Memorandum to Mark Chow, County of San Mateo. June 12, 2019. https://www.smcgov.org/media/127966/download?inline=; Todd Groundwater, Pescadero (CSA-11) Water Supply Yield and Sustainability Study, March 31, 2021. https://www.smcgov.org/media/127971/download?inline=				

19.c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
Discussion: The pipeline would not generate wastewater. The new fire station would include its own septic system, so would not affect wastewater providers or systems. The existing fire station's sewage generation would be reduced compared to existing conditions. No impact would occur. Source: Project Plans				
19.d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
Discussion: Small amounts of construction-related solid wastes would be generated by both projects. Removal of the existing fire station barracks also would generate demolition wastes. Project construction and demolition wastes would be recycled, composted, and/or disposed of at applicable regulated waste management facilities. The impact on solid waste facilities and standards would be less than significant. Source: Project Plans				
19.e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?			X	
Discussion: None of the projects would generate solid wastes the disposal of which would conflict with any applicable statutes. As described in the Hazardous Materials discussion, above, any potentially hazardous materials associated with demolition of the existing fire station barracks would be removed and/or remediated prior to demolition, and would be disposed of in appropriate regulated Class II or III landfill facilities. Source: Project Plans				

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
20.a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
Discussion: All of project sites are in flat agricultural areas designated by the State as Non-Very High Fire Hazard Severity Zones. The projects would enhance fire response compared to existing conditions. Therefore no impact would occur. Source: https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Fire%20Hazard%20Severity%20Zones.pdf				
20.b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
Discussion: The project sites are in flat agricultural areas designated by the State as Non-Very High Fire Hazard Severity Zones. The projects would enhance fire response compared to existing conditions. Therefore no impact would occur. Source: https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Fire%20Hazard%20Severity%20Zones.pdf				
20.c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
Discussion: Both project sites are in flat agricultural areas designated by the State as Non-Very High Fire Hazard Severity Zones. In addition, the fire station project would improve fire-fighting response capabilities compared to the existing station. Therefore no adverse impact would occur.				

Source:

<https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Fire%20Hazard%20Severity%20Zones.pdf>

20.d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

X

Discussion: See responses to Items 20 a-c, above. No impact would occur.

Source:

<https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Fire%20Hazard%20Severity%20Zones.pdf>

21. MANDATORY FINDINGS OF SIGNIFICANCE.

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
21.a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		

Discussion: As detailed in the biological resources and cultural resources sections of this IS, the project may have potentially significant impacts to special-status species and as-yet unknown cultural resources. Mitigation measures included in this IS would reduce these potential impacts to less-than-significant levels.

Source: Biological Habitat Evaluation Report for Pescadero High School Water Supply and Fire Station Project in Pescadero, California. Vollmar Natural Lands Consulting, January 2021.

Solano Archaeological Services (SAS), Cultural Resources Technical Memorandum, Pescadero County Service Area 11 Project, San Mateo County, California. February 3, 2021.

<https://www.smcgov.org/media/127981/download?inline=>

21.b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
Discussion: A review of the County’s planning applications indicates that no major new projects are proposed in the Pescadero area. The cumulative effects of the fire station and pipeline projects are evaluated in this IS and are not significant because there would be minimal overlap in impacts (mostly minor noise and air quality effects). Cumulative impacts to biological and cultural resources, would be mitigated to a less-than-significant level by the project-specific mitigation measures included in this IS Source: https://planning.smcgov.org/major-projects (accessed October 21, 2020)				
21.c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		
Discussion: The effects of the fire station and pipeline projects on human beings are evaluated in the hazards, noise, traffic, and air quality sections this IS, and are either not significant (traffic and air quality) or would be mitigated to a less-than-significant level (hazards and noise). Source: Initial Study				

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
Bay Area Air Quality Management District	X		Permit to Operate (Diesel Generator at fire station)
Caltrans		X	
City		X	
California Coastal Commission	X		Coastal Development Permit and Grading Permit (both projects appealable to CCC; LCP amendment certification).

AGENCY	YES	NO	TYPE OF APPROVAL
County Airport Land Use Commission (ALUC)		X	
County Environmental Health Department	X		Approval of septic system for fire station
Other: La Honda Pescadero Union High School District			Approval of lease of site for fire station; approval of easement for pipeline.
San Mateo Local Agency Formation Commission (LAFCo)	X		LAFCo approval required for CSA-11 Sphere of Influence amendment and annexation for both projects
National Marine Fisheries Service		X	
Regional Water Quality Control Board	X		SWPPP (fire station only)
San Francisco Bay Conservation and Development Commission (BCDC)		X	
Water District: CSA-11	X		CSA-11 approval for expansion of water system and fire station and high school hookups
State Department of Fish and Wildlife	X		Potential permit if wetlands are to be disturbed; potential approval of transplanting of special-status plants, if present. Approval of bird and bat nest buffers, if needed.
State Department of Public Health		X	
State Water Resources Control Board	X		Approval of funding for pipeline project
U.S. Army Corps of Engineers (CE)	X		Potential permit if wetlands are to be disturbed
U.S. Environmental Protection Agency (EPA)		X	
U.S. Fish and Wildlife Service	X		USFWS approval of biologist for CRLF and FYLF monitoring and, if necessary, frog relocation.

MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.		X
Other mitigation measures are needed.	X	

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

X I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Sophie Mintier

Sophie Mintier

Digitally signed by Sophie Mintier
Date: 2022.06.06 16:31:29 -07'00'

(Signature)

June 6, 2022

Interim Assistant Director, Planning and Building

Date

Title

_ND - Initial Study Checklist (07-17-19).dotx

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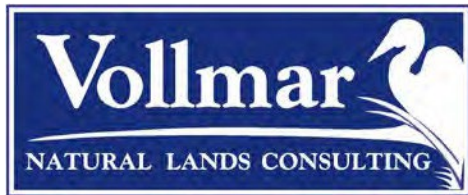
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ATTACHMENT A: BIOLOGICAL RESOURCES REPORT



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Biological Habitat Evaluation Report



Pescadero High School Water Supply and Fire Station Project Pescadero, California

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January 2021

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1.0 INTRODUCTION

This report presents the methods and results of a biological habitat evaluation conducted by Vollmar Natural Lands Consulting, Inc. (VNLC) for the Pescadero High School Water Supply and Fire Station Project (project). The Project Area is located within the Town of Pescadero, in San Mateo County, California (**Figure 1**). The project involves construction of a new County fire station, installation of 1.5 miles of new water supply pipeline to serve Pescadero High School and the new County fire station, and decommission of a portion of the existing County fire station. The new water supply pipeline will extend from the existing CSA-11 water line east of the intersection of Pescadero Creek Road and Stage Road to Pescadero High School, and the pipeline would either run along the unpaved roadway shoulders, or within paved road. The new fire station will be constructed within an undeveloped portion of an adjacent parcel, also owned by La Honda-Pescadero Unified School District. The existing fire station, located at 1200 Pescadero Creek Road, will be partially decommissioned, while retaining a portion of the existing structures. There is no tree removal anticipated as part of this project.

This habitat evaluation was conducted to identify and characterize existing conditions, as well as to assess the potential for special-status species and sensitive habitats to occur within the project disturbance areas. In the absence of minimization and avoidance measures, the project could result in disturbance to the regulated biological resources listed below, which have potential to occur within the Project Area.

- Seven federally or state listed wildlife species: foothill yellow-legged frog (*Rana boylei*), California red-legged frog (*Rana draytonii*), tricolored blackbird (*Agelaius tricolor*), bank swallow (*Riparia riparia*), steelhead Central California Coast Distinct Population Segment (CCC DPS, *Oncorhynchus mykiss irideus* pop. 8), tidewater goby (*Eucyclogobius newberryi*), San Francisco gartersnake (*Thamnophis sirtalis tetrataenia*);
- Ten non-listed special-status species: Santa Cruz black salamander (*Aneides niger*), long-eared Owl (*Asio otus*), burrowing owl (*Athene cunicularia*), black swift (*Cypseloides niger*), American peregrine falcon (*Falco peregrinus anatum*), salt marsh common yellowthroat (*Geothlypis trichas sinuosa*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), hoary bat (*Lasiurus cinereus*), and western pond turtle (*Emys marmorata*);
- One plant species: harlequin lotus (*Hosackia gracilis*);
- Sensitive habitats: Any potentially jurisdictional aquatic habitats associated with Pescadero and Butano Creeks. This includes the unvegetated channel below the ordinary high water mark (OHWM), as well as associated wetland and riparian vegetation; and
- Active nests of bird species protected by the Migratory Bird Treaty Act and California Fish and Game Code.

The implementation of recommended minimization and avoidance measures would reduce potential impacts to habitats and features to less-than-significant levels, and avoid take of special-status species.

2.0 EXTENT AND LOCATION OF THE PROJECT AREA

The Project Area consists of the San Mateo County Fire Station – Station 59 (APN 086-160-050), the proposed water pipe alignment along Pescadero Creek Road/Cloverdale Road, and Pescadero High School (APN 087-053-010). The Study Area encompasses the Project Area and an approximately 500-foot buffer around it, which includes approximately 0.2-mile (1,000 feet) of Butano Creek and 1.5 miles of Pescadero Creek. The Project Area represents the proposed project's action area and area of likely impact, while the Study Area is significantly larger and encompasses more habitat to assist in evaluation of wildlife species with potential to occur (see **Figure 2, Section 3.2**).

The Study Area is broken up into the western and eastern portions; the western portion consists of the existing Fire Station 59, while the eastern portion consists of the proposed water pipe alignment and Pescadero High School (where the new fire station is proposed to be built in the southwest corner). The site is mapped within the Franklin Point, La Honda, Pigeon Point, and San Gregorio U.S. Geological Survey (USGS) 7½ minute topographic quadrangles and may be accessed via the Pacific Coast Highway by exiting at Pescadero Creek Road and continuing east for 1.25 miles until Fire Station 59 is reached, at 1200 Pescadero Creek Road. To reach Pescadero High School, continue west along Pescadero Creek Road for another 1.25 miles, turn right (southeast) on Cloverdale Road, and then turn left (east) on Butano Cutoff. Pescadero High School is located to the left (north) after 0.2 mile, at 360 Butano Cutoff, Pescadero.

The western Study Area (Fire Station 59) is primarily surrounded by open space, with Butano Creek and agricultural land use to the east. The eastern Study Area is surrounded by agricultural land use, civic buildings, and open space. The Study Area is described in greater detail in **Section 4.0** below.

3.0 METHODS

3.1 Preliminary Review

Prior to conducting field surveys, VNLC project ecologists compiled and reviewed existing information pertaining to the Study Area. Specifically, the ecologists compiled and reviewed the latest version of the California Natural Diversity Database (CNDDB) (CDFW 2020b), the California Native Plant Society (CNPS) Inventory of Rare Plants (CNPS 2020), and a U.S. Fish and Wildlife Service (USFWS) Information Planning and Consultation System (IPaC) list (USFWS 2020a). Site aerial imagery, previous design reports, project description, and general regional conditions were also reviewed prior to the site survey.

fDjrkliJ\$



Legend

- Q StudyArea
- Highway
- 0 Midpen Preserve
- Other Public or Preserved Land
- 0 Water Body
- Urbanized Area

Data Sources: Midpen, 2019, 2020 | CPAD, 201
USGS, Various | GAP, 1998 | VNLC, 2019
GAP Analysis Project, 1998 | TIGER, 2012
GIS/ Cartography by: Ivy Poisson, Dec. 2020
Map File: 484_Vicinity_484_A-P_2020-1230.mxd

FIGURE1 Regional Vicinity Map

Pescadero High School Water Supply
and Fire Station Project
San Mateo County, California
N

W@E

S

1:200,000

0 2 Km

0 2 4 Miles



3.2 Targeted Sensitive Biological Resources

Special-status animal species targeted and analyzed in this report include those listed by the USFWS and/or California Department of Fish and Wildlife (CDFW) as threatened or endangered, as well as those proposed for listing or that are candidates for listing as threatened or endangered. The listing of “Endangered, Rare, or Threatened” is defined in Section 15380 of the *California Environmental Quality Act (CEQA) Guidelines*. Section 15380(b) states that a species of animal or plant is “endangered” when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors. A species is “rare” when either “(A) although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or (B) the species is likely to become endangered within the foreseeable future throughout all or a portion of its range and may be considered ‘threatened’ as that term is used in the Federal Endangered Species Act” (ESA).

Animal species are designated as “Fully Protected,” “Species of Special Concern,” or “Watch List” by the CDFW. Although these species have no legal status under the California Endangered Species Act (CESA), the CDFW recommends their protection as their populations are generally declining and they could be listed as threatened or endangered (under CESA) in the future. “Fully Protected” species generally may not be taken or possessed at any time. The CDFW may only authorize take for necessary scientific research and may authorize live capture and relocation of “fully protected” birds to protect livestock. The “Species of Special Concern” designation is meant to call attention to the plight of the species and address the issues of concern early enough to secure their long-term viability. “Watch List” species were previously designated as “Species of Special Concern” but no longer meet that status, or do not yet meet that status but there is concern and need for more information to clarify status.

Birds are designated by the USFWS as “Birds of Conservation Concern.” Although these species have no legal status under ESA, the USFWS recommends their protection as their populations are generally declining, and they could be listed as threatened or endangered (under ESA) in the future.

Special-status plants include species that are designated rare, threatened, or endangered as well as candidate species for listing by the USFWS. Special-status plants also include species considered rare or endangered under the conditions of Section 15380 of the CEQA Guidelines, such as those plant species identified by the CNPS as California Rare Plant Rank (CRPR) 1A, 1B, and 2 in the Inventory of Rare and Endangered Vascular Plants of California. Finally, for the purposes of this report, special-status plants may include other species that are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for state or federal status, such as those included as CRPR List 3 and List 4 in the CNPS Inventory—these may be included on a case-by-case basis in CEQA analyses.

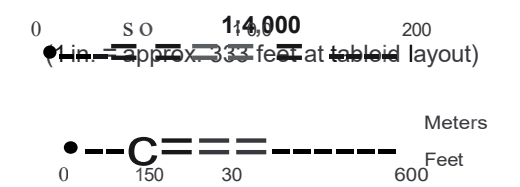
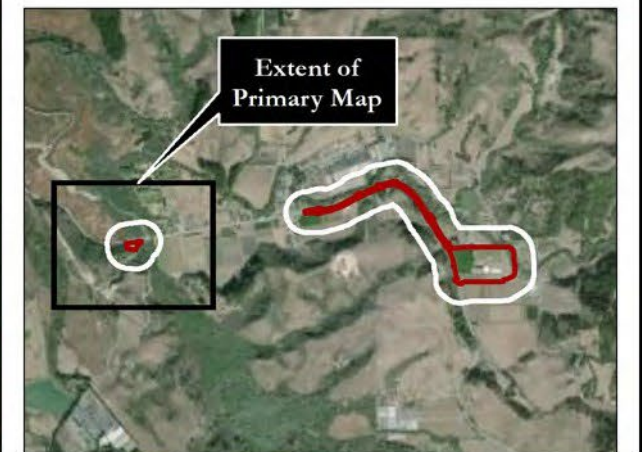
FIGURE 2a
Western Study Area and
Habitat Map

**Pescadero High School Water Supply
and Fire Station Project
San Mateo County, California**

Legend

- D** Project Area
- Study Area*
- Stream
- Road

*500-foot buffer of Project Area
**Land cover data is from the San Mateo County
Draft Enhanced Lifeform Map project (GGNRA,
published May 2020), and land cover boundaries
were adjusted and updated by VNLC based on
field observations within the Study Area.



Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
GGNRA, 2020; ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021
Map File: 484_Project Boundary_B-L_2021-0114.mxd

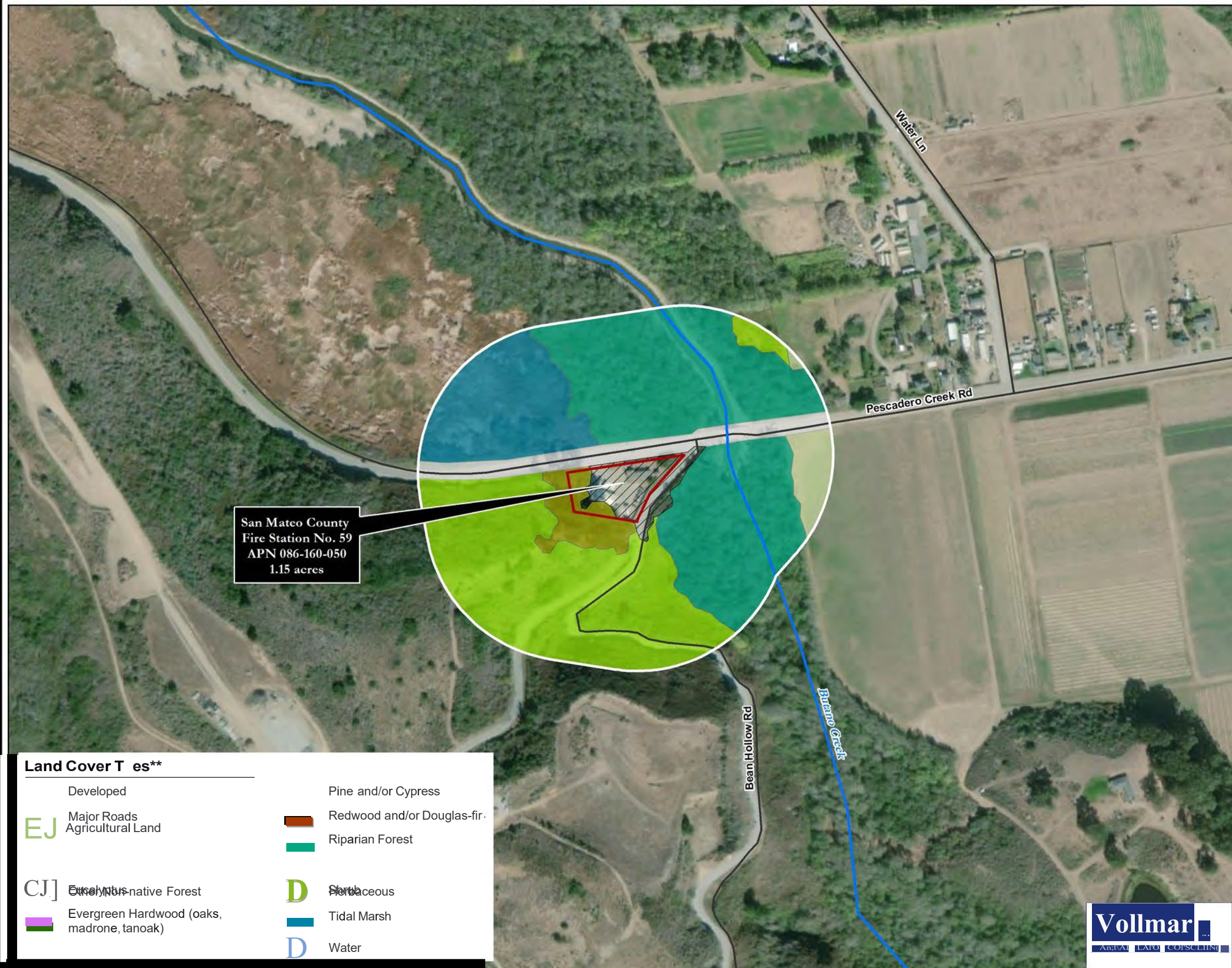


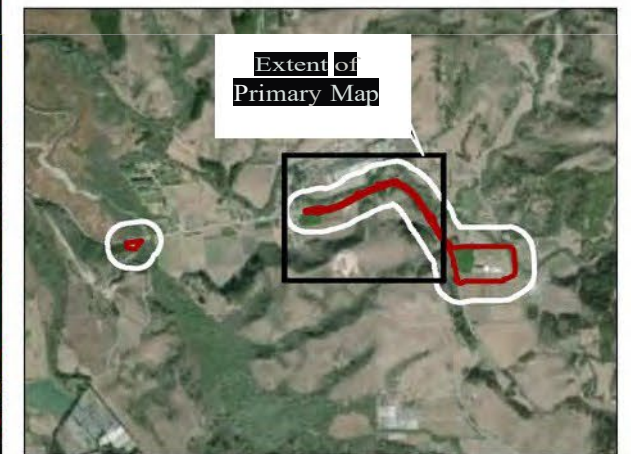
FIGURE 2b Eastern Study Area and Habitat Map

Pescadero High School Water Supply
and Fire Station Project
San Mateo County, California

Legend

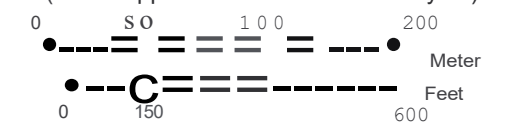
- D** Project Area
- Study Area*
- Proposed Pipe Alignment
- Stream
- Road

*500-foot buffer of Project Area
**Land cover data is from the San Mateo County
Draft Enhanced Lifeform Map project (GGNRA,
published May 2020), and land cover boundaries
were adjusted and updated by VNLC based on
field observations within the Study Area.



1:4,000

(1 in. = approx. 333 feet at tabloid layout)



Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
GGNRA, 2020; ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021
Map File: 484_Project Boundary_B-L_2021-0114.mxd

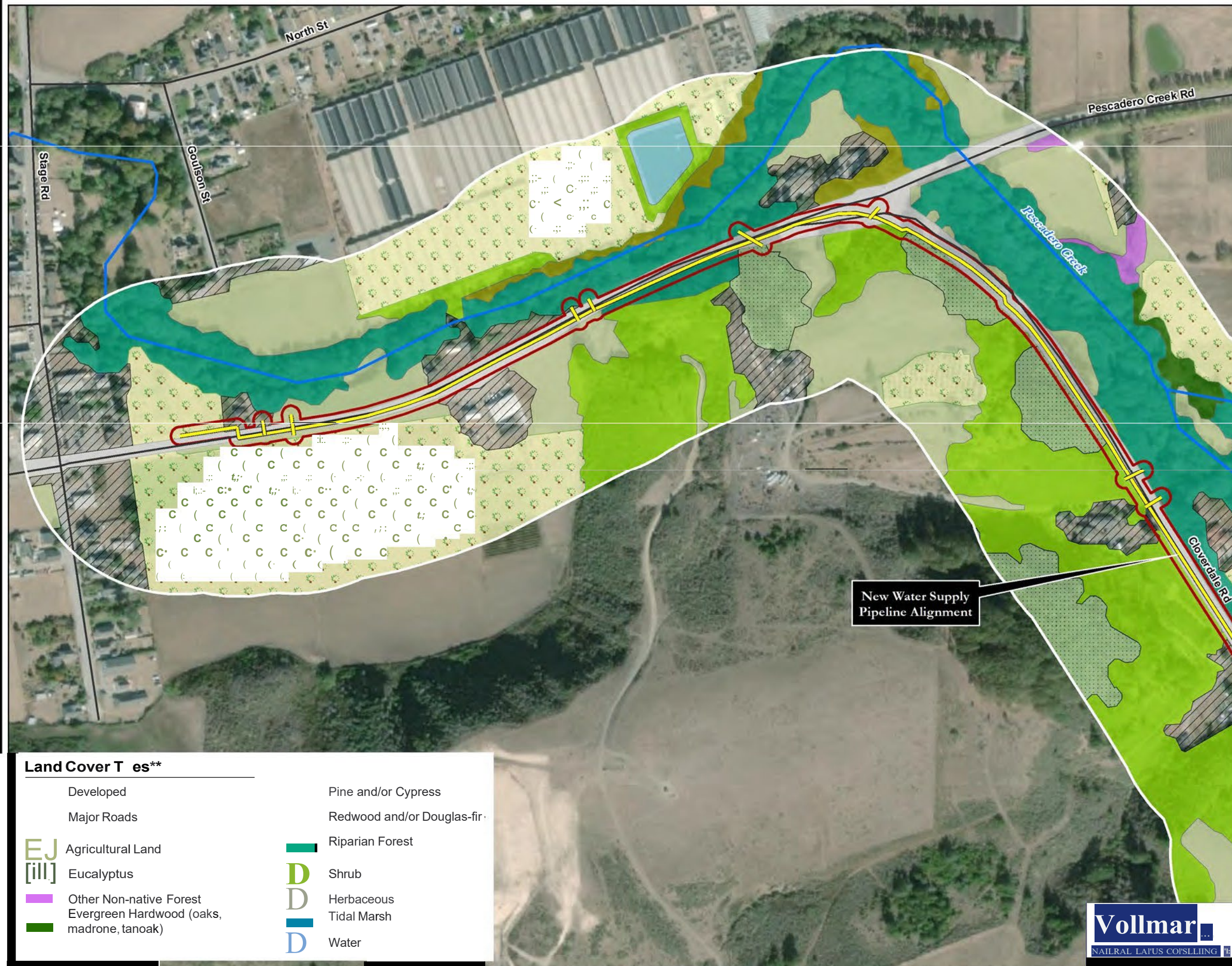


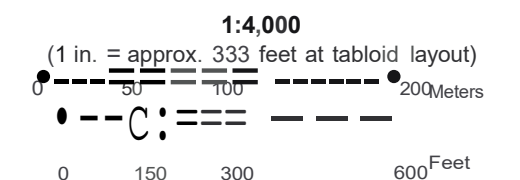
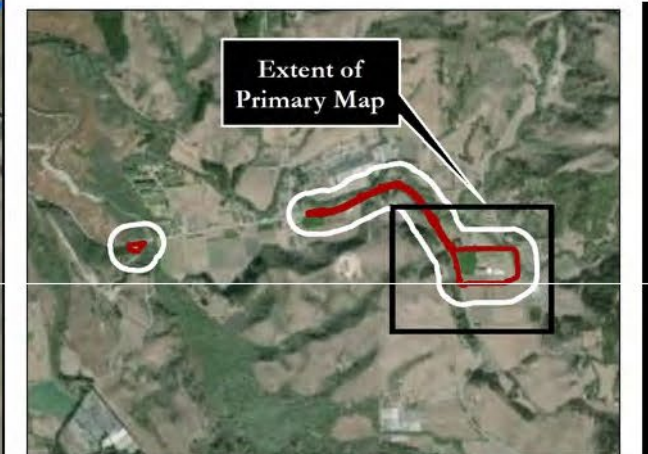
FIGURE 2c Eastern Study Area and Habitat Map

Pescadero High School Water Supply
and Fire Station Project
San Mateo County, California

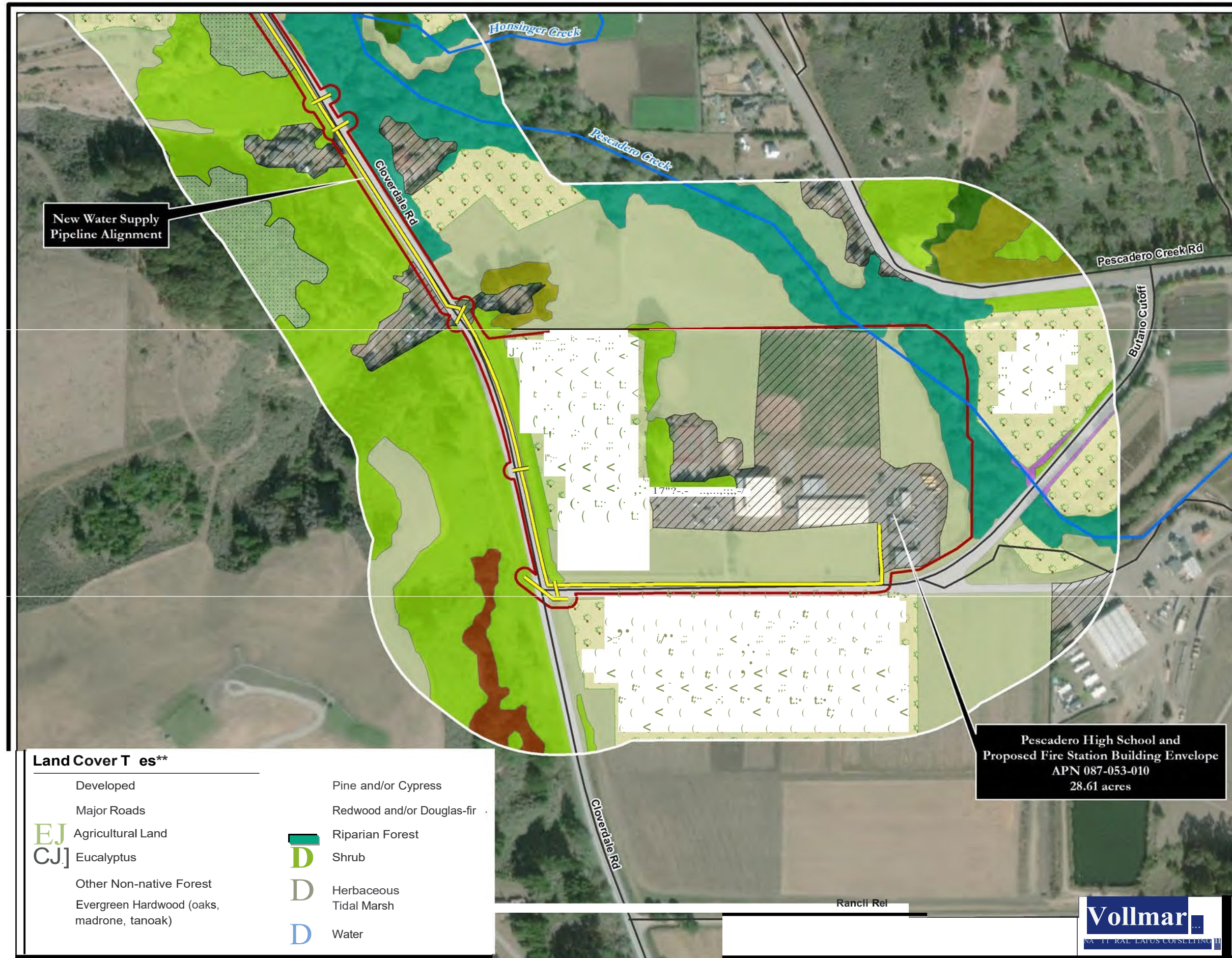
Legend

- D** Project Area
- Study Area*
- Proposed Pipe Alignment
- Stream
- Road

*500-foot buffer of Project Area
**Land cover data is from the San Mateo County
Draft Enhanced Lifeform Map project (GGNRA,
published May 2020), and land cover boundaries
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Data Sources: LSA, 2017; TIGER, 2012 | DWR, 2001
GGNRA, 2020 | ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021
Map File: 484_Project Boundary_B-L_2021-0114.mxd



For the purposes of this report, ‘sensitive plant communities’ include those designated as such by the CDFW, either in the CNDDDB, the list of California Sensitive Natural Communities (CDFW 2020a), or as sensitive alliances classified in the online Manual of California Vegetation (MCV) (CNPS 2020). Alliances included within the MCV that are designated as global or state rank (“G” or “S”) 1-3 are considered “rare or threatened” at the global and/or state level, and are therefore considered sensitive.

In addition, wetland and riparian habitats, regardless of MCV/CDFW status, are considered sensitive. Wetlands, streams, and permanent and intermittent drainages are subject to the jurisdiction of the U.S. Army Corps of Engineers (ACOE) under Section 404 of the Federal Clean Water Act (CWA). The CDFW also generally has jurisdiction over these resources, together with other aquatic features that provide an existing fish and wildlife resource pursuant to Sections 1602-1603 of the California Fish and Game Code. The CDFW asserts jurisdiction to the outer edge of vegetation associated with a riparian corridor. The Regional Water Quality Control Board (RWQCB) also generally has jurisdiction over streams and wetlands. Any grading, excavation, or filling of jurisdictional drainage corridors or wetlands would require a Section 404 permit and will require mitigation.

Local regulations regarding tree removal also warrant consideration for this project. The town of Pescadero is a census-designated place and subject to San Mateo County ordinances. Tree removal activities fall under San Mateo County’s jurisdiction; a permit is required for removing trees within the County right-of-way, and any trees defined as significant or heritage trees requires a permit for removal (San Mateo County 2016a and 2016b).

3.3 Field Survey

A habitat assessment survey was conducted within the Study Area on December 7, 2020. The survey was conducted by VNLC Ecologists Ivy Poisson and Linnea Neuhaus. During the survey, the ecologists traversed the entire Project Area and as much of the Study Area as possible (excluding private or inaccessible land) and recorded all dominant plant taxa and commonly observed animal species, along with general ecological conditions and notable habitat features. An effort was made to find any special-status plants identifiable at the time of year (i.e., winter blooming species and woody perennial species). In addition, the survey involved a search for habitat with potential to support special-status species (e.g., nesting potential, mammal burrows). Photographs detailing representative site conditions and habitats were also collected from across the Study Area (**Appendix A**).

4.0 EXISTING SITE CONDITIONS

The Study Area is located within the Pescadero Watershed, the largest watershed in San Mateo County. Land use within the study area is predominantly rural, which is a blend of open space, agriculture (farmland and ancillary structures), and civic buildings (school and fire station). The elevation within the Study Area ranges from 16-295 feet (5-90 meters) above sea level, while the

range for the Project Area is more limited, ranging from 26-92 feet (8-28 meters) above sea level (USGS 1997).

Pescadero Creek within the eastern Study Area is a perennial stream with a canopy of mature riparian vegetation and steep banks, approximately 10-20 feet from top of bank to the water level. Butano Creek, found in the western Study Area, represents a subwatershed within the larger Pescadero Creek watershed. The riparian habitat supported by Pescadero Creek features a fairly open canopy (surveys were conducted in December, and many species are deciduous) with sparse to moderate coverage in the understory. There was water present in the creek despite limited precipitation leading up to the field survey, with observed depths of up to approximately 20 inches. The section of Butano Creek within the eastern Study Area (where it crosses underneath Pescadero Road) was recently dredged and regraded as part of the Butano Creek Reconnection Project. That project, which was completed in winter of 2019 by the San Mateo Resource Conservation District, re-established 8,000 feet of historic creek channel by removing built up sediment and restoring 28 acres of degraded marsh. During the field survey, Butano Creek lacked a riparian canopy but was characterized by a wide floodplain supporting predominately native riparian and marsh vegetation; this was for the reach of Butano Creek within the Study Area. The banks of Butano Creek were mostly barren, likely due to the recent dredging and regrading, but there were mature willows (*Salix* spp.) and cottonwoods (*Populus trichocarpa*) present within the floodplain (see **Section 4.1** for a discussion on plant communities). Both Pescadero and Butano Creek flow in a northwesterly direction and converge about ¼ mile inland from the coast, where they both empty into the Pacific Ocean.

Soils series throughout the Project Area are mapped as Cayucos clay loam, Corralitos sandy loam, Gazos loam, Lobitos loam, mixed alluvial land, and Soquel loam (USDA NRCS 2021). **Table 1** contains the soil properties for each of these soil series. The Soquel and Corralitos soil series represent the majority of the underlying soils, at 70.6% and 21.3%, respectively. Because both of these soils are alluvial soils, they are high in sand and silt content.

Table 1. Soil Properties within the Project Area

Soil Series	% in Project Area	Parent Material	Surface Texture (0" – 24" below surface)		
			Clay	Silt	Sand
Cayucos sandy loams	1.7%	noncalcareous shale and fine-grain sandstone	41.5%	31.1%	27.5%
Corralitos sandy loams	21.3%	alluvium	6.2%	22.2%	71.6%
Gazos loams	3.4%	shale	23.8%	44.8%	31.4%
Lobitos loams	0.4%	shale	23.6%	36.4%	40.0%
mixed alluvial land	2.3%	alluvium	8.7%	26.5%	64.8%
Soquel loams	70.6%	alluvium derived from sedimentary rock	21.1%	37.0 – 38.7%	40.2 - 42.0%

Source: USDA NRCS Web Soil Mapper 2021

Soil series documented in the Project Area has pH ranging from 6.1 to 7.5, which is considered to be slightly acidic to slightly alkaline pH. This somewhat neutral pH range indicates the absence of alkaline soils (over 7.5 is considered alkaline) within the Project Area. In addition, there are no serpentine or other specialized soils within potential to support edaphic special-status plants (USDA NRCS 2021).

The plant communities present in the Study Area are detailed in the following sections.

4.1 Plant Communities

The Study Area features a combination of natural and semi-natural plant communities. Due to the size and location of the Study Area, many areas were inaccessible, either because they are located on private land or there are physical barriers present (e.g., Pescadero Creek). Therefore, plant communities within the Study Area were mapped as the units as described in the San Mateo County Enhanced Lifeform Map Project (GGNRA and Tukman 2020), with further clarification and classification provided for plant communities located within the Project Area. The plant communities and their constituent plant taxa are described below.

4.1.1 Riparian Forest

Pescadero Creek supports red alder forest alliance in the Project Area; specifically, the red alder – arroyo willow (*Alnus rubra* – *Salix lasiolepis*) alliance. This alliance has a rank of G5 S4, and is not considered sensitive (CDFW 2020a). Other non-dominant trees (less than 50% relative cover) observed in this alliance include Oregon ash (*Fraxinus latifolia*) and black cottonwood (*Populus trichocarpa*). Understory species observed include California blackberry (*Rubus ursinus*) and Himalayan blackberry (*Rubus armeniacus*); in certain areas, these two species were observed to be growing in dense mats, particularly along roadsides. Understories with a dominance of blackberry vines/shrubs precludes the presence of rare species due to high competition. This alliance was observed in the northeast corner of Pescadero High School and along Pescadero Creek Road and Cloverdale Road.

4.1.2 Eucalyptus

Scattered eucalyptus (*Eucalyptus globulus*, *E. camaldulensis*) semi-natural woodland stands are located generally to the southwest of Pescadero Creek Road and Cloverdale Road, typically on hillslopes. These stands feature a mature eucalyptus monoculture; few to no other species were observed in the under story due to the allelopathic effects of eucalyptus trees. In other words, other native (and rare) plant species are unlikely to be found in the understory. This is not globally or state ranked, and eucalyptus trees are considered to be invasive in the project region, though they do provide potential nesting sites for raptors and other birds. The proposed pipeline is adjacent to or within the mapped eucalyptus stands as shown in **Figure 2b** and **2c**, but it is unlikely any tree or vegetation removal will be necessary, as the eucalyptus trees were set fairly far back from the road and out of the Project Area.

4.1.3 Shrubland Habitats

There are two shrub habitats within the Project Area: Coyote brush (*Baccharis pilularis*) alliance and Himalayan blackberry semi-natural shrubland stands.

Coyote brush shrubland alliance was observed west of the corner of Cloverdale Road and Butano Cutoff, and this habitat is located along the southernmost segment of the proposed pipeline alignment. This alliance, also known more generally as coastal scrub habitat, typically occurs on the steeper slopes located to the southwest of Pescadero Creek Road and Cloverdale Road. Species observed in the shrub stratum include coyote brush, coffeeberry (*Frangula californica*), California blackberry, and sticky monkey flower (*Diplacus aurantiacus*); herbaceous stratum species include tall flatsedge (*Cyperus eragrostis*), bristly ox-tongue (*Helminthotheca echioides*), bull thistle (*Cirsium vulgare*), and pennyroyal (*Mentha pulegium*). Mesophytic species like tall flatsedge and pennyroyal were observed at the bottom of the slope, with predominantly upland species along the hillsides. This alliance has a ranking of G5 S5 and is not considered sensitive CDFW 2020a).

A roadside ditch parallel to Cloverdale Road and within the high school property features Himalayan blackberry semi-natural shrubland stands; this is not globally or state ranked, and considered to be an invasive species. This is a linear depressional feature that continues northwest and eventually transitions into riparian habitat, indicating hydrologic connectivity with Pescadero Creek. Other dominant shrub/herb species observed in this alliance include California blackberry, broad-leafed cattail (*Typha latifolia*), and sedge (*Scirpus* spp.). Although this vegetation classification does not have any special-status listing, it supports wetland vegetation, likely contributes surface water flow to Pescadero Creek, and may be subject to federal or state jurisdiction; this is discussed further in **Section 4.2** below. The proposed pipeline alignment occurs parallel to this ditch at the southwest corner of the Pescadero High School property.

4.1.4 Herbaceous

There are two herbaceous land cover types: ruderal upland and fallow fields.

Ruderal upland is found along Pescadero Creek Road and Cloverdale Road, and throughout the Pescadero High School property. Due to the disturbed nature of this area, this is typically colonized by weedy species like slim oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), Italian thistle (*Carduus pycnocephalus*), Italian ryegrass (*Festuca perennis*), bristly ox-tongue, English plantain (*Plantago lanceolata*) and wild radish (*Raphanus sativus*). This vegetation type is not globally or state ranked and would not be considered sensitive. The proposed footprint for the pipeline alignment is primarily taking place within the herbaceous/ruderal upland habitats.

Fallow fields are found in the southwestern portion of the High School property where the proposed fire station will be located. This field appeared to be graded and was primarily colonized by giant horsetail (*Equisetum telmateia*, a facultative wetland species), indicating mesic conditions; other species were present, but in the form of unidentifiable cotyledons at the time of

the site visit. It is unknown if the observed mesic conditions are naturally occurring (i.e., combination of soil type, low elevation, and high water table) or artificial due to irrigation. The proposed building footprint for the new fire station takes place within this fallow field with giant horsetail.

4.1.5 Cultivated Lands

Rosemary (*Salvia rosmarinus*) fields were observed within the Pescadero High School boundary, and additional cultivated land was observed in the western end of the eastern Study Area along Pescadero Creek Road. Cultivated land is not globally or state ranked, and is not considered to be sensitive.

4.2 Potential Jurisdictional Waters

The Study Area encompasses Pescadero Creek and Butano Creek. Pescadero Creek meanders to the east of the proposed water pipe alignment, and the stream is adjacent to the existing Pescadero High School, in the northeast corner. Butano Creek is located east of Fire Station 59. While a formal wetland delineation was not conducted as part of this field survey, vegetative indicators of both riparian and wetland habitat were observed during the site reconnaissance visit within the Project Area (see **Sections 4.1.1.** and **4.1.3.**).

Both Pescadero and Butano Creeks feature a defined bed and bank topography and the two streams eventually connect west of the Study Area, and empty out at the Pacific Ocean, a traditional navigable water. Therefore, these streams would likely be considered jurisdictional as other Waters of the United States by the ACOE, and would also be considered a Water of the State (i.e., by CDFW and RWQCB) to the tops of the stream banks, or edge of riparian canopy dripline. Beyond the top of bank for these streams, there are no riparian trees and no adjacent areas featuring a majority of hydrophytic plant species, and therefore not jurisdictional at either the federal level or state level.

Since the Project Area is located within the Coastal Zone, as defined by the California Coastal Commission (CCC), only one parameter is required for a feature to be considered a wetland (CCC 2011; County of San Mateo 2021). As stated previously, wetland vegetation was observed to be in the ditch running along Cloverdale Road, at the southwest edge of the high school, and there were wetland plant species observed within the proposed footprint for the fire station. Therefore, these areas would likely be considered a wetland based on the one-parameter definition.

Drains and culverts were observed along the Pescadero Creek Road and Cloverdale Road, and these are presumed to convey water from the surrounding uplands directly into Pescadero Creek and Butano Creek.

5.0 SPECIAL-STATUS SPECIES AND SENSITIVE HABITATS

This section provides background information and lists recommended avoidance and/or minimization measures to reduce the potential for the project to impact special-status species and sensitive habitats within the Study Area. Only listed species and/or special-status species with the greatest potential to occur within the Study Area are addressed. For plants, only species with potential to occur within the Project Area are addressed.

In addition to all avoidance measures listed, all construction personnel involved in the project shall attend environmental awareness training prior to the commencement of potential project disturbance activities. The training shall be conducted by a qualified biologist and shall involve the presentation of sensitive species and habitats documented or potentially occurring in the Study Area. The training should include handouts that describe each resource with respect to listing status, habitat preferences, distinguishing physical characteristics, causes of its decline, and potential protection and avoidance measures. Information should be documented within a paper handout to be distributed among construction personnel, and should include photographs of the resources in order to facilitate identification by the personnel.

Based on the habitat requirements of these species, there are 17 special-status animal species with some potential to occur within the Study Area. These include seven federally or state listed wildlife species and ten non-listed special-status animal species (see **Appendix B, Table 1**), as well as multiple birds that fall under the Migratory Bird Treaty Act (MBTA). There is one special status plant species with potential to occur in the Study Area. **Figure 3** shows the distribution of special-status animal species and plant species that are documented in the surrounding area. These and other special-status species known from the project region are listed in **Appendix B**, along with their regulatory status, habitat requirements, and an evaluation of their potential to occur in the Study Area. These animal and plant taxa are described in more detail below.

5.1 Listed Species

5.1.1 *Designated Critical Habitat*

As shown in **Figure 3**, the Study Area is partially within designated critical habitat for California red-legged frog. Critical habitat for this species also covers a majority of the surrounding land. Critical habitat for tidewater goby is located approximately 0.5-mile downstream (northwest) of the Study Area, and critical habitat for marbled murrelet is located approximately 1.3 miles to the east. Finally, both Butano and Pescadero Creeks are designated critical habitat for steelhead (Central California Coast DPS).

5.1.2 *Foothill Yellow-legged Frog*

The foothill yellow-legged frog (FYLF) West/Central Coast Clade is listed as State Endangered and is a CDFW Species of Special Concern. This species' aquatic habitat includes partly shaded,

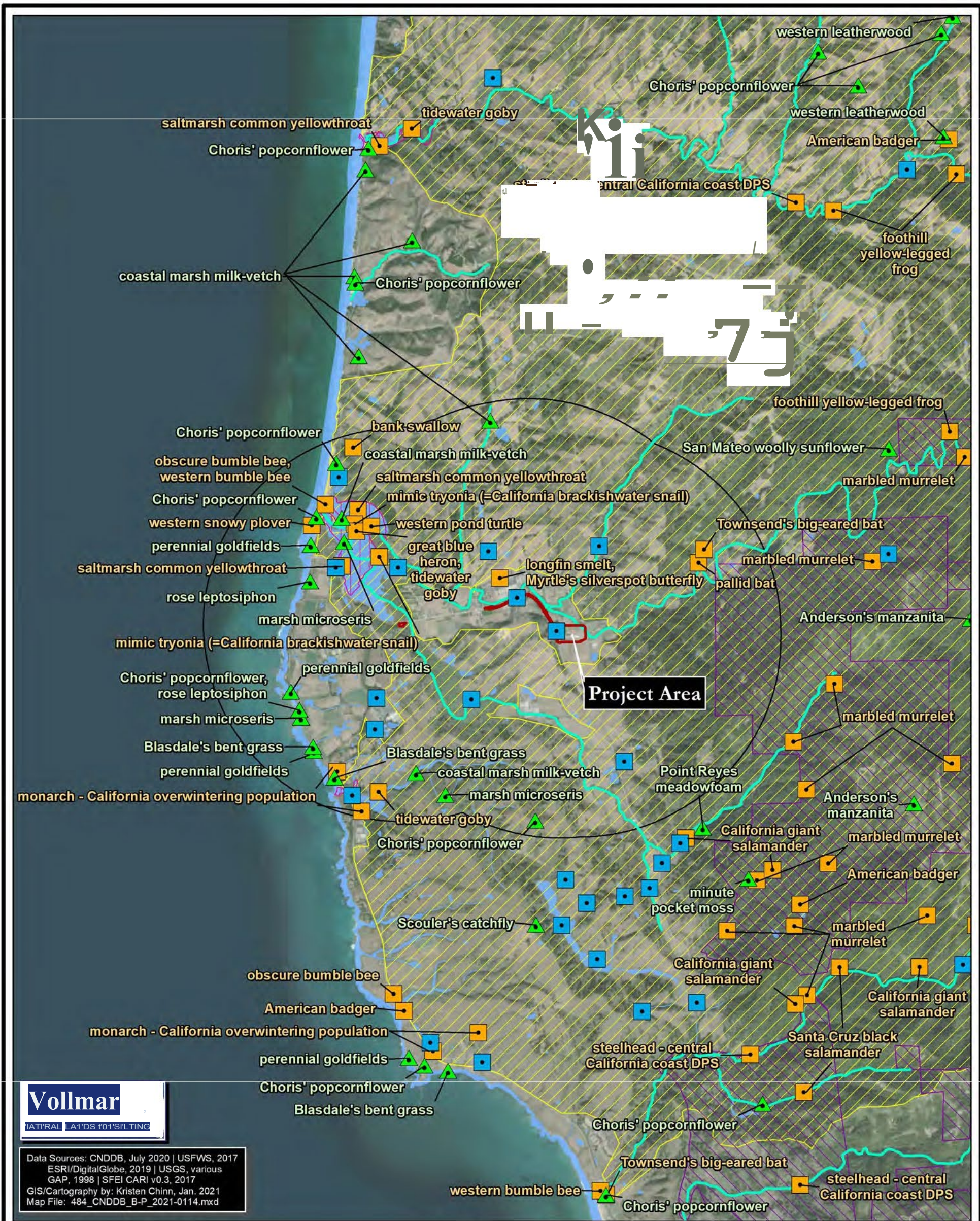
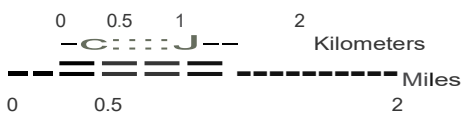


FIGURE 3
Regional Special-status Species

**Pescadero High School Water Supply
 and Fire Station Project
 San Mateo County, California**



1:63,360
 (1 in = 1 mi at tabloid layout)



low gradient ephemeral and permanent streams, rivers, and adjacent moist terrestrial habitats (Hayes et al 2016). FYLF prefer partly shaded, shallow streams and riffles with a rocky substrate that is at least cobble-sized. They occur in streams and rivers in woodland, chaparral, and forest habitats (Stebbins 2012). Breeding occurs between mid-March to early June after high water of streams subsides (ibid).

Historically, FYLF ranged from central Oregon south along the coastal Cascade ranges, and south along the foothills of the western side of the Sierra Nevada Mountains to northern Baja California. FYLF has disappeared from 55% of its habitat range in Oregon, 45% of its overall range in California, and 66% of its range in the California Sierra. The few remaining populations in the southern Sierra Nevada, specifically those south of I-80, are nearly extinct (Stebbins 2012). Frogs in this area have been largely affected by reservoir water release. Poorly timed water releases can wash away eggs and larvae, or retard their development (Kupferberg et al. 2012). Additionally, changes to flow regimes and downstream habitat alteration resulting from hydroelectric power generation and other water management projects have greatly impacted FYLF's dependence on riverine environments (ibid). FYLF are also susceptible to other environmental impacts including loss of habitat, predation by non-native species such as American bullfrog and crayfish, and air-borne pesticides (Davidson et al. 2002, Ashton et al. 1998).

Potential Project Impacts

Pescadero and Butano Creeks provide potentially suitable habitat for FYLF. Though there are no recent documentations within the area, FYLF has been documented within Pescadero Creek in the mid to late 1900s, and may still be present. While project activities are not anticipated to directly affect FYLF via impacts to the riparian habitats or channel, indirect impacts such as sedimentation could occur. The following avoidance measures are recommended to avoid impacts to FYLF from project activities.

Recommended Avoidance, Minimization, and Mitigation Measures

- Measure 1: Initial ground-disturbing activities shall be avoided between November 1 and March 31 to avoid the time period when amphibians and reptiles are most likely to be moving through the Project Area.
- Measure 2: Temporary exclusion fencing shall be installed around the limits of work areas and access routes to ensure special-status amphibians, reptiles, and mammals cannot enter the work area. Installation of exclusion fencing shall occur under the supervision of a designated biologist and immediately following a clearance survey of the area. The exclusion fencing shall have a minimum aboveground height of 30 inches, and the bottom of the fence should be keyed in at least 4 inches deep and backfilled with soil to prevent wildlife from passing under the fencing. Exclusion fencing shall be installed to prevent species entry into active work areas and to mark the limits of construction disturbance at equipment

staging areas, site access routes, construction equipment and personnel parking areas, debris storage areas, and any other areas that may be disturbed.

Measure 3: Plastic monofilament netting (erosion control matting), loosely woven netting, or similar material in any form shall not be used at the project site because amphibians and reptiles can become entangled and trapped in them. Any such material found on-site shall be immediately removed by the construction personnel. Materials utilizing fixed weaves (strands cannot move), polypropylene, polymer, or other synthetic materials shall not be used.

Measure 4: No more than twenty-four (24) hours prior to the date of initial ground disturbance, a pre-construction survey for foothill yellow-legged frog and other sensitive amphibians and reptiles shall be conducted by a designated biologist at the project site.

The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of special-status amphibians and reptiles. The designated biologist shall investigate all potential areas that could be used by the species for feeding, sheltering, movement, and other essential behaviors. If any foothill yellow-legged frogs are found, the designated biologist shall follow the procedures specified in Measure 5.

Measure 5: Each encounter with the foothill yellow-legged frog will be treated on a case-by-case basis in coordination with the USFWS, but the general procedure is as follows: (1) the animal will not be disturbed if it is not in danger; or (2) the animal will be moved to a secure location if it is in any danger. These procedures are further described below:

- When a foothill yellow-legged frog is encountered in the project area, all activities which have the potential to result in the harassment, injury, or death of the individual shall be immediately halted. The designated biologist will then assess the situation in order to select a course of action that will avoid or minimize adverse effects to the animal. To the maximum extent possible, contact with the animal will be avoided and the applicant will allow it to move out of the potentially hazardous situation to a secure location on its own volition. This procedure applies to situations where a foothill yellow-legged frog is encountered while it is moving to another location and is actively dispersing. It does not apply to animals that are uncovered or otherwise exposed or in areas where the individual is not expected to move on its own and may be in danger (e.g., within the fenced construction perimeter).
- Foothill yellow-legged frogs that are in danger (e.g., animals that are uncovered or otherwise exposed or in areas within the fenced construction perimeter where the individual is not expected to move on its own) shall

be relocated and released by the designated biologist outside the construction area within the same habitat. Prior to the initial ground disturbance, the designated biologist will obtain approval of the relocation protocol from the USFWS and CDFW in the event that a foothill yellow-legged frog is encountered and needs to be moved away from the project site. Foothill yellow-legged frog shall be released in appropriate habitat nearby within the watershed. The designated biologist will limit the duration of the handling and captivity of the foothill yellow-legged frog to the minimum amount of time necessary to complete the task. The applicant will immediately notify the USFWS and CDFW once the foothill yellow-legged frog is relocated and the site is secure.

Measure 6: Uneaten human food and other refuse attracts crows, ravens, coyotes, raccoons, and other predators of amphibians, reptiles, and other wildlife. A litter control program shall be instituted at the project site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed garbage containers. The garbage containers shall be removed from the project site at the end of each working day.

5.1.3 California Red-legged Frog

California red-legged frog (CRLF) is a federally Threatened species. The species occurs from sea level to elevations of approximately 5,200 feet (1,500 meters). Breeding occurs in streams, deep pools, backwaters within streams and creeks, ponds, marshes, sag ponds, dune ponds, lagoons, and stock ponds. Breeding adults are often associated with deep (greater than 2 feet [0.7 meter]) still or slow-moving water and dense, shrubby riparian or emergent vegetation (Hayes and Jennings 1988), but frogs have been observed in shallow sections of streams and ponds that are devoid of vegetative cover. The species is known to rest and feed within riparian vegetation and it is believed that the moisture and cover of the riparian zone provides foraging habitat and facilitates dispersal. The species has also been documented dispersing through areas with sparse vegetative cover and dispersal patterns are considered to be dependent on habitat availability and environmental conditions (Scott and Rathbun 1998).

Potential Project Impacts

Pescadero and Butano Creeks provide suitable habitat for CRLF, and the western portion of the Study Area is within CRLF designated critical habitat. There are also two CNDDDB occurrences for CRLF within the Study Area. Uplands around Pescadero and Butano Creeks are also likely to provide dispersal habitat. Project activities are expected to avoid impacts to riparian habitat, but could directly impact CRLF if they are dispersing through the uplands. The following avoidance measures are recommended to avoid impacts to CRLF from project activities.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measures 1-6 above. Measure 5, frog relocation protocol, will remain the same for California red-legged frog. The following two additional measures are recommended for California red-legged frog:

Measure 7: A USFWS-approved biologist(s) will be onsite until all initial habitat disturbances have been completed. The qualifications of the biologist(s) will be submitted to USFWS for review and written approval at least thirty (30) days prior to the date earthmoving is initiated at the project site.

Measure 8: To the maximum extent practicable, no construction activities shall occur during rain events or within 24-hours following a rain event. Prior to construction activities resuming, a designated biologist will inspect the Project Area and all equipment/materials for the presence of amphibians and reptiles.

5.1.4 Tricolored Blackbird

The tricolored blackbird (nesting colony) is listed as State Threatened, and is a CDFW Species of Special Concern and USFWS Bird of Conservation Concern. This species is most often found in large freshwater marshes, especially those which are saturated with cattails (*Typha* spp.) and tules (*Schoenoplectus* spp.). They tend to nest in areas with protective, spiny vegetation, especially where there is abundant insect prey within a short radius of the colony (Shuford and Gardali 2008). These birds forage in flocks, mostly on the ground, but occasionally in shrubs and trees (Kaufman 2005). The nesting behavior of the tricolored blackbird is highly social. They form the largest colonies of any North American land bird, forming breeding groups of tens of thousands of individuals (Cook and Toft 2005). The birds in these colonies pack their nests closely together in dense cattail or bulrush marshes. Breeding takes place from mid-March through July (ibid).

Unlike the red-winged blackbird, which is abundant throughout the continent, the tricolored blackbird has a very small range in the Pacific states. Tricolored blackbird populations have seriously declined in recent decades due to habitat destruction. It is speculated that its habit of nesting in dense colonies make the tricolored blackbird more susceptible to population decline (Cook and Toft 2005).

Potential Project Impacts

The Study Area does not provide suitable nesting habitat for this species, but surrounding fields may provide foraging habitat. This species has been documented in the vicinity according to a citizen scientist bird tracking organization (data available from ebird.org). No impacts to adjacent agricultural areas are expected from the proposed project, so impacts to tricolored blackbird foraging habitat are not anticipated to occur. No avoidance measures are recommended.

5.1.5 Bank Swallow

The bank swallow is listed as State Threatened. It is the smallest North American swallow with a weight of 13.5 grams (Bank Swallow Technical Advisory Committee 2013). Bank swallows are migratory birds that breed in North America, Europe and Asia, and winter in Central and South America (Garrison 1999). The California populations of Bank swallows breed in the northern and central portion of the state with the vast majority (70-90%) of individuals occurring in the Sacramento River and its tributaries (CDFW 1992).

Bank swallows construct nest burrows along eroded, vertical banks of rivers and creeks with friable soils (Garrison et al. 1987). Bank swallows favor river and creek systems with native, over-bank riparian vegetation (Bank Swallow Technical Advisory Committee 2013). Bank swallows nest in early spring when pairs lay 3 to 5 eggs. Nesting colonies can range from 3 to 3,000 nest burrows. Burrows are often destroyed by erosional forces from year to year so there is typically low site fidelity to nesting locations (ibid).

Potential Project Impacts

The Butano Creek corridor provides suitable nesting and foraging habitat for bank swallow, and the species is known to breed in Pescadero Marsh (1-2 miles from the Study Area) (CNDDDB 2020). This species has also been documented in the Butano Creek corridor according to a citizen scientist bird tracking organization (data available from ebird.org). Direct impacts to the Butano Creek corridor are not anticipated, but nesting individual birds may be indirectly impacted due to construction noise or other construction-related disturbances. The following avoidance measures are recommended to avoid impacts to Bank swallow.

Recommended Avoidance, Minimization, and Mitigation Measures

Measure 9: If construction activities will commence anytime during the nesting/breeding season of native bird species potentially nesting in the Study Area (typically February through August in the project region), a pre-construction survey for nesting birds should be conducted by a qualified biologist within two weeks of the commencement of construction activities.

If active nests are found in areas that could be directly affected or are within 250 feet (for passerines) or 500 feet (for raptors) of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone should be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zone and types of construction activities restricted within it should be determined through coordination with the CDFW, taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

5.1.6 Steelhead, Central California Coast DPS

The Central California Coast Steelhead Distinct Population Segment (DPS) was listed as Federally Threatened on January 5, 2006. Steelhead are an anadromous fish with unique and complex life histories. They spend most of their adult lives in the ocean, and return to freshwater streams and rivers to spawn (CalFish 2018). They spawn in cobble or gravel bottom streams with cold, highly oxygenated water, from December through April. The majority of adult steelhead die after spawning, though some return to the ocean and may spawn for multiple years (NMFS 2016). Fry and juveniles inhabit pools and riffles in the streams while they grow, typically emigrating to the ocean after 1-3 years (CalFish 2018, NMFS 2016). Coastal lagoons and estuaries are also important in the lifecycle of a steelhead, as they provide transitional habitat between freshwater and saltwater environments (NMFS 2016).

Potential Project Impacts

Steelhead are known to occur within Pescadero Creek and Butano Creek, both of which are designated as critical habitat for the species. Project activities are not anticipated to impact the creek corridor; therefore, direct impacts are not expected to occur. However, steelhead in the creek could be affected indirectly by construction impacts such as sedimentation from ground disturbance activities, in the absence of avoidance measures. Construction projects are required to implement stormwater best management practices (BMPs) year-round; this set of BMPs include details on earthmoving which is applicable to ensuring the protection of water quality in Pescadero and Butano Creek. Implementation of these stormwater BMPs would reduce impacts to a less than significant level. The most relevant BMPs are reproduced in Measure 10 below, for reference.

Recommended Avoidance, Minimization, and Mitigation Measures

Measure 10: Ensure that stormwater BMPs are implemented to protect water quality entering Pescadero and Butano Creeks:

- Schedule grading and excavation work during dry weather.
- Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matric) until vegetation is established.
- Prevent sediment from migrating offsite and protect from storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining

appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.

- Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.

5.1.7 Tidewater Goby

The tidewater goby is listed as Federally Endangered. It is a small fish that inhabits discrete brackish water habitats along the California coast ranging from Del Norte County to northern San Diego County. Tidewater goby typically live up to one year (Moyle 2002). Breeding occurs year-round but is most common during the spring and late summer (Swenson 1999). Male tidewater gobies construct breeding burrows in relatively clean, unconsolidated, and coarse sand (Swift et al. 1989). Their habitat is strongly associated with shallow, brackish lagoons at the mouths of major stream drainages or tidal bays. They also range a short distance up freshwater streams (USFWS 2007a). Tidewater gobies can withstand a wide range of salinity levels (0-42 ppt) and temperatures (46-72 degrees Fahrenheit) (ibid).

Potential Project Impacts

Butano Creek within the Study Area may provide suitable habitat for tidewater goby. Recent restoration activities within Butano Creek have potentially made the reach more favorable, as sediment dredging occurred throughout the reach and lowered the creek elevation by over 10 feet where it crosses under Pescadero Road. Project activities are not anticipated to impact the creek corridor, so direct impacts are not expected to occur. However, fish in the creek could be indirectly affected by construction impacts such as increased sedimentation, in the absence of avoidance measures.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measure 10.

5.1.8 San Francisco Gartersnake

The San Francisco gartersnake is listed as Federally and State Endangered, and a Fully Protected Species by CDFW. This species is considered highly vulnerable due to its limited range, loss of habitat, and invasive species (USFWS 2007b). The San Francisco gartersnake is a subspecies of the common garter snake (*Thamnophis sirtalis*) in the Colubridae family. It is endemic to the San Francisco peninsula and is currently restricted to San Mateo County and northwestern Santa Cruz County (USFWS 2020b).

San Francisco gartersnakes are often found in or adjacent to aquatic habitats such as ponds or streams featuring emergent or floating vegetation. They also occupy upland grasslands, meadows and shrubby areas. The San Francisco gartersnake's main prey species are the California red-

legged frog and the sierran treefrog (*Hyla sierra*). Females give live birth from June through September, with litters averaging 16 newborns (USFWS 2007b).

Potential Project Impacts

Pescadero and Butano Creek, along with the surrounding upland grassland and shrubby habitats may provide suitable habitat for San Francisco gartersnake. If a snake is present in the upland grassland or riparian area when construction commences, it could be harmed in the absence of avoidance measures. Avoidance measures are detailed below.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measures 1-8 above. Measure 5, relocation protocol, will remain the same for San Francisco gartersnake.

5.2 Non-listed Special-Status Animal species

5.2.1 Santa Cruz Black Salamander

The Santa Cruz black salamander is currently listed by the CDFW as a Species of Special Concern. This species is a moderately sized, robust salamander in the family Plethodontidae. The Santa Cruz black salamander is endemic to California and its range is limited to the Santa Cruz Mountains in San Mateo County, northern Santa Cruz County, and western Santa Clara County (Stebbins 2012). Adults measure up to 5.5 inches (14 cm) in total length and are nearly completely black in coloration (ibid). Santa Cruz black salamanders have long, squared toes and a rounded prehensile tail but are largely terrestrial. Their diet consists of mainly invertebrate. Females lay approximately 8-25 eggs in moist cavities below ground between July and August (ibid). The Santa Cruz black salamander requires habitats with a high degree of moisture such as well shaded, rocky streams and creeks. They are typically found underneath damp rocks or logs in woodlands, forests and coastal grasslands from sea level to approximately 2400 ft (800 m) (AmphibiaWeb 2020). Threats to this species include habitat disturbance and climate change (habitat becoming hotter and drier) (ibid).

Potential Project Impacts

Santa Cruz black salamander may be present in riparian or forested areas within the Study Area. If project activities were to directly impact riparian habitat within the Study Area, individual salamanders could be harmed. Avoidance measures are included below.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measures 1-3, and 6, above.

5.2.2 Long-eared Owl

Long-eared Owl is a CDFW Species of Special Concern. This species requires riparian habitat, but can also be found in live oak thickets and other dense stands of trees (Polite 1988). They can commonly be found hunting in open areas, and occasionally in woodland and forested habitats (ibid). Long-eared Owl uses old nests of other birds or squirrels in trees with dense canopy; they breed from early March to late July in valley foothill hardwood up to ponderosa pine habitats (ibid). Populations in California have been declining since the 1940s, especially in southern California, likely due to destruction and fragmentation of riparian habitat (Grinnell and Miller 1944, Remsen 1978).

Potential Project Impacts

There is potentially suitable habitat present within the riparian corridor within the Study Area for this species. Any tree or vegetation removal activities have the potential to impact this species. Indirect impacts from construction noise or other construction-related activities could affect nesting owls.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measure 9, above.

5.2.3 Burrowing Owl

The burrowing owl is a CDFW Species of Special Concern and a USFWS Bird of Conservation Concern. The burrowing owl occurs throughout non-mountainous western North America; within California, burrowing owls can be found from Mexico to the northern Central Valley, in the lowlands, coastal, and desert regions. While the range of burrowing owls within California has not significantly decreased, breeding birds have disappeared from many parts of their range, and abundance appears to have declined significantly in the latter half of the 1900s (SCVHA 2012). Burrowing owls prefer open habitat with short vegetation and minimal trees. This species utilizes grasslands, shrublands, and agricultural areas which have existing burrow complexes or soils that allow them to create burrows and hunt insects and small mammals (Urban Bird Foundation 2008, TCLO 2015).

Potential Project Impacts

Open fields surrounding and within the Study Area may provide suitable nesting and foraging habitat for burrowing owl, although no small mammal burrows were observed during the field survey. This species has been documented in the vicinity according to a citizen bird tracking organization (data available from ebird.org). Individual burrowing owls may be indirectly impacted by disturbance from construction noise or other related activities. The following avoidance measures are recommended.

Recommended Avoidance, Minimization, and Mitigation Measures

Measure 11: If construction activities commence during the burrowing owl nesting season (February 1 – August 31), a qualified biologist shall conduct preconstruction surveys covering all areas of suitable habitat within 250 feet of the proposed activity. The survey will last a minimum of 3 hours, and will either begin 1 hour before sunrise and continue until 2 hours after sunrise or begin 2 hours before sunset and continue until 1 hour after sunset. If no owls are detected during a first survey, a second survey will be conducted. If owls are detected during the first survey, a second survey is not needed. All owls observed will be counted and their locations will be mapped, and the following measure will be implemented:

If evidence of nesting burrowing owls is found, a 250-foot-wide no-disturbance buffer zone will be established around each occupied nest and will be delineated in the field by the biologist, using a suitable low-impact medium. Construction may proceed outside the no-disturbance buffer zones.

5.2.4 Black Swift

Black swift is a CDFW Species of Special Concern and USFWS Bird of Conservation Concern. This species can be found foraging in a wide variety of terrains and habitats, resting on steep, rocky, moist cliffs (Bent 1940). Black swift nests in moist crevices or caves on cliffs near the sea or waterfalls (Granholm 1988). This species has a very large home range, and leaves California in the winter (Bent 1940, Grinnell and Miller 1944). Nests are constructed of mud mixed with plant materials in deep, dark crevices, caves, or under overhangs (Bent 1940). Due to their location in cliffs, nests are generally inaccessible to terrestrial predators and human disturbance (Granholm 1988).

Potential Project Impacts

Open fields may provide suitable foraging habitat, but there is no suitable nesting habitat present within the Study Area. No impacts to adjacent agricultural areas are expected from the proposed project, so impacts to black swift foraging habitat are not anticipated to occur. No avoidance measures are recommended.

5.2.5 American Peregrine Falcon

American Peregrine Falcon was delisted from its status as federally and state endangered in 2008, but is still a CDFW Fully Protected species and USFWS Bird of Conservation Concern. There are three subspecies that occur within North America, but *Falco peregrinus anatum* is the only subspecies that breeds in California (Mitchell 2000). American Peregrine Falcons are known to occur throughout California. Their breeding range occurs along the length of the coast and, less frequently, on the east side of the Sierras (Comrack and Logsdon 2008). American Peregrine Falcons prefer to breed near water with vertical nesting sites such as cliffs, steep banks, and ledges.

They tend to establish territories near abundant food sources, which primarily consist of birds, though small mammals may also be consumed. Some of the American Peregrine Falcon populations occurring in California are migrants, while others are year-round residents (ibid). The main threats to the species include pesticide consumption which reduces reproductive success by thinning eggshells and poisoning birds, and habitat degradation from urban development (ibid).

Potential Project Impacts

The Study Area provides foraging habitat but no nesting habitat for this species due to lack of cliffs and ledges. No impacts to adjacent agricultural areas are expected from the proposed project, so impacts to foraging habitat are not anticipated to occur. No avoidance measures are recommended.

5.2.6 Salt Marsh Common Yellowthroat

The salt marsh common yellowthroat is a USFWS Bird of Conservation Concern. It is a subspecies of the Common Yellowthroat (*Geothlypis trichas*), which has a broad range, occurring across the Pacific coast from southeastern Alaska to Baja California. The salt marsh common yellowthroat is one of at least 13 subspecies and is endemic to the San Francisco Bay region (Shuford and Gardali 2008).

Salt marsh common yellowthroat requires brackish or freshwater marsh habitat, preferring to nest in vegetation such as cattails, tules, and some shrubs including coyote brush. Suitability of habitat for this species generally increases with proximity to both marsh and upland habitats, preferring to nest in small, isolated patches within these habitats such as swales and seeps. Abundance of the salt marsh common yellowthroat is positively correlated with that of vegetation such as bulrush (*Scirpus* sp.) and peppergrass (*Lepidium* sp.), and a high density of vegetation in general. Salt marsh common yellowthroats maintain a diet of almost entirely insects and spiders (Shuford and Gardali 2008).

Potential Project Impacts

Riparian habitat within the Study Area (Butano Creek in particular) may provide suitable nesting habitat for this species. Direct impacts to Butano Creek corridor are not anticipated, but nesting individual birds may be indirectly impacted due to construction noise or other construction-related disturbances. The following avoidance measures are recommended to avoid impacts to salt marsh common yellowthroat.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measure 9, above.

5.2.7 Pallid Bat, Townsend's Big-Eared Bat, and Hoary Bat

Pallid bat and Townsend's big-eared bat are both CDFW Species of Special Concern and are listed as "high" priority by the Western Bat Working Group (WBWG). Hoary bat is listed as "medium" priority by the WBWG.

Pallid bats range from southern British Columbia through the western U.S. to Mexico (Weber 2009). This species is found in low elevations throughout California in wide variety of habitats including grasslands, shrublands, woodlands, and forests (Harris 1998b). Pallid bat is most commonly found in open dry habitats with rocky areas for roosting (Weber 2009). They roost in caves, crevices, mines, cliffs, and hollow trees. This species forages for insects and arachnids over open ground. Pallid bats mate from late October to February, with young born from April to July. Pallid bat is very sensitive to disturbance of their roosting sites, which are important for conserving energy and juvenile growth (Harris 1998b).

Townsend's big-eared bat is found in nearly all habitats except subalpine and alpine habitats throughout California (Harris 1988c). They roost in caves, mines, tunnels, buildings, or other human-made structures, and sometimes large hollows of trees (Gruver and Keinath 2006). They are generally found in dry uplands, but also occur in mesic habitats such as coniferous and deciduous forest (Kunz and Martin 1982). Townsend's big-eared bat is extremely sensitive to disturbance of roosting sites (Gruver and Keinath 2006).

Hoary bat is the most widespread North American bat, and can be found in almost all areas of California. This species winters along the coast and in southern California. They breed and roost in woodlands and forests with medium to large-sized trees with dense foliage, and can be found in foothills, deserts, mountains, lowlands, and coastal valleys during their migration. Hoary bat requires a source of water nearby, and prefers open habitats, with access to open areas for foraging and trees for cover. They mate in autumn, with young born from May through July (Harris 1998a).

Potential Project Impacts

The presence of a permanent water source (Pescadero and Butano Creeks) and open space (agricultural lands and ruderal upland habitat) within the Study Area provide ideal foraging habitat for these bat species, and dense clusters of trees within the riparian corridor provide cover. As these bat species utilize tree cavities, crevices, and exfoliating bark and/or bark fissures for roosting, trees within and near the Study Area with such features could provide roosting habitat. Breeding typically occurs in the fall or winter seasons. Therefore, tree removal could result in the loss of an active bat roost.

Recommended Avoidance, Minimization, and Mitigation Measures

Measure 12: A qualified biologist shall conduct a roosting bat habitat evaluation prior to the commencement of construction activities. The evaluation shall determine if any trees proposed for removal or that are located near the work sites provide potential

bat roosting habitat. If suitable roost trees or an active roost are confirmed, then a site-specific bat protection plan shall be developed by a qualified biologist to prevent disturbance of an active maternity or hibernation roost.

5.2.8 Western Pond Turtle

CDFW lists the western pond turtle (WPT) (*Emys marmorata*) as a State Species of Special Concern. WPT currently has no CESA or ESA listing. WPT is declining throughout much of its range due to urbanization, loss of aquatic habitat, and competition and predation from invasive species (Nicholson et al. 2020).

WPT consists of two recently recognized species in the genus *Emys* (family *Emydidae*); some authors alternatively use the genus *Actinemys* (family *Emydidae*). The two recently recognized species are named the northwestern pond turtle (*Emys marmorata*) and the southwestern pond turtle (*Emys pallida*). The southwestern pond turtle ranges from south of the San Francisco Bay along the Coast Range into northern Baja California while the northwestern pond turtle ranges from the Central Valley and Sierra Nevada foothills and north of the San Francisco Bay to Washington State (Thomson, Wright and Schaffer 2016). For the purpose of this report, the turtles within the Study Area will be referred to as the western pond turtle (*Emys marmorata*) following the taxonomy used in the California Department of Fish and Wildlife, “Special Animals List” (CNDDDB 2020).

WPT is highly aquatic and is California’s only native freshwater turtle species. WPT typically basks near water or float or swim through ponds, streams, and rivers, though it may migrate over dry land to locate new habitat, and to lay eggs. This species is diurnal and active in warm weather. It may hibernate in the mud at the bottom of ponds in cold winters, or estivate in mud at the bottom of dry ponds during hot summers. WPT’s diet consists of aquatic plants, invertebrates, worms, frog and salamander eggs and larvae, crayfish, carrion, and occasionally frogs and fish (Stebbins 2012). Female WPT migrate away from aquatic habitat to lay eggs. Preferred oviposition sites are small burrows in friable soils on warm south or west-facing slopes. Breeding occurs in April and May; it typically takes eight to ten years for a turtle to reach reproductive age (Stebbins 2012).

As shown in **Figure 3**, there is one CNDDDB occurrence 1.3 miles to the northwest of the Study Area, downstream of Pescadero Creek.

Potential Project Impacts

Pescadero Creek and Butano Creek both provide suitable habitat for WPT. Upland areas around the creeks also likely provide dispersal habitat. Project activities could harm individual turtles if any are present within the uplands or riparian habitats in the Study Area. The following avoidance measures are recommended to avoid impacts from project activities.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measure 1-3, and 6, above.

5.3 Sensitive Habitats

As discussed previously in **Section 4.1**, there are no alliances considered to be sensitive by CDFW within the Project Area. Although none of the identified alliances are considered to be sensitive, impacts to riparian and wetland habitats would be subject to permitting through the ACOE, CDFW, and/or the RWQCB. Recommended avoidance, minimization, and mitigation measures for potentially jurisdictional habitats within the Project Area are discussed further in **Section 5.6**.

5.4 Migratory and Nesting Birds

The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 704) and the California Fish and Game Code (Section 3503) prohibit the take of migratory birds as well as disturbance to the active nests of most native birds. As stated previously, the trees in the Study Area could support nests of multiple migratory bird species, including raptors. Tree or vegetation removal could result in direct loss of birds protected by the MBTA. Additionally, construction-related noise could result in the abandonment of an active nest in trees adjacent to the Study Area, including potential nests of special-status bird species.

Recommended Avoidance, Minimization, and Mitigation Measures

See Measure 9, above.

5.5 Non-listed Special-Status Plant Species

No special-status plants have previously been documented within the Project Area, and no such species were observed within the Study Area during the December 2020 reconnaissance-level site survey; however, a focused plant survey was not conducted at the time and the timing was inappropriate for most flowering species. The Project Area contain suitable habitat for 1 special status species, and marginal suitable habitat for 10 species. (**Appendix B, Table 2**).

Most special-status plants associated with unique soil types in the region are associated with serpentinite rock, sand, or other specialized substrates, or are generally found along the immediate coast (e.g., coastal strand or dunes habitat).

The Project Area supports suitable habitat for one plant species with special-status designation, though it is not a state or federally listed species (**Appendix B, Table 2**). Harlequin lotus (*Hosackia gracilis*) is ranked as CNPS list 4.2, indicating that it is a plant of limited distribution and is fairly threatened in California. This species is frequently documented along the coastline and occupies a variety of habitats, including disturbed roadside habitats. Although there were no CNDDDB occurrences documented within 2 miles of the Study Area, seven recent iNaturalist occurrences for this species were documented 2.25 miles southwest of the study area at Bean Hollow State Beach (iNaturalist, 2021).

Potential Project Impacts

Since harlequin lotus is a facultative wetland species, suitable habitat for harlequin lotus primarily exists within the wetter parts of the riparian corridor (i.e., less likely to occur at the top of bank) or within the mesic habitats that are adjacent to Cloverdale Road and Pescadero Creek Road, where the proposed pipe alignment is located. Vegetation removal could result in direct impacts to this species, if it is present.

Recommended Avoidance, Minimization, and Mitigation Measures

Measure 13: Appropriately-timed focused plant surveys during the harlequin lotus's flowering period (March - June) are recommended to detect presence of these species within the project's impact zone.

Measure 14: If this species is determined to be present within the project impact zone (where vegetation removal is needed), then transplanting potentially impacted populations to an appropriate adjacent habitat where impacts are not anticipated is recommended. The transplanting effort would need to be approved by the CDFW.

5.6 Potential Jurisdictional Waters

Though no formal wetland delineation was conducted in the Study Area, Pescadero Creek and Butano Creek would likely be considered jurisdictional by the ACOE as a Navigable Water with other Waters of the United States. In addition, since the Project Area is within a Coastal Development Zone, potentially jurisdictional features need to only contain one wetland parameter (e.g., hydrophytic vegetation), compared to presence of all three wetland parameters typically needed for areas outside of the California Coastal Commission's jurisdiction.

In the southwest corner of Pescadero High School, the pipeline is proposed to be located on the east side of Cloverdale Road, where a ditch conveys surface water to Pescadero Creek. There are also several culverts located along Pescadero Creek Road and Cloverdale Road that drain upland sheetflow to these creeks. The proposed development footprint of the new fire station is located on a disced field containing facultative wetland plants, and may qualify as a potential jurisdictional wetland.

In the event that permits, water quality BMPs, and other measures are not included as part of the project to protect Pescadero Creek and Butano Creek, these aquatic resources could be adversely impacted by project activities. Implementation of avoidance, minimization, and mitigation measures recommended in the Biological Habitat Evaluation Report would bring project impacts to a less-than-significant level.

Recommended Avoidance, Minimization, and Mitigation Measures

Measure 15: The disturbance of wetlands and riparian habitats require permits from ACOE, CDFW, and RWQCB. Therefore, it is advisable to avoid any impacts to these habitats. It is advisable to establish buffers around the features, of a minimum distance of 25 feet. Brightly colored flags should be placed along the buffer boundaries and construction personnel should be informed of the importance of avoiding the habitats. All vehicles and heavy equipment should be kept out of the habitats and their buffers, and every effort should be made to avoid incidental impacts, such as the spilling of petrochemicals, solvents, or other potential contaminants.

Measure 16: If wetland and/or riparian habitats cannot be avoided, any grading, excavation, or filling of jurisdictional features would require a wetland delineation, obtaining the proper permits, and would require mitigating impacted habitat(s). Therefore, prior to the commencement of construction activities that could result in disturbance to a jurisdictional wetland or stream, the project proponent shall conduct a wetland delineation, obtain all required permits/agreements from the ACOE, CDFW, and RWQCB, and comply with all specified requirements contained in those permits.

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APPENDIX A:
REPRESENTATIVE PHOTOGRAPHS
OF THE STUDY AREA
(Recorded December 7, 2020)

Representative Photographs of the Study Area



Photo facing southwest. Proposed location of the new fire station. Disced field with giant horsetail. Coastal scrub habitat shown on hillslopes.



Willow thicket at the top of bank along Pescadero Creek. Northeast corner of the Pescadero High School property.

Representative Photographs of the Study Area



The reach of Pescadero Creek located at the northeast corner of Pescadero High School.



Roadside/wetland ditch along Cloverdale Road;
Himalayan blackberry thickets and roadside ditch/swale.

Representative Photographs of the Study Area



Typical top of bank for Pescadero Creek riparian habitat along Cloverdale Road.



Eucalyptus stands along Cloverdale Road.

APPENDIX B:

SPECIAL-STATUS SPECIES TABLES

TABLE 1. Special-status Animals Documented within the Vicinity of the Study Area

Note: Taxa with higher potential to occur in the Study Area, based on presence of habitat, are shaded in gray.

Species	Status	Description of Habitat Requirements	Potential to Occur in Study Area
Amphibians			
Santa Cruz black salamander <i>Aneides niger</i>	SSC	Inhabits coastal grassland, open oak and conifer woodlands, redwood forest, mixed evergreen forest and along riparian corridors; adults found under rocks, talus, and damp woody debris.	Potential to Occur (low). Riparian habitat along Pescadero and Butano Creeks offer suitable habitat for breeding and rearing. There are no CNDDDB occurrences within 2 miles of the Study Area.
California giant salamander <i>Dicamptodon ensatus</i>	SSC	Adults rarely seen, but sometimes on surface in wet conditions, under rocks or woody debris, or in creeks; larvae found in cold, clear streams, often near headwaters. Mostly associated with dense scrub and forested areas including redwoods.	Not Expected. Riparian habitat along Pescadero and Butano Creeks may offer suitable habitat for breeding and rearing. There are no CNDDDB occurrences within 2 miles of the Study Area.
Foothill yellow-legged frog <i>Rana boylei</i>	SE, SSC	Rocky, high gradient streams and rivers with rocky substrate and open, sunny banks; forests, chaparral, woodland.	Potential to Occur (low). Riparian habitat along Pescadero and Butano Creeks offer marginally suitable habitat for breeding and rearing. One CNDDDB occurrence is documented 4 miles upstream of the Study Area.
California red-legged frog <i>Rana draytonii</i>	FT, SSC	Marshes, stream pools, reservoirs, ponds. Uses both riparian and upland habitats for foraging, shelter, cover, and non-dispersal movement. Quiet pools of freshwater streams, and occasionally ponds.	Potential to Occur (high). Riparian habitat along Pescadero and Butano Creeks offer suitable habitat for breeding and rearing. The western Study Area containing Butano Creek is located within CRLF designated Critical Habitat, and there are two CNDDDB occurrences of CRLF within the Study Area, and 12 occurrences within a 2-miles radius (within the Pescadero Creek watershed).
Birds			
Tricolored Blackbird <i>Agelaius tricolor</i>	ST, SSC, USFWS: BCC	Large freshwater marshes. Forages in open habitats such as pastures, agricultural fields, and grasslands with scattered seasonal wetlands.	Potential to Occur (high). Open fields surrounding and within the Study Area provide suitable foraging habitat for this species, though the Study Area does not provide suitable nesting habitat for this species. The species is known to occur within the vicinity according to citizen documentations (data from ebird.org).
Long-eared Owl <i>Asio otus</i>	SSC	Frequents dense, riparian and live oak thickets near meadow edges, and nearby woodland and forest habitats. Also found in dense conifer stands at higher elevations.	Potential to Occur (medium). Riparian habitat along Pescadero and Butano Creeks may offer suitable habitat for nesting and foraging within the Study Area.

Species	Status	Description of Habitat Requirements	Potential to Occur in Study Area
Burrowing Owl <i>Athene cunicularia</i>	SSC, USFWS: BCC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel. Suitable habitats include coastal prairie, coastal scrub, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Sonoran Desert scrub, and valley & foothill grassland	Potential to Occur (medium). Open fields surrounding and within the Study Area may provide suitable nesting and foraging habitat for this species.
Marbled Murrelet <i>Brachyramphus marmoratus</i>	FT, SE	Nests in old-growth conifer forests near ocean. Forage near shorelines but also far offshore.	Not Expected. Study Area does not provide suitable nesting habitat for this species.
Western Snowy Plover <i>Charadrius alexandrinus nivosus</i>	FT, SSC, USFWS: BCC	Nests on sandy beaches, salt flats and other open, coastal and bay habitats.	Not Expected. Study Area does not provide suitable nesting habitat for this species.
Yellow Rail <i>Coturnicops noveboracensis</i>	SSC, USFWS: BCC	Shallow fresh or brackish marsh, or coastal salt marsh. May also occupy rice fields or damp meadows near coast.	Not Expected. Study Area does not provide suitable nesting habitat for this species.
Black Swift <i>Cypseloides niger</i>	SSC, USFWS: BCC	Nests on cliff edges behind or near waterfalls and sea caves; generally, in dark and inaccessible areas. Forages over forests and open areas.	Potential to Occur (low). Open fields within the Study Area may provide foraging habitat; no suitable nesting habitat is present within the Study Area.
American Peregrine Falcon <i>Falco peregrinus anatum</i>	FP, USFWS: BCC	Nests on cliffs or other tall man-made structures (approximately 25 feet and up). May also use abandoned nests from other birds.	Potential to Occur (high). Study area provides foraging habitat but no nesting habitat for this species. The species is known to occur within the vicinity according to citizen documentations (data from ebird.org).
Salt Marsh Common Yellowthroat <i>Geothlypis trichas sinuosa</i>	SSC, USFWS: BCC	Nests in tall grasses, tules, and willow thickets. Typically found in freshwater marshes in summer and salt or brackish marshes in fall and winter.	Potential to Occur (medium). Study Area is within breeding range and riparian corridor within Study Area may provide suitable nesting habitat (willow thickets were observed within the riparian corridor). Butano Creek offers higher quality habitat, while Pescadero Creek provides marginal habitat due to lack of marsh vegetation. This species is known to breed in Pescadero Marsh, approximately 1-2 miles from the Study Area (CNDDDB 2020).
California Black Rail <i>Laterallus jamaicensis coturniculus</i>	ST, FP, USFWS: BCC	Nests in marshes and wet meadows with stable, shallow water (muted tidal activity).	Not Expected. Study Area does not provide suitable nesting habitat for this species.

Species	Status	Description of Habitat Requirements	Potential to Occur in Study Area
Short-tailed Albatross <i>Phoebastria albatrus</i>	FE, SSC	Open ocean.	Not Expected. Open ocean is not present within the Study Area.
Bank Swallow <i>Riparia riparia</i>	ST	Nests near bodies of fresh and salt water in vertical banks and cliffs of fine or sandy soil. Feeds in grassland, shrubland, and savanna year-round, open riparian areas during breeding season, and cropland during migration.	Potential to Occur (high). Suitable vertical bank nesting habitat was observed along Butano Creek corridor near Pescadero Creek Road. Suitable vertical banks were not observed along Pescadero Creek. There is one CNDDDB occurrence within 1.8 miles to the northwest of the Study Area. The species is known to occur within the vicinity according to citizen documentations (data from ebird.org).
California Least Tern <i>Sternula antillarum browni</i>	FE, SE, FP	Nests along the coast and around bays/estuaries from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat sand beaches and alkali flats.	Not Expected. There is no suitable breeding habitat within the Study Area.
Fish			
Steelhead - central California coast DPS <i>Oncorhynchus mykiss irideus</i> pop. 8	FT	Streams, rivers, lakes, estuaries, ocean from Russian River south to Soquel Creek and to, but not including, the Pajaro River. Also includes San Francisco and San Pablo Bay Basins.	Potential to Occur (high). The reaches of Pescadero and Butano Creeks with the Study Area provides suitable spawning habitat for adults and rearing habitat for out-migrating juveniles/parr. Both Butano and Pescadero Creek are designated as steelhead critical habitat.
tidewater goby <i>Eucyclogobius newberryi</i>	FE	Inhabits brackish water habitats along the California coast from San Diego to the Smith River. Found in shallow lagoons and lower stream reaches with fairly still, but not stagnant, water and high oxygen levels.	Potential to Occur (medium). The reach of Butano Creek within the Study Area provides suitable habitat for tidewater goby since it is closer to the ocean and is brackish. Recent restoration activities at Butano Creek have likely made the area more favorable, as sediment dredging occurred throughout the lower reach of this creek and lowered the elevation of the creek by over 10 feet where it crosses Pescadero Creek Road. Pescadero Creek within the Study Area likely does not provide suitable habitat. There is one CNDDDB occurrence within 1.5 miles to the northwest of the Study Area, around the confluence of Pescadero and Butano Creek into Pescadero Marsh.
delta smelt <i>Hypomesus transpacificus</i>	FT, SE	Streams, rivers, estuaries in the Delta.	Not Expected. Pescadero and Butano Creek is hydrodynamically isolated from the San Francisco Estuary and is therefore outside of the known range of the delta smelt.

Species	Status	Description of Habitat Requirements	Potential to Occur in Study Area
longfin smelt <i>Spirinchus thaleichthys</i>	FC, ST	Nearshore waters, estuaries, and lower portions of freshwater streams.	Not Expected. Pescadero and Butano Creek is hydrodynamically isolated from the San Francisco Estuary, which is the known southernmost range of longfin smelt.
Insects			
Myrtle's silverspot butterfly <i>Speyeria zerene myrtleae</i>	FE	Coastal dune or prairie habitat sheltered from the wind, below 820 feet elevation, and within 3 miles of the coast.	Not Expected. The Study Area does not contain suitable habitat.
Western bumble bee <i>Bombus occidentalis</i>	SCE	Nest in underground cavities or animal burrows. Forage and overwinter in meadows and grasslands with abundant flowers.	Not Expected. The Study Area does not contain suitable habitat. Agricultural lands may provide marginal habitat, but these areas likely experience routine ground disturbance.
San Bruno elfin butterfly <i>Callophrys mossii bayensis</i>	FE	Rocky outcrops and cliffs in coastal scrub; host plant is broadleaf stonecrop.	Not Expected. The Study Area does not contain suitable habitat.
Mammals			
Pallid bat <i>Antrozous pallidus</i>	SSC, WBWG: H	Forages in a variety of habitats. Roosts in rocky outcrops, buildings, and hollow trees.	Potential to Occur (medium). Any onsite trees with suitable cavities may provide potential roosting habitat. There is one CNDDDB occurrence within 3/4 mile to the northeast of the Study Area, further upstream Pescadero Creek.
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	SSC, WBWG: H	Pine forest or desert scrub near caves or other rock formations that provide crevices. Less common roosting habitat includes buildings, bridges, and hollow trees. Foraging habitat typically include edge habitat (wooded habitat) along streams.	Potential to Occur (medium). Large trees within Study Area provide potential roosting habitat (not preferred). There is one CNDDDB occurrence within 1.5 miles to the northeast of the Study Area, further upstream Pescadero Creek.
Southern sea otter <i>Enhydra lutris nereis</i>	FT, FP	Near-shore marine habitats; will give birth on protected shorelines	Not expected. Near-shore marine habitats are not present within the Study Area.
Hoary bat <i>Lasiurus cinereus</i>	WBWG: M	Roosts at edge of clearings for coniferous and deciduous woodland/forests. Less likely roosting habitat includes caves, rock ledges, and buildings.	Potential to Occur (medium). Large trees within Study Area provide potential roosting habitat.

Species	Status	Description of Habitat Requirements	Potential to Occur in Study Area
American badger <i>Taxidea taxus</i>	SSC	Prefers open areas and may also frequent brushlands with little groundcover. When inactive, occupies underground burrow.	Not Expected. The Study Area does not contain suitable habitat.
Reptiles			
Green sea turtle <i>Chelonia mydas</i>	FT	Open ocean, return to beaches to breed.	Not expected. Open ocean and beaches are not present within the Study Area.
San Francisco gartersnake <i>Thamnophis sirtalis tetrataenia</i>	FE, SE, FP	Vicinity of freshwater marshes, ponds, and slow-moving streams in San Mateo and extreme northern Santa Cruz Counties. Prefers lentic habitat during the spring through fall that supports frog or fish prey with nearby uplands that consist of a mosaic of grassland, scrub and woodland.	Potential to Occur (medium). Study Area is within known range and Pescadero and Butano Creeks, along with the brackish lagoon, provide suitable habitat.
Western pond turtle <i>Actinemys marmorata</i>	SSC	Permanent and intermittent waters of rivers, creeks, small lakes and ponds, marshes, unlined irrigation canals, and reservoirs.	Potential to Occur (high). Pescadero and Butano Creeks within the Study Area are freshwater creeks connected to a brackish lagoon and therefore provide suitable habitat. There is one CNDDB occurrence within 1.3 miles of the Study Area, downstream in Pescadero Creek.

¹ Status definitions:

FT – Federal Threatened;
FE – Federal Endangered;
ST – State Threatened;
SE – State Endangered;
SCE – State Candidate Endangered;

USFWS: BCC – USFWS Bird of Conservation Concern;
SSC – CDFW Species Special Concern;
FP – CDFW Fully Protected;
WBWG: H or M – Western Bat Working Group High or Medium Priority

TABLE 2. Special-status Plant Taxa Documented within the Vicinity of the Study Area

Species highlighted in gray have marginal or suitable habitat present in the Study Area.

<i>Scientific Name</i> Common Name (Family Name)	Status, Federal/State/ CRPR ¹	Preferred Habitat; Elevation Range; Bloom Period	Presence/Quality of Preferred Habitat Within Project Area
<i>Agrostis blasdalei</i> Blasdale's bent grass (Poaceae)	--/--/1B.2	Coastal bluff scrub, Coastal dunes, Coastal prairie; 0-490 feet; May-July	Not Expected. Project Area does not provide suitable habitat for species.
<i>Anomobryum julaceum</i> slender silver moss (Bryaceae)	--/--/4.2	Broadleafed upland forest, Lower montane coniferous forest, North Coast coniferous forest, damp rock and soil on outcrops, usually on roadcuts; 325-3,280 feet; no bloom period listed	Not Expected. Project Area is outside of species' elevation range.
<i>Arctostaphylos andersonii</i> Anderson's manzanita (Ericaceae)	--/--/1B.2	Broadleafed upland forest, Chaparral, North Coast coniferous forest, openings, edges; 195-2,495 feet; November-May	Not Expected. Project Area is outside of species' elevation range.
<i>Arctostaphylos regismontana</i> Kings Mountain manzanita (Ericaceae)	--/--/1B.2	Broadleafed upland forest, Chaparral, North Coast coniferous forest, granitic or sandstone; 1,000- 2,395 feet; December-April	Not Expected. Project Area is outside of species' elevation range.
<i>Astragalus nuttallii</i> var. <i>nuttallii</i> ocean bluff milk-vetch (Fabaceae)	--/--/4.2	Coastal bluff scrub, Coastal dunes; 5-395 feet; January-November	Not Expected. Project Area does not provide suitable habitat for species.
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i> coastal marsh milk-vetch (Fabaceae)	--/--/1B.2	Coastal dunes (mesic), Coastal scrub, Marshes and swamps (coastal salt, streamsides); 0-100 feet; (April) June-October	Marginal Habitat Present. Study Area contains marsh habitat north of the old fire station, at Butano Creek, and there is coastal scrub habitat located along Cloverdale Road and Pescadero Creek Road. There are 3 CNDDDB occurrences; located 2 miles south, 1.5 miles northwest, and 1.5 miles north. However, the Project Area contains marginal habitat along the roads and along edge of development where proposed project activities would take place.

Scientific Name Common Name (Family Name)	Status, Federal/State/ CRPR ¹	Preferred Habitat; Elevation Range; Bloom Period	Presence/Quality of Preferred Habitat Within Project Area
<i>Castilleja ambigua</i> var. <i>ambigua</i> johnny-nip (Orobanchaceae)	--/--/4.2	Coastal bluff scrub, Coastal prairie, Coastal scrub, Marshes and swamps, Valley and foothill grassland, Vernal pools margins; 0-1,425 feet; March-August	Marginal Habitat Present. Study Area Project Area contains marginal marsh habitat north of the old fire station, at Butano Creek, and there is coastal scrub habitat located along Cloverdale Road and Pescadero Creek Road. However, the habitat along the roads and along edge of development where proposed project activities would take place.
<i>Cirsium andrewsii</i> Franciscan thistle (Asteraceae)	--/--/1B.2	Broadleafed upland forest, Coastal bluff scrub, Coastal prairie, Coastal scrub, mesic, sometimes serpentine; 0-490 feet; March-July	Marginal Habitat Present. The Project Area contains marginal coastal scrub habitat along the Pescadero Creek Road and Cloverdale Road and along edge of development where proposed project activities would take place. There are no CNDDB occurrences within 2 miles of the Study Area.
<i>Cypripedium montanum</i> mountain lady's-slipper (Orchidaceae)	--/--/4.2	Broadleafed upland forest, Cismontane woodland, Lower montane coniferous forest, North Coast coniferous forest; 605-7,300 feet; March-August	Not Expected. Project Area is outside of species' elevation range.
<i>Dirca occidentalis</i> western leatherwood (Thymelaeaceae)	--/--/1B.2	Broadleafed upland forest, Closed-cone coniferous forest, Chaparral, Cismontane woodland, North Coast coniferous forest, Riparian forest, Riparian woodland, mesic; 80-1,395 feet; January-March (April)	Marginal Habitat Present. The Project Area contains marginal riparian woodland habitat along the Pescadero Creek Road and Cloverdale Road where proposed project activities would take place. There are 2 CNDDB occurrences documented 6 miles northeast of the Study Area.
<i>Elymus californicus</i> California bottle-brush grass (Poaceae)	--/--/4.3	Broadleafed upland forest, Cismontane woodland, North Coast coniferous forest, Riparian woodland; 45-1,540 feet; May-August (November)	Marginal Habitat Present. The Project Area contains marginal riparian woodland habitat along the Pescadero Creek Road and Cloverdale Road where proposed project activities would take place. There are no CNDDB occurrences documented within 2 miles of the Study Area.
<i>Eriophyllum latilobum</i> San Mateo woolly sunflower (Asteraceae)	FE/CE/1B.1	Cismontane woodland (often serpentine, on roadcuts), Coastal scrub, Lower montane coniferous forest; 145-1,085 feet; May-June	Not Expected. Project Area is outside of species' elevation range.

<i>Scientific Name</i> Common Name (Family Name)	Status, Federal/State/ CRPR ¹	Preferred Habitat; Elevation Range; Bloom Period	Presence/Quality of Preferred Habitat Within Project Area
<i>Erysimum ammophilum</i> sand-loving wallflower (Brassicaceae)	--/--/1B.2	Chaparral (maritime), Coastal dunes, Coastal scrub, sandy, openings; 0-195 feet; February-June	Marginal Habitat Present. The Project Area contains marginal coastal scrub habitat along the Pescadero Creek Road and Cloverdale Road and along edge of development where proposed project activities would take place. There are no CNDDB occurrences within 2 miles of the Study Area.
<i>Fissidens pauperculus</i> minute pocket moss (Fissidentaceae)	--/--/1B.2	North Coast coniferous forest (damp coastal soil); 30-3,360 feet; no bloom period listed	Not Expected. Project Area does not provide suitable habitat for species.
<i>Fritillaria agrestis</i> stinkbells (Liliaceae)	--/--/4.2	Chaparral, Cismontane woodland, Pinyon and Juniper woodland, Valley and foothill grassland, Clay, sometimes serpentinite; 30-5,100 feet; March-June	Not Expected. The Project Area does not contain suitable habitat. There are no CNDDB occurrences within 2 miles of the Study Area.
<i>Fritillaria liliacea</i> fragrant fritillary (Liliaceae)	--/--/1B.2	Cismontane woodland, Coastal prairie, Coastal scrub, Valley and foothill grassland, Often serpentinite; 5-1,345 feet; February-April	Marginal Habitat Present. The Project Area contains marginal coastal scrub habitat along the Pescadero Creek Road and Cloverdale Road and along edge of development where proposed project activities would take place. There are no CNDDB occurrences within 2 miles of the Study Area.
<i>Grindelia hirsutula</i> var. <i>maritima</i> San Francisco gumplant (Asteraceae)	--/--/3.2	Coastal bluff scrub, Coastal scrub, Valley and foothill grassland, sandy or serpentinite; 45-1,310 feet; June-September	Not Expected. Project Area does not provide suitable habitat for species.
<i>Hesperocyparis abramsiana</i> var. <i>butanoensis</i> Butano Ridge cypress (Cupressaceae)	FT/CE/1B.2	Closed-cone coniferous forest, Chaparral, Lower montane coniferous forest, Sandstone; 1,310-1,610 feet; October	Not Expected. Project Area is outside of species' elevation range.
<i>Hosackia gracilis</i> harlequin lotus (Fabaceae)	--/--/4.2	Broadleafed upland forest, Coastal bluff scrub, Closed-cone coniferous forest, Cismontane woodland, Coastal prairie, Coastal scrub, Meadows and seeps, Marshes and swamps, North Coast coniferous forest, Valley and foothill grassland, wetlands, roadsides; 0-2,295 feet; March-July	Suitable Habitat Present. Project Area contains marginal coastal scrub, drainage ditch, and roadside (ruderal upland) habitat located along Cloverdale Road and Pescadero Creek Road. There are no CNDDB occurrences within 2 miles of the Study Area.

<i>Scientific Name</i> Common Name (Family Name)	Status, Federal/State/ CRPR ¹	Preferred Habitat; Elevation Range; Bloom Period	Presence/Quality of Preferred Habitat Within Project Area
<i>Iris longipetala</i> coast iris (Iridaceae)	--/--/4.2	Coastal prairie, Lower montane coniferous forest, Meadows and seeps, mesic; 0-1,970 feet; March- May	Not Expected. Project Area does not provide suitable habitat for species.
<i>Lasthenia californica</i> ssp. <i>macrantha</i> perennial goldfields (Asteraceae)	--/--/1B.2	Coastal bluff scrub, Coastal dunes, Coastal scrub; 15-1,705 feet; January-November	Not Expected. Project Area does not provide suitable habitat for species.
<i>Leptosiphon croceus</i> coast yellow leptosiphon (Polemoniaceae)	--/CC/1B.1	Coastal bluff scrub, Coastal prairie; 30-490 feet; April-June	Not Expected. Project Area does not provide suitable habitat for species.
<i>Leptosiphon rosaceus</i> rose leptosiphon (Polemoniaceae)	--/--/1B.1	Coastal bluff scrub; 0-330 feet; April-July	Not Expected. Project Area does not provide suitable habitat for species.
<i>Limnanthes douglasii</i> ssp. <i>sulphurea</i> Point Reyes meadowfoam (Limnanthaceae)	--/CE/1B.2	Coastal prairie, Meadows and seeps (mesic), Marshes and swamps (freshwater), Vernal pools; 0-460 feet; March-May	Not Expected. Project Area does not provide suitable habitat for species.
<i>Malacothamnus arcuatus</i> arcuate bush-mallow (Malvaceae)	--/--/1B.2	Chaparral, Cismontane woodland; 45-1,165 feet; April-September	Not Expected. Project Area does not provide suitable habitat for species.
<i>Microseris paludosa</i> marsh microseris (Asteraceae)	--/--/1B.2	Closed-cone coniferous forest, Cismontane woodland, Coastal scrub, Valley and foothill grassland; 15-1,165 feet; April-June (July)	Marginal Habitat Present. The Project Area contains marginal coastal scrub habitat along the Pescadero Creek Road and Cloverdale Road and along edge of development where proposed project activities would take place. There are no CNDDB occurrences within 2 miles of the Study Area. There three CNDDB occurrences within 2 miles of the Study Area; only one occurrence is presumed to be extant. The extant occurrence is located 2 miles south of the Study Area.

Scientific Name Common Name (Family Name)	Status, Federal/State/ CRPR ¹	Preferred Habitat; Elevation Range; Bloom Period	Presence/Quality of Preferred Habitat Within Project Area
<i>Mielichhoferia elongata</i> elongate copper moss (Mielichhoferiaceae)	--/--/4.3	Broadleafed upland forest, Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Meadows and seeps, Subalpine coniferous forest, Metamorphic rock, usually acidic, usually vernal mesic, often roadsides, sometimes carbonate; 0-6,430 feet; no bloom period listed	Marginal Habitat Present. The Project Area contains marginal coastal scrub habitat along the Pescadero Creek Road and Cloverdale Road and along edge of development where proposed project activities would take place. There are no CNDDDB occurrences within 2 miles of the Study Area.
<i>Monolopia gracilens</i> woodland woollythreads (Asteraceae)	--/--/1B.2	Broadleafed upland forest (openings), Chaparral (openings), Cismontane woodland, North Coast coniferous forest (openings), Valley and foothill grassland, Serpentine; 325-3,935 feet; (February) March-July	Not Expected. Project Area is outside of species' elevation range.
<i>Pinus radiata</i> Monterey pine (Pinaceae)	--/--/1B.1	Closed-cone coniferous forest, Cismontane woodland; 80-605 feet; no bloom period listed	Not Expected. Project Area does not provide suitable habitat for species.
<i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i> Choris' popcornflower (Boraginaceae)	--/--/1B.2	Chaparral, Coastal prairie, Coastal scrub, mesic; 5-525 feet; March-June	Marginal Habitat Present. The Project Area contains marginal coastal scrub habitat along the Pescadero Creek Road and Cloverdale Road and along edge of development where proposed project activities would take place. There are three CNDDDB occurrences for this species within 2 miles of the Study Area; one is located 1.25 mile southwest, and 2 are located northwest. All of these locations are along the coastline.
<i>Plagiobothrys diffusus</i> San Francisco popcornflower (Boraginaceae)	--/CE/1B.1	Coastal prairie, Valley and foothill grassland; 195-1,180 feet; March-June	Not Expected. Project Area is outside of species' elevation range.
<i>Sanicula hoffmannii</i> Hoffmann's sanicle (Apiaceae)	--/--/4.3	Broadleafed upland forest, Coastal bluff scrub, Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, often serpentinite or clay; 95-985 feet; March-May	Not Expected. Project Area is outside of species' elevation range.
<i>Sidalcea hickmanii</i> ssp. <i>viridis</i> Marin checkerbloom (Malvaceae)	--/--/1B.1	Chaparral (serpentinite); 160-1,410 feet; May-June	Not Expected. Project Area is outside of species' elevation range.

<i>Scientific Name</i> Common Name (Family Name)	Status, Federal/State/ CRPR ¹	Preferred Habitat; Elevation Range; Bloom Period	Presence/Quality of Preferred Habitat Within Project Area
<i>Silene scouleri</i> ssp. <i>scouleri</i> Scouler's catchfly (Caryophyllaceae)	--/--/2B.2	Coastal bluff scrub, Coastal prairie, Valley and foothill grassland; 0-1,970 feet; (March-May) June-August (September)	Not Expected. Project Area does not provide suitable habitat for species.
<i>Stebbinsoseris decipiens</i> Santa Cruz microseris (Asteraceae)	--/--/1B.2	Broadleafed upland forest, Closed-cone coniferous forest, Chaparral, Coastal prairie, Coastal scrub, Valley and foothill grassland, open areas, sometimes serpentinite; 30-1,640 feet; April-May	Not Expected. Project Area does not provide suitable habitat for species.
<i>Stuckenia filiformis</i> ssp. <i>alpina</i> slender-leaved pondweed (Potamogetonaceae)	--/--/2B.2	Marshes and swamps (assorted shallow freshwater); 980-7,055 feet; May-July	Not Expected. Project Area is outside of species' elevation range.

Notes:

Compiled from a CNPS 4-Quad search of the San Gregorio, La Honda, Pigeon Point, and Franklin Point quadrangles.

Bloom Periods in Parentheses indicate that the species *occasionally* blooms during that period.

¹Rarity Status Codes:

E = Federally or State listed as Endangered

T = Federally or State listed as Threatened

R = State listed as Rare

CRPR Codes:

CRPR 1A: Plants presumed extirpated in California and either rare or extinct elsewhere; CRPR List 1B = Plants rare, threatened or endangered in CA and elsewhere; CRPR 2B = Plants rare, threatened or endangered in California but more common elsewhere; CRPR 3 = More information is needed about plant; CRPR 4 = Plants of limited distribution, a watch list

CRPR: '.1' = Seriously threatened in CA; '.2' = Fairly threatened in CA; '.3' = Not very threatened in CA

APPENDIX C:

USFWS IPAC SEARCH RESULTS

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

San Mateo County, California



Local office

Sacramento Fish And Wildlife Office

☎ (916) 414-6600

📠 (916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

Southern Sea Otter *Enhydra lutris nereis*
 No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/8560>

Threatened
 Marine mammal

Birds

NAME	STATUS
California Least Tern <i>Sterna antillarum browni</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8104	Endangered
Marbled Murrelet <i>Brachyramphus marmoratus</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/4467	Threatened
Short-tailed Albatross <i>Phoebastria (=Diomedea) albatrus</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/433	Endangered
Western Snowy Plover <i>Charadrius nivosus nivosus</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8035	Threatened

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6199	Threatened
San Francisco Garter Snake <i>Thamnophis sirtalis tetrataenia</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5956	Endangered

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/321	Threatened
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/57	Endangered

Insects

NAME	STATUS
San Bruno Elfin Butterfly <i>Callophrys mossii bayensis</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/3394	Endangered

Flowering Plants

NAME	STATUS
San Mateo Woolly Sunflower <i>Eriophyllum latilobum</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7791	Endangered

Conifers and Cycads

NAME	STATUS
Santa Cruz Cypress <i>Cupressus abramsiana</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1678	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

This location overlaps the critical habitat for the following species:

NAME	TYPE
California Red-legged Frog <i>Rana draytonii</i> https://ecos.fws.gov/ecp/species/2891#crithab	Final

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A
BREEDING SEASON IS INDICATED
FOR A BIRD ON YOUR LIST, THE
BIRD MAY BREED IN YOUR
PROJECT AREA SOMETIME WITHIN
THE TIMEFRAME SPECIFIED,
WHICH IS A VERY LIBERAL
ESTIMATE OF THE DATES INSIDE
WHICH THE BIRD BREEDS
ACROSS ITS ENTIRE RANGE.

"BREEDS ELSEWHERE" INDICATES
THAT THE BIRD DOES NOT LIKELY
BREED IN YOUR PROJECT AREA.)

Allen's Hummingbird *Selasphorus sasin*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9637>

Breeds Feb 1 to Jul 15

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Jan 1 to Aug 31

Black Oystercatcher *Haematopus bachmani*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9591>

Breeds Apr 15 to Oct 31

Black Skimmer *Rynchops niger*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/5234>

Breeds May 20 to Sep 15

Black Turnstone *Arenaria melanocephala*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Burrowing Owl *Athene cunicularia*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/9737>

Breeds Mar 15 to Aug 31

Clark's Grebe *Aechmophorus clarkii*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Jan 1 to Dec 31

Common Yellowthroat *Geothlypis trichas sinuosa*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/2084>

Breeds May 20 to Jul 31

Golden Eagle *Aquila chrysaetos*

Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Lawrence's Goldfinch *Carduelis lawrencei*

Breeds Mar 20 to Sep 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9464>

Long-billed Curlew *Numenius americanus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/5511>

Marbled Godwit *Limosa fedoa*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9481>

Nuttall's Woodpecker *Picoides nuttallii*

Breeds Apr 1 to Jul 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/9410>

Oak Titmouse *Baeolophus inornatus*

Breeds Mar 15 to Jul 15

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9656>

Rufous Hummingbird *Selasphorus rufus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/8002>

Short-billed Dowitcher *Limnodromus griseus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9480>

Song Sparrow *Melospiza melodia*

Breeds Feb 20 to Sep 5

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Spotted Towhee *Pipilo maculatus clementae*

Breeds Apr 15 to Jul 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/4243>

Tricolored Blackbird *Agelaius tricolor*

Breeds Mar 15 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3910>

Whimbrel *Numenius phaeopus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9483>

Willet *Tringa semipalmata*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wrentit *Chamaea fasciata*

Breeds Mar 15 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any

week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

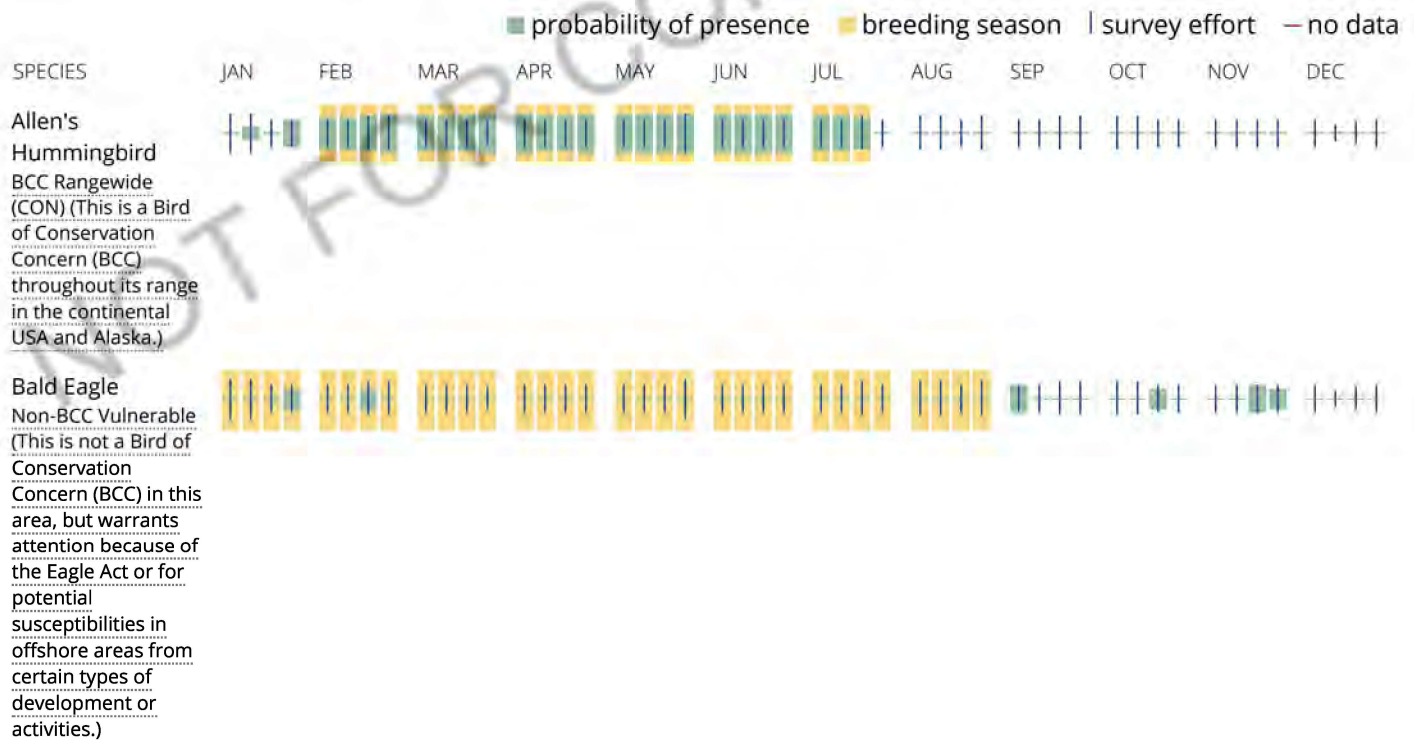
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.







Song Sparrow
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



Spotted Towhee
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



Tricolored Blackbird
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Whimbrel
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Willet
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Wrentit
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review.

Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

Southern Sea Otter *Enhydra lutris nereis*
<https://ecos.fws.gov/ecp/species/8560>

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R3UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

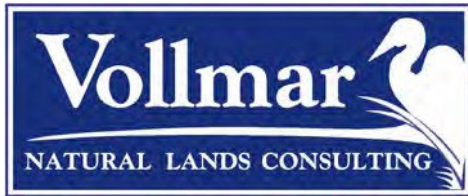
Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

ATTACHMENT B: DELINEATION OF POTENTIAL JURISDICTIONAL WATERS



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Delineation of Potential Jurisdictional Waters



CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Projects Pescadero, San Mateo County, California

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May 2021

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1.0 INTRODUCTION

This document presents the methods and results of the delineation of potential jurisdictional Waters of the United States and/or State of California within the CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Projects (project). The Study Area for the project is located within the Town of Pescadero, in San Mateo County (County), California (**Figure 1**). The project involves construction of a new County fire station, installation of 1.5 miles of new water supply pipeline to serve Pescadero High School and the new County fire station, and decommission of a portion of the existing County fire station. The new water supply pipeline will extend from the existing CSA-11 water line east of the intersection of Pescadero Creek Road and Stage Road to Pescadero High School, and the pipeline will run along the unpaved roadway shoulders, or within paved road. The new fire station will be constructed within an undeveloped portion of Pescadero High School, which is owned by La Honda-Pescadero Unified School District. The existing fire station, located at 1200 Pescadero Creek Road, will be partially decommissioned, while retaining a portion of the existing structures. The purpose of the delineation is to identify and map any potentially jurisdictional Waters within the Study Area, which is approximately 36.306 acres. The delineation was conducted by staff from Vollmar Natural Lands Consulting (VNLC).

All Waters delineated within the Study Area may be subject to federal jurisdiction by the U.S. Army Corps of Engineers (ACOE) through Section 404 of the Clean Water Act/Section 10 of the Rivers and Harbors Act and may also be subject to State jurisdiction by the California Department of Fish and Wildlife (CDFW), the Regional Water Quality Control Board (RWQCB) and/or the California Coastal Commission (CCC) through state regulations. The results of this delineation are preliminary and must be reviewed and verified in writing by the ACOE to be considered an official delineation.

The delineation identified a total of 2.123 acres of potential jurisdictional wetlands, which include 0.204 acre of emergent channel and 1.919 acres of riparian habitat.

2.0 PROJECT BACKGROUND INFORMATION

2.1 Extent and Location of Study Area

The Study Area consists of the San Mateo County Fire Station – Station 59 (APN 086-160-050), the proposed water pipe alignment along Pescadero Creek Road/Cloverdale Road, and Pescadero High School (APN 087-053-010). Project actions like ingress/egress, staging, and construction are anticipated to occur within the Study Area.

The Study Area is broken up into the western and eastern portions; the western portion consists of the existing Fire Station 59, while the eastern portion consists of the proposed water pipe alignment and Pescadero High School (where the new fire station is proposed to be built in the southwest corner). The Study Area is mapped within the Franklin Point, La Honda, Pigeon Point, and San Gregorio U.S. Geological Survey (USGS) 7½ minute topographic quadrangles and the Butano Landgrant, San Antonio or Pescadero Landgrant, and Sections 10 and 11 of Township 08 South, Range 05 West (**Figure 2**). The Study Area may be accessed via the Pacific Coast Highway by exiting at Pescadero Creek Road and continuing east for 1.25 miles until Fire Station 59 is reached, at 1200 Pescadero Creek Road. To reach Pescadero High School, continue west along Pescadero Creek Road for another 1.25 miles, turn right (southeast) on Cloverdale Road, and then turn left (east) on Butano Cutoff. Pescadero High School is located to the left (north) after 0.2 mile, at 360 Butano Cutoff, Pescadero.

The western Study Area (Fire Station 59) is primarily surrounded by open space, with Butano Creek and agricultural land use to the east. The eastern Study Area is surrounded by agricultural land use, civic buildings, and open space. The Study Area is described in greater detail below.

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Study Area
Locations



Legend

- Q Study Area (39.306 ac)
- 0 Highway
- 0 Midpen Preserve
- Other Public or Preserved Land
- 0 Water Body
- Urbanized Area

Data Sources: Midpen, 2019, 2020 | CPAD, 2016
USGS, Various | GAP, 1998 | VNL, 2019
GAP Analysis Project, 1998 | TIGER, 2012
GIS/Carthography by: Ivy Poisson, Dec. 2020
Map File: 484_Vicinity_484_A-P_2020-1230.mxd

FIGURE1 Regional Vicinity Map

CSA-11 Water Service Extension and
Pescadero Fire Station (Station 59) Projects
San Mateo County, California

N

W@E

S

1:200,000

0 2 Km

0 2 4 Miles



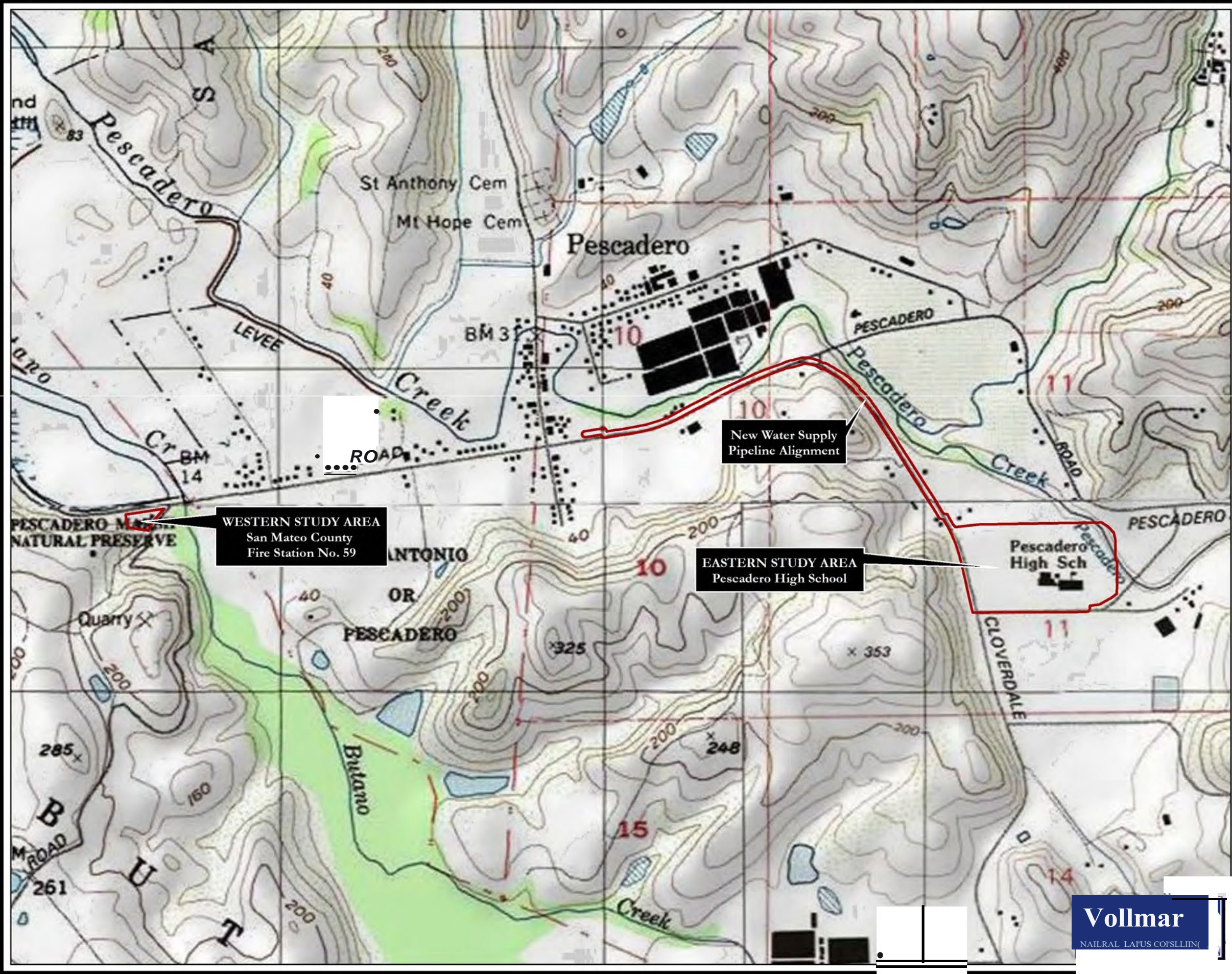


FIGURE 2
USGS Topographic Map

**CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California**

D Project and Study Area (39.306 ac)



1:12,000

(1 in. = approx. 1,000 feet at tabloid layout)

0 150 300 600

Meters

0 300 600 1,200

Feet

Vollmar

NATURAL LANDS CONSULTING

Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
GGNRA, 2020; ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021
Map File: 484_USGS_B-P_2021-0517b.mxd

2.2 General Setting of Study Area

The Study Area is located within the Pescadero Watershed, the largest watershed in San Mateo County. Land use within the surrounding area is predominantly rural, which is a blend of open space, agriculture (farmland and ancillary structures), and civic buildings (school and fire station). The elevation within the Study Area ranges from 26-92 feet (8-28 meters) above sea level (USGS 1997). There are two creeks that are within or adjacent to the Study Area: Butano Creek is located 150 feet east of the western Study Area (**Figure 3a**), while Pescadero Creek is located within the northeastern corner of the eastern Study Area (**Figure 3b – 3d**). Since there is no riparian or wetland habitat associated with Butano Creek within the western Study Area, both the western Study Area and Butano Creek will not be discussed further in this report.

The Study Area is located within the Coastal Zone, as defined by the CCC. Therefore, only one parameter is required for a feature to be considered a wetland (CCC 2011; County of San Mateo 2021). The Study Area and greater San Mateo County coast is within the “Western Mountains, Valleys, and Coast” climate zone, as defined by the ACOE.

The region’s coastal climate is similar to California’s Mediterranean climate, which is characterized by cool, wet winters and hot, dry summers, though the coastal climate features warmer winters, cooler summers, and greater moisture throughout the year. Mean annual precipitation and temperature at the study area are 29.7 inches and 55.9 degrees Fahrenheit, respectively (PRISM 2021). More than 98 percent of annual precipitation occurs during the “wet season,” which extends from October to May. The 2020-2021 wet season (up to the end of April 2021) experienced much lower than average precipitation and slightly lower than average temperatures compared to historical wet seasons (October to April, due to the date of this report). Specifically, precipitation was 42.0 percent of normal (11.8 inches versus 28.0 inches), and mean temperatures were 96.2 percent of normal (51.6 degrees F versus 53.6 degrees F) (ibid). Each month of the 2020-2021 wet season received significantly lower than average rainfall. See **Table 1**.

TABLE 1. WETS Analysis Table for the May 2021 Survey

Precipitation Data from the Last 30 Years (1990-2020) ¹			Recent Field Conditions Compared to Precipitation Data from the Last 30 Years, and Analysis ¹					Product of Condition Value and Weighting Factor ⁵
Date	30th Percentile (inches)	70th Percentile (inches)	Date	Recorded Rainfall (inches)	Rainfall Condition Compared to Previous 30 Years ²	Numeric Condition Value ³	Weighting Factor ⁴	
Apr	1.69	3.78	Apr 2021	0.22	Dry	1	3	3
Mar	2.61	6.52	Mar 2021	2.33	Dry	1	2	2
Feb	2.9	9.77	Feb 2021	3.03	Normal	2	1	2
¹ All precipitation data is obtained from the Skyline Ridge Preserve, CA Weather Station (USDA-NRCS 2021). ² Below 30th percentile = dry; between 30th and 70th percentile = normal; above 70th percentile = wet. ³ Relative rainfall conditions are then translated to a numeric condition value, as follows: dry = 1, normal = 2, wet = 3. ⁴ Greater weight is given to the most recent month as this would most likely influence what hydrologic or vegetative characteristics are observed. ⁵ The numeric condition value is then multiplied by the weighting factor, then the subtotals are added to get the total value. Total value equivalents: 6-9 = dry; 10-14 = normal; 15-18 = wet								TOTAL⁵ 7 or DRY

3.0 REGULATORY BACKGROUND

3.1 Federal Regulatory Framework

The federal government, through Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act (RHA), has jurisdiction over all Waters of the United States. Waters of the United States are divided into four subsets – territorial seas and traditional navigable waters (TNWs); tributaries to TNWs; lakes, ponds, and impoundments of TNWs; and wetlands adjacent to territorial seas and TNWs. Section 404 of the CWA regulates the discharge of dredged or fill material into Waters of the United States. The CWA grants dual regulatory authority of Section 404 to the U.S. Environmental Protection Agency (EPA) and ACOE. The ACOE is responsible for issuing and enforcing permits for activities in jurisdictional Waters in conjunction with prior permitting authorities in navigable Waters under the RHA of 1899. The EPA is responsible for providing oversight of the permit program. In this capacity, the EPA has developed guidelines for permit review (Section 404 [b][1] Guidelines) and has the authority to veto permits by designating certain sites as non-fill areas (Section 404[c] of the CWA). The EPA also has enforcement authority under Section 404. The ACOE generally extends its jurisdiction to all areas meeting the criteria for Waters of the United States.

As defined in the 2020 Navigable Waters Protection Rule (published in the Federal Register, effective June 22, 2020), waters of the U.S. exclude features that lack hydrological surface connection to territorial seas and TNWs. Examples of water features excluded from federal jurisdiction include: groundwater, ephemeral features in a typical water year, diffuse stormwater runoff/sheet flow over upland areas, farm/roadside ditches¹, cropland², artificially irrigated areas³, artificially created water conveyance structures located in uplands, groundwater systems in upland or in non-jurisdictional waters, and waste treatment systems.

Projects which propose activities that fall under the jurisdiction of Section 404 of the CWA and/or Section 10 of the RHA must obtain approval from the ACOE through the individual or nationwide permit (NWP) process. Individual permits entail a full public interest review that includes consultation with other federal and state agencies.

3.2 California State and Regional Regulatory Framework

California Department of Fish and Wildlife

The CDFW regulates river, stream, and lake habitats through Fish and Game Code section 1600 *et seq.* Fish and Game Code section 1602 requires an entity to notify the CDFW prior to commencing any activity that may do one or more of the following:

- Substantially divert or obstruct the natural flow of any river, stream, or lake;
- Substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
- Deposit debris, waste, or other materials that could pass into any river, stream, or lake.

A “river, stream, or lake” includes those that are episodic (i.e., they are dry for periods of time) as well as those that are perennial. The definition includes ephemeral streams, desert washes, and watercourses with a subsurface flow (CDFW 2016) and may also apply to work undertaken within the flood plain of a body of water, the boundary of which may be identified as a topographic feature or as riparian vegetation. In

¹ This exclusion would not apply if the farm/roadside ditch satisfies flow conditions of a perennial/intermittent tributary; i.e., the feature flows more than in direct response to precipitation events.

² This exclusion would not apply if the site was abandoned and reverts to wetland within 5 years.

³ This exclusion would only apply if the artificially irrigated area would revert to upland conditions if irrigation ceased.

addition, the CDFW does not distinguish between a “pond” and a “lake,” such that relatively small bodies of water, including both natural and artificial features, may be regulated under section 1600.

The CDFW requires a Lake and Streambed Alteration (LSA) Agreement when it determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources (ibid). A LSA Agreement includes measures necessary to protect existing fish and wildlife resources. The CDFW may suggest ways to modify a project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before issuing a LSA Agreement, CDFW must comply with the California Environmental Quality Act (CEQA).

Regional Water Quality Control Board

The Study Area is located within the San Francisco Bay (Region 2) Regional Water Board which has authority to regulate projects that could potentially impact wetlands and/or other Waters. According to the California State Water Resources Control Board (State Water Board, 2006), the authority derives from the following:

- Porter-Cologne Water Quality Control Act through Waste Discharge Requirements to protect Waters of the state;
- The CWA under Section 4013;
- The San Francisco Bay Basin Water Quality Control Plan (Basin Plan [2005]) (Sections 4.23 & 4.23.4) which is available at <http://www.waterboards.ca.gov/sanfranciscobay/basinplan> incorporates several State directives to protect wetlands including:
 - Governor’s Executive Order W-59-93 (i.e., the “California Wetland’s Policy” which requires “No Net Loss of Wetlands”);
 - Senate Concurrent Resolution No. 28; and
 - California Water Code Section 13142.5 (applies to coastal marine wetlands).

In addition to the state directives to protect wetlands, for individual permits (but not NWP), the Basin Plan also directs the State Water Board staff to use the EPA’s CWA 404(b)(1) guidelines to determine circumstances under which the filling of wetlands may be permitted and requires that attempts be made to avoid, minimize, and only lastly to mitigate for adverse impacts (ibid).

California’s jurisdiction to regulate its water resources is much broader than that of the federal government. The State Water Board’s Executive Director issued a memorandum directing the Regional Water Boards to regulate such waters under the authority of the Porter-Cologne Water Quality Control Act (Porter-Cologne). Porter-Cologne extends to “Waters of the State,” which is broadly defined as “any surface water or groundwater, including saline waters, within the boundaries of the state.” This definition includes isolated wetlands and any action that may impact isolated wetlands is subject to the Water Board’s jurisdiction, which may include the issuance of Statewide General Waste Discharge Requirements (WDRs). For projects that will impact less than 0.2 acre of “isolated” wetlands, the State Water Board issued Order No. 2004-004-DWQ, WDRs for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (General WDRs). These General WDRs streamline the permitting process for low impact projects in isolated wetlands (ibid).

Activities or discharges from a project that could affect California's surface, coastal, or ground waters, require a permit from the local RWQCB. Discharging pollutants (or proposing to) into surface water requires the applicant to file a complete National Pollutant Discharge Elimination System permit application form with the RWQCB. Other types of discharges, such as those affecting groundwater or from

diffused sources (e.g., erosion from soil disturbance or waste discharges to land) are handled by filing a Report of Waste Discharge with the RWQCB in order to obtain WDRs. For specified situations, some permits may be waived and some discharge activities can be handled through enrollment in an existing general permit (ibid). The State has adopted updated Dredge and Fill procedures, which became effective May 28, 2020. These changes modify the current State definition and jurisdictional determination of State wetlands.

California Coastal Commission and San Mateo County

The Study Area is located within the Coastal Zone, which grants the California Coastal Commission (CCC) authority over many activities affecting wetlands (San Mateo 2011 and CCC 2021). Their authority is derived from the California Coastal Act of 1976.

In addition, wetlands in the Coastal Zone are subject to the one-parameter definition, as stated in the California Code of Regulations Title 14, Section 13577:

“Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.”

Development activities in the Coastal Zone are subject to a Coastal Development Permit from either the CCC or the local government authority with a certified Local Coastal Plan. For this Study Area, San Mateo County would preside over permitting processes, under the guidance of County of San Mateo Local Coastal Program (LCP) Policies (San Mateo County 2013).

Development activities that are subject to the Coastal Development Permit include, but is not limited to:

“... the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land [...]; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan [...]. As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.”

The San Mateo County LCP provides their own definition of wetlands and specific guidance regarding permitted uses within wetlands, buffer zone requirements for wetlands, and development activities within the buffer zone. The relevant definitions and policies relating to wetlands are reproduced below.

Policy 7.14: Definition of Wetland

Define wetland as an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Such wetlands can include mudflats (barren of vegetation), marshes, and swamps.

Such wetlands can be either fresh or saltwater, along streams (riparian), in tidally influenced areas (near the ocean and usually below extreme high water of spring tides), marginal to lakes, ponds, and man-made impoundments. Wetlands do not include areas which in normal rainfall years are permanently submerged (streams, lakes, ponds and impoundments), nor marine or estuarine areas below extreme low water of spring tides, nor vernal wet areas where the soils are not hydric. In San Mateo County, wetlands typically contain the following plants: cordgrass, pickleweed, jaumea, frankenia, marsh mint, tule, bullrush, narrow-leaf cattail, broadleaf cattail, pacific silverweed, salt rush, and bog rush. To qualify, a wetland must contain at least a 50% cover of some combination of these plants, unless it is a mudflat.

Policy 7.16: Permitted Use in Wetlands

Within wetlands, permit only the following uses: (1) nature education and research, (2) hunting, (3) fishing, (4) fish and wildlife management, (5) mosquito abatement through water management and biological controls; however, when determined to be ineffective, allow chemical controls which will not have a significant impact, (6) diking, dredging, and filling only as it serves to maintain existing dikes and an open channel at Pescadero Marsh, where such activity is necessary for the protection of pre-existing dwellings from flooding, or where such activity will enhance or restore the biological productivity of the marsh, (7) diking, dredging, and filling in any other wetland only if such activity serves to restore or enhance the biological productivity of the wetland, (8) dredging man-made reservoirs for agricultural water supply where wetlands may have formed, providing spoil disposal is planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation, and (9) incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

Policy 7.18: Establishment of Buffer Zones

Buffer zones shall extend a minimum of 100 feet landward from the outermost line of wetland vegetation. This setback may be reduced to no less than 50 feet only where: (1) no alternative development site or design is possible; and (2) adequacy of the alternative setback to protect wetland resources is conclusively demonstrated by a professional biologist to the satisfaction of the County and the State Department of Fish and Game. A larger setback shall be required as necessary to maintain the functional capacity of the wetland ecosystem

Policy 7.19: Permitted Uses in Buffer Zones.

Within the buffer zones, permit the following uses only: (1) uses allowed within wetlands policy (7.16) and (2) public trails, scenic overlooks, and agricultural uses that produce no impact on the adjacent wetlands.

4.0 METHODS

4.1 Preliminary Review and Field Preparation

Prior to conducting the field delineation, the project ecologist reviewed site aerial photography, topographic data, existing preliminary wetland and watershed mapping, and geology and soil survey maps of the Study Area and surrounding areas. This information was used to help characterize the Study Area, identify any potential Waters of the United States on a preliminary basis, and guide the field surveys. Background imagery and a project boundary map were loaded on to a professional GPS unit (Trimble GeoXH 6000) for use in navigation and mapping in the field.

4.2 Field Survey and Personnel

The delineation field survey was conducted on May 7, 2021, by Ivy Poisson (Ecologist, VNLC). During the survey, the ecologist traversed the entire Study Area, using detailed topographic and soils data as guides. The ecologist established delineation data points, recorded additional notes on plant community and site characteristics, and took representative photographs of habitats and features of interest. **Section 5** below presents summaries of the notes recorded during the field survey. A total of 5 delineation data points were established throughout the Study Area. At each data point, data were collected on soils, hydrology, and plant cover following the Routine Wetland Determination Method developed by the ACOE and described in the 1987 ACOE Wetlands Delineation Manual (Environmental Laboratory 1987) and the regional supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (ACOE 2010). The boundaries of all potential jurisdictional Waters identified in the Study Area were mapped using sub-meter precise GPS units.

The specific methods for collecting data on soils, hydrology, and plant cover at delineation data points are described below.

4.2.1 Soils

Soil profiles were taken at each data point using a tile spade shovel and/or a mattock (for difficult digging situations). Soils were examined for positive hydric soil indicators such as low matrix chromas, redox features, gleys, and iron and manganese concretions. The color and texture of the soil layers encountered were recorded on the delineation forms. A standardized soil texture chart used by the California Native Plant Society (CNPS) for assessing soils (adapted from Brewer and McCann 1982) was used to determine texture (e.g., clay versus clay loam, etc.). Soil color was identified using a Munsell soil color chart (Kollmorgen 2009). All soil samples were moistened before determining the color. Soil map units were cross-referenced with the California hydric soils list (SCS 1993) and the national hydric soils list (SCS 1991). Determination of whether or not the hydric soil criterion was met was based upon the criteria specified by the National Technical Committee for Hydric Soils (ibid) and the Western Mountains, Valleys, and Coast Supplement (ACOE 2010). In most cases, soils with a matrix chroma of 1, and mottled soils with a matrix chroma of 2 or less are considered to meet the hydric soil criteria. Soils that do not have low matrix chromas but are inundated or saturated within 12 inches of the surface are considered to be hydric when those conditions persist for at least 5 percent of the growing season (14 consecutive days). Topography and soil unit boundaries can be found on **Figures 3a-d**.

4.2.2 Hydrology

Indicators of wetland hydrology were noted, such as the presence of surface soil cracks, sediment deposits, sub-surface soil characteristics, and water-stained vegetation/thatch. To the extent possible, hydrological connectivity was investigated throughout the Study Area and surrounding habitats. This delineation was conducted in May, which experienced below average precipitation, and followed a winter and early spring that overall experienced below average precipitation (see **Section 2.2** and **Table 1** above). Based on plant

phenology, climate conditions appeared to be suitable for assessing wetland habitats, as perennial and annual seasonal wetland plant cover was conspicuous throughout the Study Area.

4.2.3 Vegetation

At each delineation data point, all herbaceous plant species within a five-foot radius were identified and a visual estimate of percent coverage for each species was recorded. The nearest trees and shrubs were accounted for at distances of 25 and 15 feet, respectively, as appropriate for the site. Plant species and strata cover estimations were calibrated using CNPS percent cover templates—see the following website: http://www.cnps.org/cnps/vegetation/pdf/percent_cover_diag-cnps.pdf.

The indicator status of each species was then checked using the most recent ACOE National Wetland Plant List—Version 3.4 (Army Corps, 2018). Indicator status categories are as follows:

OBL = obligate wetland; >99% probability of occurring in a wetland
FACW = facultative wetland; 67%-99% probability of occurring in a wetland
FAC = facultative; 33%-67% probability of occurring in a wetland
FACU = facultative upland; 1%-33% probability of occurring in a wetland
UPL = obligate upland; <1% probability of occurring in a wetland
NL = not listed (plants not listed in Lichvar et al. [2018], including some known to occur occasionally or primarily in wetlands). Note: unlisted taxa are included as UPL on the delineation data forms included in **Appendix B**.

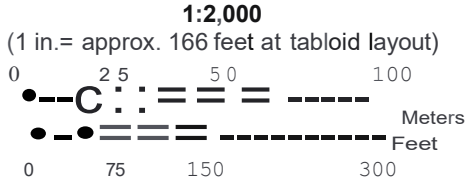
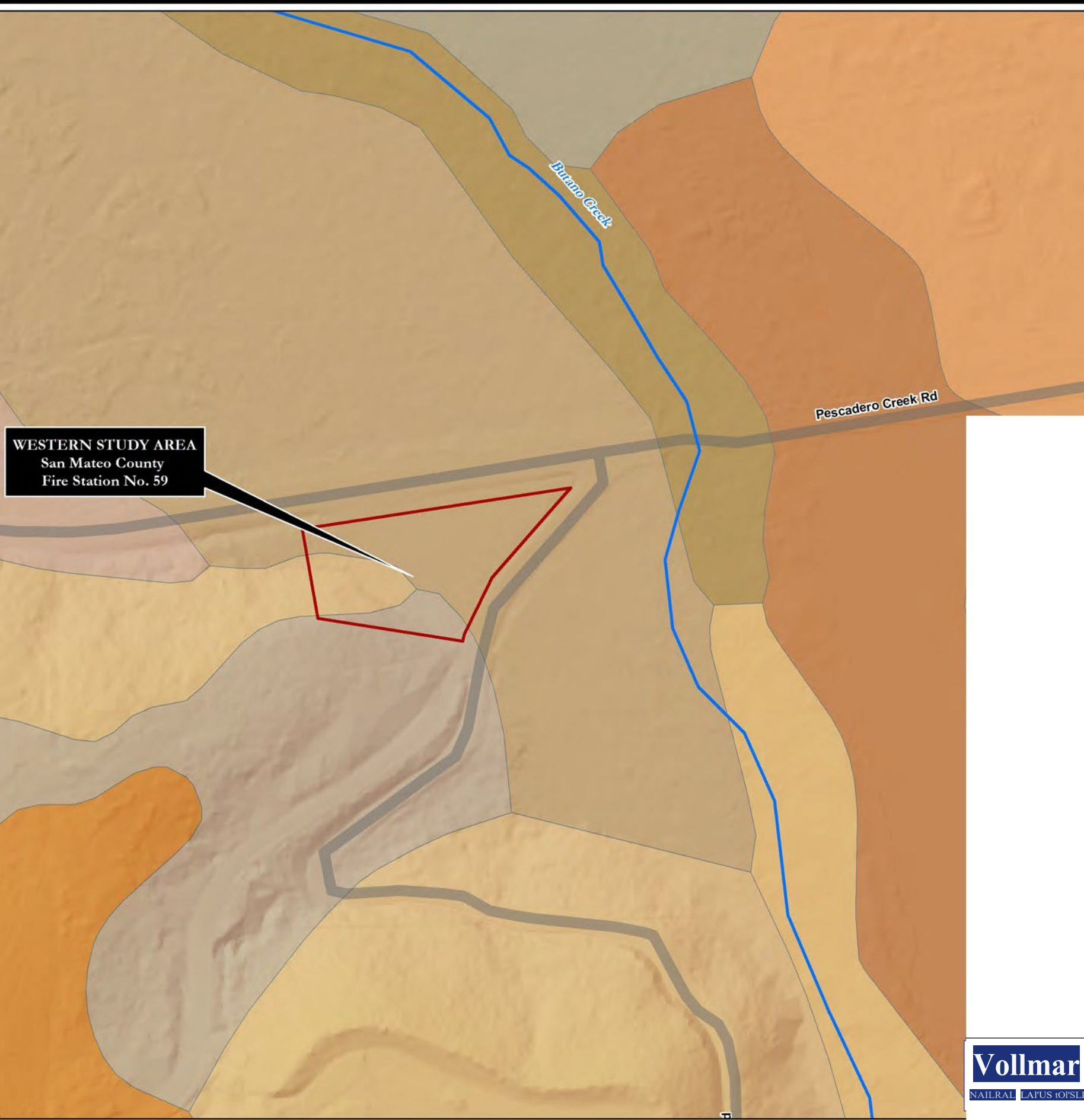
The wetland plant cover criterion is met when the vegetation passes the dominance test: greater than 50 percent of the dominant plants are designated as OBL, FACW, or FAC wetland indicators. The ACOE defines dominant plant species as those that, when included in descending order of their percent cover, together sum up to 50 percent of the relative cover in their stratum (tree, sapling/shrub/subshrub, herb, or woody vine). In addition, all species with at least 20 percent relative coverage of the total canopy within a stratum are always counted as dominants. All scientific and common plant names correspond to Baldwin et al. (2012) and/or the Calflora database (2021).

If the dominance test is not passed, vegetation can be considered hydrophytic if it meets the requirements of the prevalence index, morphological adaptations, or problematic wetland situations (ACOE 2008).

FIGURE 3a
Topography and
Soil Units

**CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California**

- D** Project and Study Area (39.306 ac)
- Road
- Stream

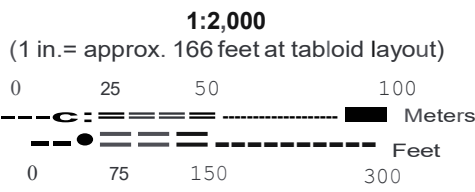
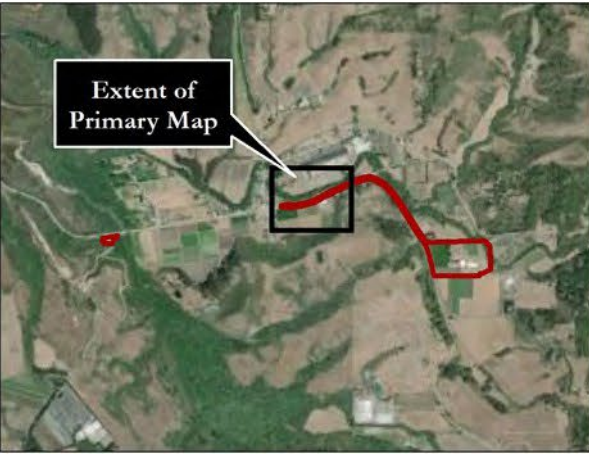
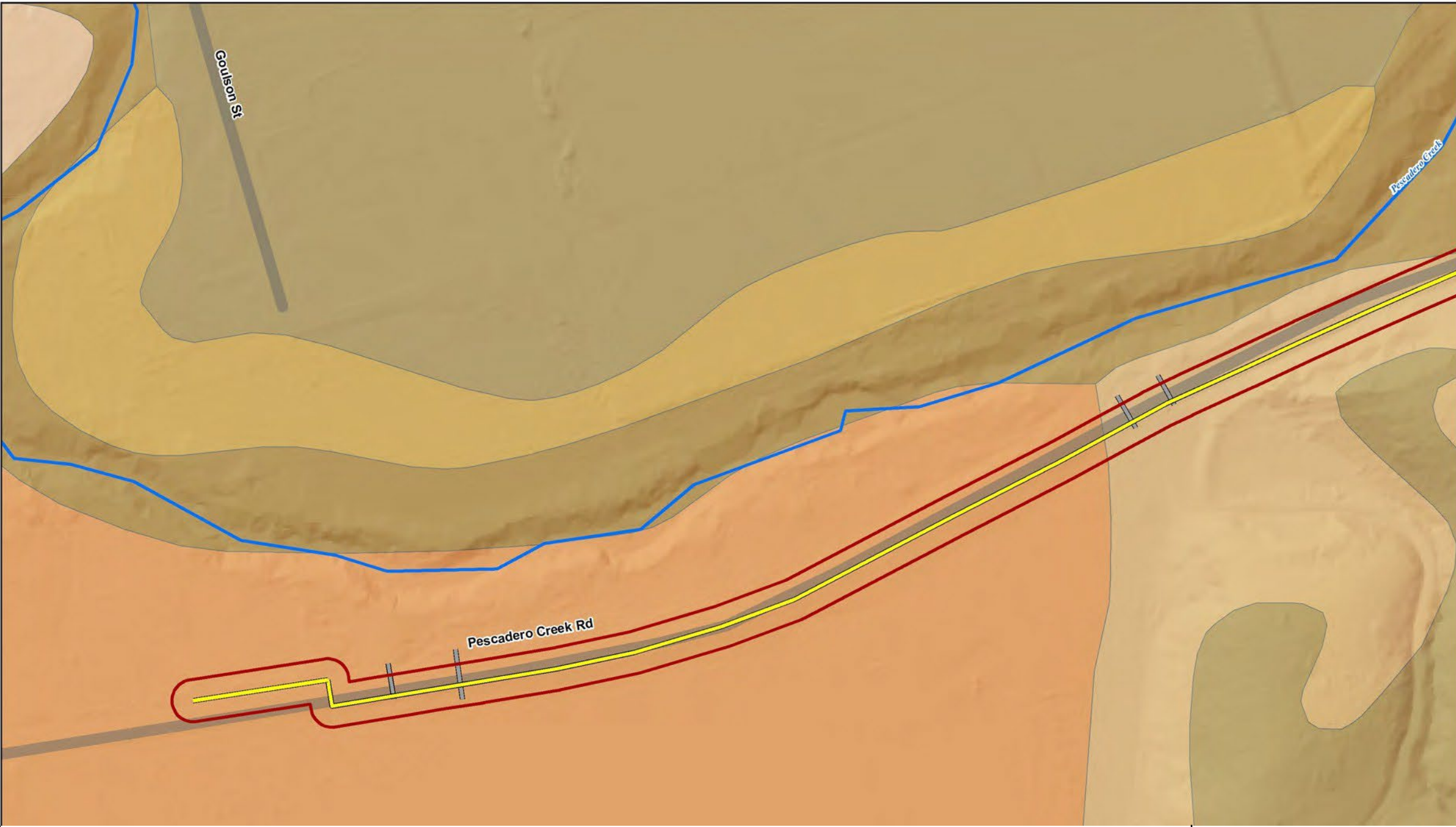


Data Sources: LSA, 201711 TIGER, 2012 | DWR, 2001
GGNRA, 2020 | ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021
Map File: 484_Soils_B-P_2021-0517.mxd

FIGURE 3b
Topography and
Soil Units

**CSA-11 Water Service Extension
 and Pescadero Fire Station
 (Station 59) Projects
 San Mateo County, California**

- D** Project and Study Area (39.306 ac)
- Road
- Proposed Pipe Alignment
- Existing Water Conveyance Structures
- Stream

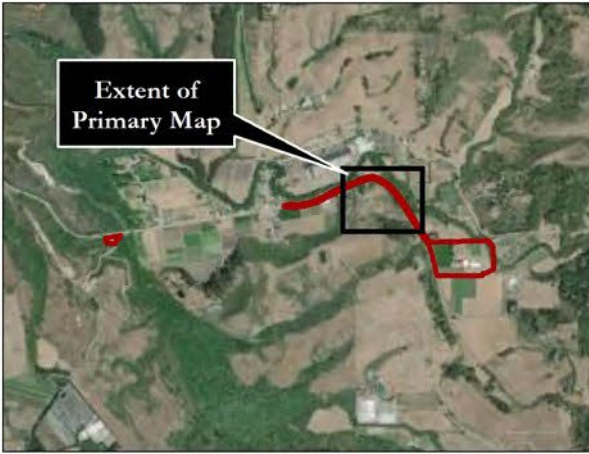


Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
 GGNRA, 2020; ESRI/DigitalGlobe, 2019
 GIS/Cartography by: Ivy Poisson, Jan. 2021

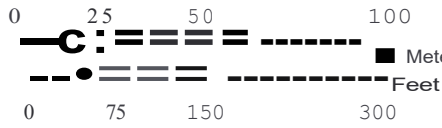
FIGURE 3c
Topography and
Soil Units

CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California

- D** Project and Study Area (39.306 ac)
-  Road
-  Proposed Pipe Alignment
-  Existing Water Conveyance Structures
-  Stream
-  Roadside Drainage Ditch



1:2,000
(1 in. = approx. 166 feet at tabloid layout)



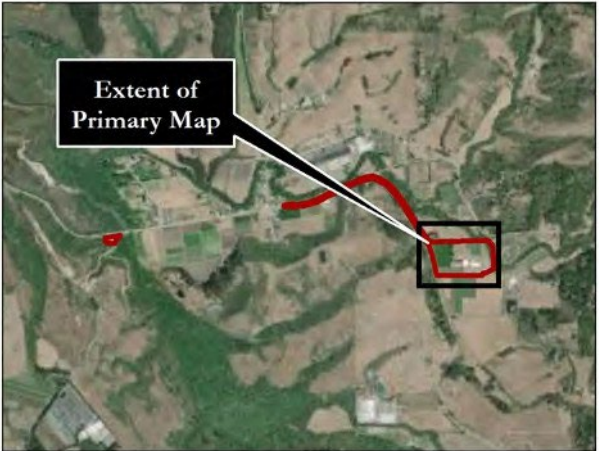
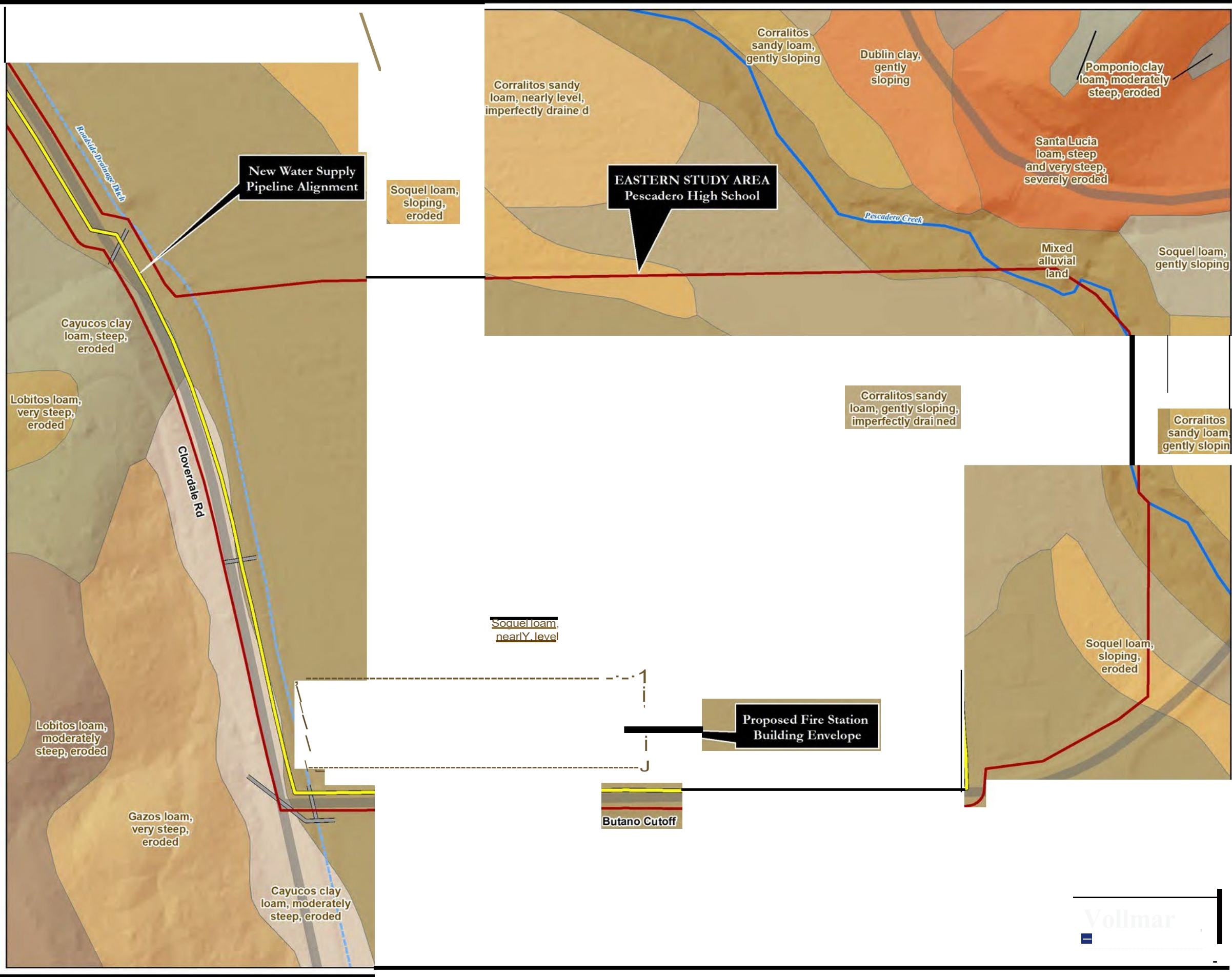
Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
GGNRA, 2020; ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021



FIGURE 3d
Topography and
Soil Units

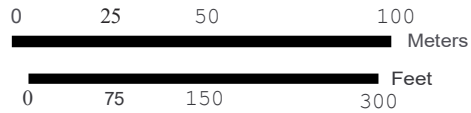
CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California

- D** Project and Study Area (39.306 ac)
- Road
 - Proposed Pipe Alignment
 - Existing Water Conveyance Structures
 - Stream
 - Roadside Drainage Ditch



1:2,000

(1 in. = approx. 166 feet at tabloid layout)



Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
GGNRA, 2020; ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021

5.0 RESULTS

5.1 Overview

Within the 39.306-acre Study Area, the delineation identified a total of 2.123 acres of potentially jurisdictional wetlands. This includes 0.204 acre of emergent channel and 1.919 acre of riparian habitat. These features were determined to be outside of the building envelope for the fire station, and outside of the proposed pipeline alignment.

Table 2 below lists each of these habitat types, and all features are mapped on **Figure 4d**, which also provide acreage values for the individual features. General conditions, as well as vegetation, soil, and hydrology indicators of each wetland feature type are described below. **Appendix A** provides representative photographs of the habitats, and **Appendix B** presents the delineation data forms, of which there are 5, that were recorded throughout the Study Area.

TABLE 2. Acreage of Mapped Potential Jurisdictional Waters

Habitat Type	Cowardin Code	Agency Jurisdiction				Acreage
		Army Corps	CDFW	RWQCB	CCC	
Wetlands						
Riparian Habitat	R5	X	X	X	X	1.919
Emergent Channel	PEM1Ed	X		X	X	0.204
TOTAL						2.123

5.2 Potential Jurisdictional Waters

5.2.1 Riparian Habitat

Feature RP01. This feature is 1.191 acre, and is habitat associated with Pescadero Creek located in the northeastern corner of the Pescadero High School property (see **Figure 4d**). Pescadero Creek is a perennial stream with a canopy of mature riparian vegetation and steep banks, approximately 10-20 feet from top of bank to the water level. The riparian habitat supported by Pescadero Creek features bed and bank topography and a semi-closed canopy with dense understory, consisting of a mix of both native and non-native plant species. Pescadero Creek flows in a northwesterly direction for 3.5 miles, then empties into the Pacific Ocean (a territorial sea). Delineation data points 01 and 02 are representative points for the riparian area, with point 01 representing upland conditions outside of the riparian habitat, and point 02 representing riparian habitat (**Figure 4d**).

The riparian corridor of Pescadero Creek is characterized by Arroyo willow (*Salix lasiolepis*, FACW) as a codominant species with Fremont's cottonwood (*Populus fremontii*). Species observed in the riparian understory include: cape ivy (*Delareia odorata*, FAC), poison hemlock (*Conium maculatum*, FAC), and giant horsetail (*Equisetum telmateia*, FACW). Some weedy upland species were intermixed, and include wild radish (*Raphanus sativus*, UPL), riggut brome (*Bromus diandrus*, UPL), and black mustard (*Brassica nigra*, UPL). California blackberry (*Rubus ursinus*, FACU) is also commonly seen in the understory.

The paired delineation points were taken within the Corralitos soil series (**Figure 3d**). Both sample points had the same soil characteristics: a color of 10Y 3/2, no redoximorphic features, no restrictive layers, clay loam texture, and uniform soil profile. No hydric soil indicators were observed for either delineation point.

No indicators of wetland hydrology were observed at either delineation point. However, since the Study Area is located in a Coastal Zone (as mentioned previously), only one parameter is needed to be considered a wetland; the presence of hydrophytic vegetation at point 02 satisfies this condition.

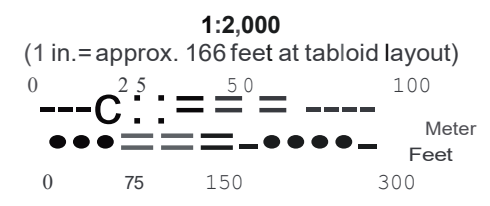
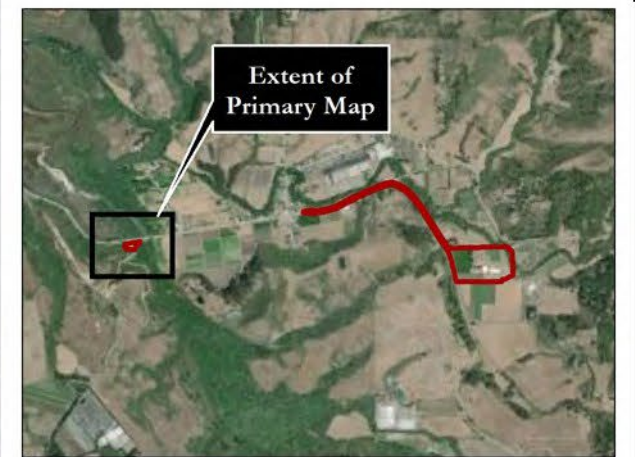


FIGURE 4a
Map of Potential
Jurisdictional Waters

CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California

D Project and Study Area (39.306 ac)

-Road
-Stream



Data Sources: LSA, 201711TIGER, 2012 | DWR, 2001
GGNRA, 2020 | ESRI/DigitalGlobe, 2019
GIS/Cartography by: Ivy Poisson, Jan. 2021
Map File: 484_WD_B-P_2021-0526.mxd



FIGURE 4b
Map of Potential
Jurisdictional Waters

CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California

D Project and Study Area (39.306 ac)

-Road

— Proposed Pipe Alignment

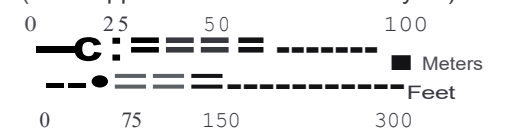
----- Existing Water Conveyance Structures

- Stream



1:2,000

(1 in. = approx. 166 feet at tabloid layout)



Vollmar

NAH.RAL LAI'US CO'SCLIN

Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
 GGNRA, 2020; ESRI/DigitalGlobe, 2019
 GIS/Cartography by: Ivy Poisson, Jan. 2021
 Map File: 484_WD_B-P_2021-0526.mxd



FIGURE 4c
Map of Potential
Jurisdictional Waters

CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California

D Project and Study Area (39.306 ac)

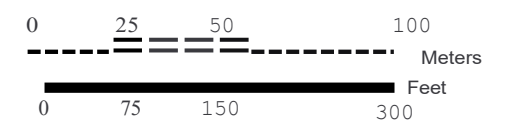
-Road

- Proposed Pipe Alignment
- Existing Water Conveyance Structures
- Stream
- Roadside Drainage Ditch



1:2,000

(1 in.=approx. 166 feet at tabloid layout)



Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
 GGNRA, 2020; ESRI/DigitalGlobe, 2019
 GIS/Cartography by: Ivy Poisson, Jan. 2021
 Map File: 484_WD_B-P_2021-0526.mxd



FIGURE 4d
Map of Potential
Jurisdictional Waters

CSA-11 Water Service Extension
and Pescadero Fire Station
(Station 59) Projects
San Mateo County, California

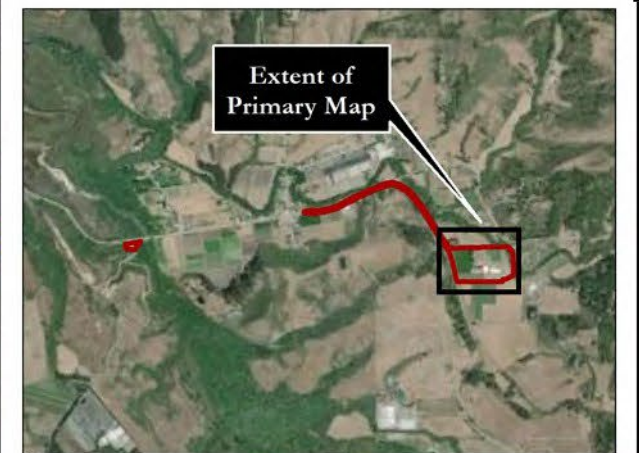
D Project and Study Area (39.306 ac)

-Road

- Proposed Pipe Alignment
- Existing Water Conveyance Structures
- Stream
- Roadside Drainage Ditch
- Riparian Canopy Dripline
- Sample Points

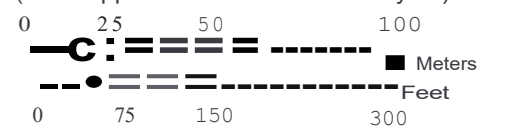
Potentially Jurisdictional Features

- D** Emergent Channel (0.204 ac / 860linear ft)
- Riparian (1.919 ac)



1:2,000

(1 in. = approx. 166 feet at tabloid layout)



Vollmar
 NAIURAL LANDS CONSULTING

Data Sources: LSA, 2017; TIGER, 2012; DWR, 2001
 GGNRA, 2020; ESRI/DigitalGlobe, 2019
 GIS/Cartography by: Ivy Poisson, Jan. 2021
 Map File: 484 WD B-P 2021-0526.mxd

Tributaries are categorically listed as waters of the United States according to the 2020 Navigable Waters Protection Rule. Feature RP01 is likely to fall under Army Corps jurisdiction since Pescadero Creek contributes surface water to the Pacific Ocean, a territorial sea. Pescadero Creek would be classified as a perennial/intermittent stream, or tributary. Feature RP01 is also potentially considered a Water of the State by CDFW, RWQCB, and CCC.

5.2.2 Emergent Channel

Feature EC01. This feature is part of the roadside drainage ditch that connects to Pescadero Creek approximately ¼ mile north of the high school (see **Figure 4c** and **4d**). Delineation data point 05 represents the emergent channel habitat and point 04 is the paired upland point.

This feature supports emergent wetland species, with cattails (*Typha latifolia*, OBL) being dominant throughout the channel. Common rush (*Juncus effusus*, FACW) and giant horsetail was also observed to be growing in the channel, higher up along the edge of the feature.

Points 04 and 05 were taken within the Soquel soil series (**Figure 3d**). Point 05, located within the emergent channel, featured yellower soils, colored at 2.5YR 3/1. In contrast, the soil at point 04 was 10YR 2/1. The soil sample collected at the wetland point (Point 05) also contained higher organic materials; the soil was textured as mucky clay loam. This is also the only sample point within the Study Area that had hydric soil indicators: histosol (A1), black histic (A3), and hydrogen sulfide (A4). Both soil samples featured no redoximorphic features, no restrictive layers, and had a uniform soil profile.

Wetland hydrology indicators observed at point 05 include High Water Table (A2), Saturation (A3), Hydrogen Sulfide Odor (C1) as primary indicators, with Geomorphic Position (D2) as secondary indicator.

Three out of three hydric indicators (vegetation, soils, and hydrology) were present for this feature, which satisfies the one-parameter wetland definition for features in Coastal Zones.

This feature is potentially a Water of the U.S. under Army Corps jurisdiction, since this conveys surface water to Pescadero Creek, which is also potentially a water of the U.S. as described above. While ditches are typically categorically excluded as waters of the U.S., the exception is if there the ditch has water flowing more than in direct response to a single precipitation event in a typical year, which is the case for feature EC01. Since there was saturation and high water table observed within this channel (during a drier than normal year), it is reasonable that there would be intermittent surface water flow in a typical year. This feature is also potentially a Water of the State under RWQCB and CCC jurisdiction.

5.2.3 Upland Agricultural Features

Upland agricultural features are located on a field that gently slopes down towards the west, in the direction of the roadside drainage ditch. At the time of the site visit, these features were located on a recently tilled/fallow field, on a rosemary field, and on a field that was planted with fava beans (*Vicia faba*). A review of historical aerial imagery shows that this area is routinely disturbed as part of the ongoing agricultural operations. Delineation data point 03 is a representative point for this feature type (particularly: soils and hydrology), and this point was taken within the building envelope for the fire station.

The vegetation at point 03 is representative of cultivated/disturbed conditions, located approximately halfway across the proposed building envelope for the fire station. Species observed include fava bean (UPL), growing with other species characteristic of disturbed habitats like scarlet pimpernel (*Lysimachia arvensis*, FAC) and mustard (*Brassica nigra*, UPL). This point does not support wetland vegetation.

Point 03 was taken within the Soquel soil series (**Figure 3d**). The soil was textured to be silty clay loam, had a color of 10Y 2/1, had no redoximorphic features, had no restrictive layers, and had a uniform soil profile. No hydric soil indicators were observed.

At the time of the site visit (both on December 7, 2020 and May 7, 2021), there were no indications of direct-surface water connection from the agricultural features to the emergent channel feature to the west; these features are separated by an at-grade, unpaved roadway. Overall, there were no hydric indicators (vegetation, soils, and hydrology) present for these agricultural features.

This is an upland feature that would likely not be subject to federal, state, or county jurisdiction.

5.3 Summary

All 2.123 acres of wetlands identified within the 36.306-acre Study Area are potentially jurisdictional Waters of the U.S.; this consists of 1.919 acre of riparian habitat and 0.204 acre of emergent channel (see **Section 5.1, Table 2**). Waters of the U.S. delineated within the Study Area would be regulated by the ACOE under Section 404 of the Clean Water Act. The riparian habitat would also be regulated under Section 10 of the Rivers and Harbors Act.

These features are also potentially under state jurisdiction, with the riparian habitat potentially regulated by CDFW, RWQCB, and CCC. The emergent channel is potentially regulated by RWQCB and CCC.

The results of this delineation are preliminary and must be reviewed and verified in writing by the ACOE to be considered an official delineation.

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APPENDIX A:

REPRESENTATIVE PHOTOGRAPHS
OF THE STUDY AREA
(Recorded May 7, 2021)

Representative Photographs of the Study Area



Point 01, facing south-southeast. Point 02 is located to the left of shovel, within riparian canopy.



Point 03, facing southwest, located within fava bean field.

Representative Photographs of the Study Area



Point 04, facing west. Cloverdale Road is shown in the background, with emergent channel in the middle of the photo, and upland edge of channel in the foreground (comprised of California blackberry).



Point 05, facing west. Pure stand of cattails growing in emergent channel.

Representative Photographs of the Study Area



Giant horsetail growing among upland plant species, in an upland area outside of the Pescadero Creek riparian corridor. This photo was taken in an area that was not subject to recent soil/veg disturbance, and may represent mesic, but not wetland, conditions. Equisetum species are known to colonize disturbed areas and may be weedy, indicating that it may not be the best indicator for wetland, particularly if it's the only wetland species occurring.

APPENDIX B:

WETLAND DELINEATION DATA FORMS

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Pescadero Pipeline & Fire Station City/County: Pescadero, San Mateo Co Sampling Date: May 7, 2021

Applicant/Owner: Pescadero Unified School District, City of Pescadero State: CA Sampling Point: 01

Investigator(s): Ivy Poisson, VNLC Section, Township, Range: S11, T08S, R05W

Landform (hillslope, terrace, etc.): terrace Local relief (concave, convex, none): none Slope (%): 0%

Subregion (LRR): A Lat: 4122572 Long: 556472 Datum: NAD 83

Soil Map Unit Name: Corralitos sandy loam, gently sloping, imperfectly drained NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☐	No ☒	
Hydric Soil Present?	Yes ☐	No ☒	
Wetland Hydrology Present?	Yes ☐	No ☒	
Is the Sampled Area within a Wetland?			Yes ☐ No ☒

Remarks: Second consecutive year of drier than normal conditions. Point located outside of riparian area/top of bank; paired upland point for sampling point 02. Undisturbed area compared to adjacent fallow fields that have been mowed recently.

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
		0	= Total Cover	

Sapling/Shrub Stratum	(Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
5.				
		0	= Total Cover	

Herb Stratum	(Plot size: <u>5 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Conium maculatum</u>		40	Y	FAC
2. <u>Brassica nigra</u>		20	Y	UPL
3. <u>Silybum marianum</u>		10	N	UPL
4. <u>Raphanus sativus</u>		5	N	UPL
5. <u>Equisetum telmateia</u>		5	N	FACW
6. <u>Festuca perennis (Lolium perenne)</u>		5	N	FAC
7. <u>Bromus diandrus</u>		4	N	UPL
8. <u>Melilotus indicus</u>		1	N	FACU
9.				
10.				
11.				
		90	= Total Cover	

Woody Vine Stratum	(Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
		0	= Total Cover	

% Bare Ground in Herb Stratum 10

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC:	<u>1</u>	(A)
Total Number of Dominant Species Across All Strata:	<u>2</u>	(B)
Percent of Dominant Species That Are OBL, FACW, or FAC:	<u>50%</u>	(A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species	0	x 1 = 0
FACW species	5	x 2 = 10
FAC species	45	x 3 = 135
FACU species	1	x 4 = 4
UPL species	39	x 5 = 195
Column Totals:	90 (A)	344 (B)
Prevalence Index = B/A =		<u>3.82</u>

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☐ 2 - Dominance Test is >50%
- ☐ 3 - Prevalence Index is ≤3.0¹
- ☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
- ☐ 5 - Wetland Non-Vascular Plants¹
- ☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present?

Yes ☐ No ☒

Remarks: Ruderal vegetation characteristic of disturbed areas. Vegetation appears to be the least disturbed near this survey plot, which is why this was selected as representative point.

01

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Pescadero Pipeline & Fire Station City/County: Pescadero, San Mateo Co Sampling Date: May 7, 2021

Applicant/Owner: Pescadero Unified School District, City of Pescadero State: CA Sampling Point: 02

Investigator(s): Ivy Poisson, VNLC Section, Township, Range: S11, T08S, R05W

Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): convex Slope (%): 1-3%

Subregion (LRR): A Lat: 4122574 Long: 556477 Datum: NAD 83

Soil Map Unit Name: Corralitos sandy loam, gently sloping, imperfectly drained NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☒ No ☐	Is the Sampled Area within a Wetland?	Yes ☒ No ☐
Hydric Soil Present?	Yes ☐ No ☒		
Wetland Hydrology Present?	Yes ☐ No ☒		

Remarks: Point located just within the edge of the riparian canopy drip line. Hydric soil and wetland hydrology indicators not observed; however, this satisfies the one-parameter wetland for coastal zones because of the presence of wetland vegetation.

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>25 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
1. <u>Salix lasiolepis</u>		80	Y	FACW	
2. _____					
3. _____					
4. _____					
		80	= Total Cover		Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>5</u> x 2 = <u>10</u> FAC species <u>50</u> x 3 = <u>150</u> FACU species <u>4</u> x 4 = <u>16</u> UPL species <u>16</u> x 5 = <u>80</u> Column Totals: <u>75</u> (A) <u>256</u> (B) Prevalence Index = B/A = <u>3.41</u>
Sapling/Shrub Stratum (Plot size: _____)					
1. _____					
2. _____					
3. _____					
		0	= Total Cover		
Herb Stratum (Plot size: <u>5 ft</u>)					Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ 5 - Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Delawarea odorata</u>		30	Y	FAC	
2. <u>Conium maculatum</u>		20	Y	FAC	
3. <u>Bromus diandrus</u>		10	N	UPL	
4. <u>Equisetum telmateia</u>		5	N	FACW	
5. <u>Raphanus sativus</u>		5	N	UPL	
6. <u>Rubus ursinus</u>		4	N	FACU	
7. <u>Brassica nigra</u>		1	N	UPL	
8. _____					
9. _____					
10. _____					
11. _____					
		75	= Total Cover		
Woody Vine Stratum (Plot size: _____)					
1. _____					
2. _____					
		0	= Total Cover		
% Bare Ground in Herb Stratum <u>25</u>					

Remarks:
Survey plot is more representative of dry, outer edge of riparian habitat.

Sampling Point: 02

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WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Pescadero Pipeline & Fire Station City/County: Pescadero, San Mateo Co Sampling Date: May 7, 2021

Applicant/Owner: Pescadero Unified School District, City of Pescadero State: CA Sampling Point: 03

Investigator(s): Ivy Poisson, VNLC Section, Township, Range: S11, T08S, R05W

Landform (hillslope, terrace, etc.): plain Local relief (concave, convex, none): none Slope (%): 1-3%

Subregion (LRR): A Lat: 4122502 Long: 556111 Datum: NAD 83

Soil Map Unit Name: Soquel loam, nearly level NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)

Are Vegetation ☒ , Soil ☒ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☐	No ☒	
Hydric Soil Present?	Yes ☐	No ☒	
Wetland Hydrology Present?	Yes ☐	No ☒	
Is the Sampled Area within a Wetland?			Yes ☐ No ☒

Remarks: Second consecutive year of drier than normal conditions. Located in cultivated field consisting of fava beans (*Vicia faba*). Elevation is slightly higher on the eastern end of the cultivated field; the field slopes down towards the roadside drainage ditch.

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u> </u>)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
		0	= Total Cover	

Sapling/Shrub Stratum	(Plot size: <u> </u>)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
5.				
		0	= Total Cover	

Herb Stratum	(Plot size: <u>5 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1.	<u>Vicia faba</u>	16	Y	UPL
2.	<u>Lysimachia arvensis</u>	2	N	FAC
3.	<u>Brassica nigra</u>	2	N	UPL
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
		20	= Total Cover	

Woody Vine Stratum	(Plot size: <u> </u>)	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
		0	= Total Cover	

% Bare Ground in Herb Stratum 80

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC:	<u>0</u>	(A)
Total Number of Dominant Species Across All Strata:	<u>1</u>	(B)
Percent of Dominant Species That Are OBL, FACW, or FAC:	<u>0%</u>	(A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species	0	x 1 = 0
FACW species	0	x 2 = 0
FAC species	2	x 3 = 6
FACU species	0	x 4 = 0
UPL species	18	x 5 = 90
Column Totals:	20 (A)	96 (B)
Prevalence Index = B/A =		<u>4.8</u>

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☐ 2 - Dominance Test is >50%
- ☐ 3 - Prevalence Index is ≤3.0¹
- ☐ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
- ☐ 5 - Wetland Non-Vascular Plants¹
- ☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present?

Yes ☐ No ☒

Remarks: Located in cultivated field consisting of fava beans (*Vicia faba*), but with upland plant species growing among fava beans. Beans may be planted as cover crop/nitrogen fixer. Rosemary fields are located to the north. Vegetation is regularly disturbed for ag.

Sampling Point: 03

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WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Pescadero Pipeline & Fire Station City/County: Pescadero, San Mateo Co Sampling Date: May 7, 2021

Applicant/Owner: Pescadero Unified School District, City of Pescadero State: CA Sampling Point: 04

Investigator(s): Ivy Poisson, VNLC Section, Township, Range: S11, T08S, R05W

Landform (hillslope, terrace, etc.): channel Local relief (concave, convex, none): convex Slope (%): 5-7%

Subregion (LRR): A Lat: 4122498 Long: 556060 Datum: NAD 83

Soil Map Unit Name: Soquel loam, nearly level NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☐	No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Hydric Soil Present?	Yes ☐	No ☒	
Wetland Hydrology Present?	Yes ☐	No ☒	

Remarks: Second consecutive year of drier than normal conditions. Point taken at the edge of emergent channel feature.

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A) Total Number of Dominant Species Across All Strata: 1 (B) Percent of Dominant Species That Are OBL, FACW, or FAC: 0% (A/B)
1.					
2.					
3.					
4.					
		0 = Total Cover			Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species 5 x 1 = 5 FACW species 12 x 2 = 24 FAC species 0 x 3 = 0 FACU species 50 x 4 = 200 UPL species 5 x 5 = 25 Column Totals: 72 (A) 254 (B) Prevalence Index = B/A = 3.52
Sapling/Shrub Stratum	(Plot size:)				
1.					
2.					
3.					
4.					
5.					
		0 = Total Cover			
Herb Stratum	(Plot size: 5 ft)				Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☐ 2 - Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ 5 - Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1.	<u>Rubus ursinus</u>	50	Y	FACU	
2.	<u>Equisetum telmateia</u>	10	N	FACW	
3.	<u>Typha latifolia</u>	5	N	OBL	
4.	<u>Erodium cicutarium</u>	5	N	UPL	
5.	<u>Juncus effusus</u>	2	N	FACW	
6.					
7.					
8.					
9.					
10.					
11.					
		72 = Total Cover			
Woody Vine Stratum	(Plot size:)				
1.					
2.					
		0 = Total Cover			
% Bare Ground in Herb Stratum <u>28</u>					
Hydrophytic Vegetation Present? Yes ☐ No ☒					

Remarks: Although this survey plot indicates mesic conditions (presence of FACW and OBL plants), the dominance of Rubus ursinus at the edge of the emergent ditch feature and indicates transition to upland.

04

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Pescadero Pipeline & Fire Station City/County: Pescadero, San Mateo Co Sampling Date: May 7, 2021

Applicant/Owner: Pescadero Unified School District, City of Pescadero State: CA Sampling Point: 05

Investigator(s): Ivy Poisson, VNLC Section, Township, Range: S11, T08S, R05W

Landform (hillslope, terrace, etc.): channel Local relief (concave, convex, none): concave Slope (%): 1-3%

Subregion (LRR): A Lat: 4122498 Long: 556058 Datum: NAD 83

Soil Map Unit Name: Soquel loam, nearly level NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain in Remarks.)

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐

Are Vegetation ☐ , Soil ☐ , or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☒ No ☐	Is the Sampled Area within a Wetland?	Yes ☒ No ☐
Hydric Soil Present?	Yes ☒ No ☐		
Wetland Hydrology Present?	Yes ☒ No ☐		

Remarks: Second consecutive year of drier than normal conditions. Point taken within emergent channel in roadside ditch. Roadside ditch drains to Pescadero Creek, a TNW. Width of emergent channel is approx. 6-8 feet across.

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
1.					
2.					
3.					
4.					
		<u>0</u>	= Total Cover		Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species x 1 = FACW species x 2 = FAC species x 3 = FACU species x 4 = UPL species x 5 = Column Totals: (A) (B) Prevalence Index = B/A =
Sapling/Shrub Stratum (Plot size:)					
1.					
2.					
3.					
4.					
5.					
		<u>0</u>	= Total Cover		Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ 5 - Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Herb Stratum (Plot size: <u>5 ft</u>)					
1.	<u>Typha latifolia</u>	<u>90</u>	<u>Y</u>	<u>OBL</u>	
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
		<u>90</u>	= Total Cover		
Woody Vine Stratum (Plot size:)					Hydrophytic Vegetation Present? Yes ☒ No ☐
1.					
2.					
		<u>0</u>	= Total Cover		
% Bare Ground in Herb Stratum		<u>10</u>			

Remarks:
Pure stand of cattails in emergent channel

Sampling Point: 05

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ATTACHMENT C: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires that when a public agency makes findings pursuant to Public Resource Code Section 21081 before approving a project that would result in one or more significant impacts on the environment, the agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during project implementation (Public Resource Code Section 21081.6).

This Mitigation Monitoring and Reporting Plan (MMRP) for the CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project (project) will be in place through all phases of the project, including design, construction, and operation of each of the project components, to help ensure that project's environmental commitments are implemented. As the CEQA Lead Agency, the San Mateo County Planning and Building Department (County) is responsible for verifying that the provisions of the MMRP as a whole are carried out, pursuant to Section 15097(a) of the CEQA Guidelines. The County may delegate reporting or monitoring responsibilities to a subsidiary public agency or to a private entity such as a project contractor who accepts the delegation; however, until mitigation measures have been completed, the County remains responsible for ensuring that mitigation measures are implemented in accordance with the MMRP. The County will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected.

MMRP Content and Format

Table 4-1 below lists all mitigation measures for the proposed project identified in the Initial Study by resource area. The components of the MMRP include:

Mitigation Measure: This column presents the mitigation measure identified in the Initial Study.

Monitoring and Reporting Action(s): This column refers to the outcome from implementing the mitigation measure.

Implementation Responsibility: This column identifies the person/group responsible for implementation of the migration measure.

Monitoring Responsibility: This column contains an assignment of responsibility for the monitoring and reporting tasks.

Timing: The general schedule for conducting each mitigation task, identifying where appropriate both the timing and the frequency of the action.

Verification of Compliance: This column may be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

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**CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
<i>AGRICULTURAL RESOURCES</i>					
Mitigation AG-1: Prior to issuance of the building permit for construction of the fire station, the County shall submit evidence to the Coastal Commission for review and approval indicating that an agricultural easement burdening off-site agricultural property has been granted in perpetuity to the County or other qualifying entity, along with adequate funding to compensate for reasonable administrative costs incurred by the easement holder. The property provided as mitigation shall meet the following criteria: • The easement shall provide agricultural conservation acreage at a ratio of 2:1 for the loss of agricultural land associated with the approved project (i.e. at least 3.5 acres shall be provided to offset the 1.75 acres of the fire station site). • The property shall be acquired by the County and placed under an agricultural easement; or the County shall enter into an agreement to newly encumber lands owned by another entity.	The County shall submit evidence to the Coastal Commission for review and approval indicating that an agricultural easement burdening off-site agricultural property has been granted in perpetuity to the County or other qualifying entity as described in the measure. Note: This measure is for the new fire station component of the project only, and is not needed for the water pipeline extension or demolition of the existing fire station structures.	County Planning and Building Department	County Project Manager	Prior to issuance of the building permit for construction of the fire station.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
- The property shall be located within the Coastal Zone, within reasonable proximity to the project site. - The property shall be on land of a similar quality as the project site (i.e., Prime Agricultural Lands).					
BIOLOGICAL RESOURCES					
Mitigation BIO-1: Initial ground-disturbing activities shall be avoided between November 1 and March 31 to avoid the time period when amphibians and reptiles are most likely to be moving through the Project Area.	Contracts for project construction shall include this restriction.	County Planning and Building Department; Construction Contractor.	Construction Project Manager (waterline) Construction Project Manager (fire station)	Prior to any ground- or vegetation-disturbing activities.	
Mitigation BIO 2: Temporary exclusion fencing shall be installed around the limits of work areas and access routes to ensure special-status amphibians, reptiles, and mammals cannot enter the work area. Installation of exclusion fencing shall occur under the supervision of a designated biologist and immediately following a clearance survey of the area. The exclusion fencing shall have a minimum aboveground height of 30 inches, and the bottom of the fence should be keyed in at least 4 inches deep and backfilled with soil to prevent wildlife from passing under the fencing. Exclusion fencing shall be installed to	A qualified biologist shall mark the construction areas and access routes with orange construction fencing.	Consulting biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	Before any on-site construction activities begin.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
prevent species entry into active work areas and to mark the limits of construction disturbance at equipment staging areas, site access routes, construction equipment and personnel parking areas, debris storage areas, and any other areas that may be disturbed.					
Mitigation BIO-3: Plastic monofilament netting (erosion control matting), loosely woven netting, or similar material in any form shall not be used at the project site because amphibians and reptiles can become entangled and trapped in them. Any such material found on-site shall be immediately removed by the construction personnel. Materials utilizing fixed weaves (strands cannot move), polypropylene, polymer, or other synthetic materials shall not be used.	Qualified biologist shall conduct a clearance survey of the site to assure that prohibited netting is not used on-site.	Consulting biologist.	Construction Project Manager (waterline) Construction Project Manager (fire station)	Prior to any ground disturbing activities.	
Mitigation BIO-4: No more than twenty-four (24) hours prior to the date of initial ground disturbance, a pre-construction survey for foothill yellow-legged frog and other sensitive amphibians and reptiles shall be conducted by a designated biologist at the project site. The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of special-status amphibians and reptiles. The designated biologist shall investigate all potential areas that could be used by the species for feeding, sheltering, movement, and other essential behaviors. If any foothill	Qualified biologist shall conduct a clearance survey for special-status amphibians and reptiles.	Consulting biologist.	Construction Project Manager (waterline) Construction Project Manager (fire station)	No more than 24 hours prior to start of construction at each project site.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
yellow-legged frogs are found, the designated biologist shall follow the procedures specified in Measure BIO-5.					
Mitigation BIO-5: Each encounter with the foothill yellow-legged frog (FYLF) shall be treated on a case-by-case basis in coordination with the USFWS, but the general procedure is as follows: (1) the animal shall not be disturbed if it is not in danger; or (2) the animal shall be moved to a secure location if it is in any danger. These procedures are further described below: When a foothill yellow-legged frog is encountered in the project area, all activities which have the potential to result in the harassment, injury, or death of the individual shall be immediately halted. The designated biologist will then assess the situation in order to select a course of action that will avoid or minimize adverse effects to the animal. To the maximum extent possible, contact with the animal shall be avoided and the applicant shall allow it to move out of the potentially hazardous situation to a secure location on its own volition. This procedure shall apply to situations where a foothill yellow-legged frog is encountered while it is moving to another location and is actively dispersing. It does not apply to	Qualified biologist shall conduct appropriate protective activities for the FYLF upon consultation with the USFWS.	Consulting Biologist with permit to handle FYLF	Construction Project Manager (waterline) Construction Project Manager (fire station)	Upon encountering FYLF.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
animals that are uncovered or otherwise exposed or in areas where the individual is not expected to move on its own and may be in danger (e.g., within the fenced construction perimeter). • Foothill yellow-legged frogs that are in danger (e.g., animals that are uncovered or otherwise exposed or in areas within the fenced construction perimeter where the individual is not expected to move on its own) shall be relocated and released by the designated biologist outside the construction area within the same habitat. Prior to the initial ground disturbance, the designated biologist shall obtain approval of the relocation protocol from the USFWS and CDFW in the event that a foothill yellow-legged frog is encountered and needs to be moved away from the project site. Foothill yellow-legged frog shall be released in appropriate habitat nearby within the watershed. The designated biologist shall limit the duration of the handling and captivity of the foothill yellow-legged frog to the minimum amount of time necessary to complete the task. The applicant shall immediately notify the USFWS and CDFW					

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
once the foothill yellow-legged frog is relocated and the site is secure.					
Mitigation BIO-6: Uneaten human food and other refuse attracts crows, ravens, coyotes, raccoons, and other predators of amphibians, reptiles, and other wildlife. A litter control program shall be instituted at the project site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed garbage containers. The garbage containers shall be removed from the project site at the end of each working day.	Construction Project Manager shall inspect construction site for food and refuse daily and assure that any refuse is picked up. Construction workers shall be informed of this requirement, which shall be a condition of construction contracts.	Construction Project Manager	Construction Project Manager (waterline) Construction Project Manager (fire station)	During construction	
Mitigation BIO-7: A USFWS-approved biologist(s) shall be onsite until all initial CRLF habitat disturbances have ceased. The qualifications of the biologist(s) shall be submitted to USFWS for review and written approval at least thirty (30) days prior to the date earthmoving is initiated at the project site.	Biologist shall be on-site during ground disturbing activities.	Consulting Biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	During ground-disturbing construction activities	
Mitigation BIO-8: To the maximum extent practicable, construction activities shall not occur during rain events or within 24-hours following a rain event. Prior to construction activities resuming, a designated biologist will inspect the Project Area and all equipment/materials for the presence of amphibians and reptiles.	Construction contracts will include prohibition on any ground disturbing activities during or for 24-hours after rain events. Project biologist shall conduct inspections of	County Project Manager Consulting Biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	During ground-disturbing construction activities	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
	undeveloped areas prior to resumption of activities after a rainfall.				
Mitigation BIO-9: If construction activities will commence anytime during the nesting/breeding season of native bird species potentially nesting in the Study Area (typically February through August in the project region), a pre-construction survey for nesting birds shall be conducted by a qualified biologist within two weeks of the commencement of construction activities. If active nests are found in areas that could be directly affected or are within 250 feet (for passerines) or 500 feet (for raptors) of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zone and types of construction activities restricted within it shall be determined through coordination with the CDFW, considering factors such as the following: Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;	A qualified biologist shall conduct a preconstruction bird survey per mitigation measure specifications.	Consulting Biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	Survey no more than 14 days prior to start of construction. Buffers shall be fenced with construction fencing prior to the start of construction.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
- Distance and amount of vegetation or other screening between the construction site and the nest; and - Sensitivity of individual nesting species and behaviors of the nesting birds.					
Mitigation BIO-10: The County shall ensure that the following stormwater BMPs are implemented to protect water quality entering Pescadero and Butano Creeks: - Schedule grading and excavation work during dry weather. - Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matric) until vegetation is established. - Prevent sediment from migrating offsite and protect from storm drain inlets, gutters, ditches, and drainage courses by installing and maintaining appropriate BMPs, such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc. - Keep excavated soil on site and transfer it to dump trucks on site, not in the streets.	Measures shall be included in construction contracts. County Building Department shall inspect the site to ensure erosion-control measures are implemented.	County Project Manager Construction Contractor	Construction Project Manager (waterline) Construction Project Manager (fire station)	Prior to and during ground-disturbing activities.	
Mitigation BIO-11: If construction activities commence during the burrowing owl nesting season (February 1 – August 31), a qualified	A qualified biologist shall conduct a preconstruction	Consulting Biologist	Construction Project Manager (waterline)	Survey no more than 14 days prior to start of construction.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
biologist shall conduct preconstruction surveys covering all areas of suitable habitat within 250 feet of the proposed activity. The survey will last a minimum of 3 hours, and will either begin 1 hour before sunrise and continue until 2 hours after sunrise or begin 2 hours before sunset and continue until 1 hour after sunset. If no owls are detected during a first survey, a second survey will be conducted. If owls are detected during the first survey, a second survey is not needed. All owls observed will be counted and their locations will be mapped, and the following measure will be implemented: If evidence of nesting burrowing owls is found, a 250-foot-wide no-disturbance buffer zone shall be established around each occupied nest and shall be delineated in the field by the biologist, using a suitable low-impact medium. Construction may proceed outside the no-disturbance buffer zones.	burrowing owl survey per mitigation measure specifications.		Construction Project Manager (fire station)	Buffers shall be fenced with construction fencing prior to the start of construction.	
Mitigation Measure BIO-12: A qualified biologist shall conduct a roosting bat habitat evaluation prior to the commencement of construction activities. The evaluation shall determine if any trees proposed for removal or that are located near the work sites provide potential bat roosting habitat. If suitable roost trees or an active roost are confirmed, then a site-specific bat protection plan shall be developed by a qualified biologist to prevent disturbance of an active maternity or hibernation roost.	Qualified biologist shall conduct habitat assessment and prepare eviction recommendations if bats are present.	Consulting Biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	As described in the measure.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
Mitigation BIO-13: Appropriately-timed focused plant surveys shall be conducted during the harlequin lotus's flowering period (March - June) to detect presence of these species within the project's impact zone.	Project biologist shall conduct surveys.	Project Biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	During march-June flowering period, as determined by qualified biologist, and prior to start of construction.	
Mitigation BIO-14: If this species (harlequin lotus) is determined to be present within the project impact zone (where vegetation removal is needed), then potentially impacted populations shall be transplanted to an appropriate adjacent habitat where impacts are not anticipated. The transplanting effort shall be approved by the CDFW prior to implementation.	Qualified biologist shall transplant plants after approval of transplant plan by CDFW	Project Biologist	Construction Project Manager (waterline) Construction Project Manager (fire station)	Timing per approval of CDFW.	
CULTURAL RESOURCES					
Mitigation Measure CUL-1: To reduce potential impacts on presently undocumented early Native American cultural resources, a qualified professional archaeologist and a Native American monitor shall be present on-site during all subsurface ground-disturbing activities at the site of the proposed new fire station. If prehistoric remains (e.g., structure traces, stone artifacts, bone and/or shell concentrations) are encountered during subsurface construction and/or demolition activities, ground disturbances in the vicinity of the find shall cease until the monitor can determine the nature and potential significance of the remains and recommend	County shall incorporate cultural resources mitigation measures into site plan specifications and construction contract.	Archaeological Monitor.	Construction Project Manager (waterline) Construction Project Manager (fire station)	During ground-disturbing activities.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
mitigation. Mitigation can include, but shall not be restricted to, no action, additional documentary research, testing, and contiguous block unit excavation and resource documentation in accordance with CEQA standards. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, excavation in the vicinity of the burial shall immediately cease and the primary construction contractor and/or archaeological/Native American monitor shall notify the County. The County or their designated representative shall notify the county coroner who is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner's findings, the County, the archaeologist/Native American monitor, and the NAHC-designated most likely descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American					

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
human remains are identified in PRC Section 5097.9.					
Mitigation Measure CUL-2: If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the San Mateo County Sheriff/Coroner shall be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission, which will in turn appoint a Most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with the Applicant and a qualified archaeologist to determine the proper treatment of the human remains and any associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via Project construction design change.	The contractor or County Project Manager shall promptly call the County Coroner upon finding remains to satisfy the 24-hour notification period.	County Project Manager	Construction Project Manager (waterline) Construction Project Manager (fire station)	During ground-disturbing activities	
GEOLOGY AND SOILS					
Mitigation GEO-1: The pipeline shall be designed and constructed in accordance with design parameters and recommendations included in the geotechnical investigation prepared for the pipeline project (GHD 2021). Mitigation GEO-2: The fire station foundation and site preparation shall include	County shall incorporate applicable geotechnical recommendations into construction contract requirements as specified in the applicable measure.	County Project Manager to incorporate into construction docs for both pipeline and fire station projects;	Construction Project Managers (waterline and pipeline)	Prior to approval of construction contracts (design); during construction (construction) for fire station and pipeline projects.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
all recommendations of a preliminary geotechnical/geologic hazards report, which shall be prepared prior to project approval and include assessments of, and recommendations for, soil settlement, liquefaction, differential settlement, expansive soils, and other geologic hazards.		construction contractors to implement.			
HAZARDS/HAZARDOUS MATERIALS					
Mitigation HAZ-1: Prior to demolition of the existing fire station barracks, the structures shall be surveyed for potential hazardous materials including but not limited to ACM and LBP. Any such materials encountered shall be removed by a hazardous materials removal firm with staff trained and equipped for such removal activities. Any removed hazardous materials shall be disposed of in a State-approved Class III Hazardous Waste Disposal Facility.	County shall incorporate applicable hazmat survey recommendations into construction contract requirements as specified in the applicable measure. <i>Note: This measure applies only to demolition at existing fire station.</i>	County Project Manager to incorporate into construction docs for fire station demolition; construction contractors to implement.	Construction Project Manager (fire station)	Prior to demolition of the existing fire station barracks	
HYDROLOGY AND WATER QUALITY					
Mitigation HYDRO-1: County Service Area-11 (County of San Mateo Department of Public Works) shall conduct monthly water level measurement of Well #1 and Well #3 to monitor ongoing aquifer capacity.	County Public Works shall conduct monthly water level measurement of Well #1 and Well #3 <i>Note: This measure applies only to pipeline project.</i>	County Public Works Director	County Project Manager	Monthly after pipeline is completed.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
Mitigation HYDRO-2: County Service Area-11 (County of San Mateo Department of Public Works) shall evaluate groundwater level trends. Should the water level drop below 6 feet above the top of the well screen in Well #3 during static conditions, CSA-11 shall manage water supply sustainability through operational actions such as lowering the pump, or by developing other local groundwater or surface water supply sources.	County Public Works shall conduct monthly water level measurement of Well #1 and Well #3 <i>Note: This measure applies only to pipeline project.</i>	County Public Works Director	County Project Manager	Monitoring of well levels shall be ongoing but no less than annually.	
NOISE					
Mitigation NOISE-1: The following Best Management Practices shall be incorporated into the construction documents to be implemented by the Project contractor: - Limit the major stages of fire station foundation preparation and building erection to the summer months when school is not in session. - Limit Project construction activity to between 7 a.m. and 6 p.m. on weekdays, to between 9 a.m. and 5 p.m. on Saturdays, and prohibit it on Sundays, Thanksgiving and Christmas to comply with the San Mateo County Code. - Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy activity areas on the site.	The construction contract shall include all noise mitigation components and be reviewed and approved by County Project Manager. Construction contractor shall implement noise conditions and measures, and install noise attenuation devices as necessary	Construction Contractor.	County Project Manager. Construction Project Manager	Noise specifications shall be included in contracting documents. Monitor implementation of measures during construction, as applicable.	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
• Use quietest type of construction equipment whenever possible, particularly air compressors. • Provide sound-control devices on equipment no less effective than those provided by the manufacturer. • Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors. • Prohibit unnecessary idling of internal combustion engines. • Require applicable construction-related vehicles and equipment to use designated truck routes when entering/leaving the site. • Designate a noise disturbance coordinator at County Planning Department who shall be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site. Copies of the project purpose, description and construction schedule shall also be distributed to the surrounding residences, schools and library.					
TRAFFIC					
Mitigation Traffic-1. If the County Public Works Department determines that a signal at the fire station driveway is potentially warranted to	County Public Works Department to assess potential traffic conflicts at fire station	County Public Works Department	County Project Manager	County Public Works to review need for signal prior to	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
allow emergency fire truck access or otherwise prevent vehicular conflicts, the school would conduct a more refined traffic count. If the count indicates that a signal is warranted, the County would install it, or, the school would require that all drop offs are at the 360 Butano Cutoff address, which is at the far end of the campus and would be less likely to result in any conflicts with the fire station traffic.	driveway and determine if signal is necessary. <i>Note: This measure applies only to new fire station.</i>			completion of that building. Traffic counts would occur after start of operation of Fire Station	



COUNTY OF SAN MATEO

PLANNING AND BUILDING

County Government Center
455 County Center, 2nd Floor
Redwood City, CA 94063
650-363-4161 T
650-363-4849 F
plngbldg@smcgov.org
www.planning.smcgov.org

NOTICE OF DETERMINATION

Project Title: LCP AMEND. - CSA-11/FIRE STATION 59 File Number: PLN2021-00056 State Clearinghouse Number: 2022060160 Lead Agency Contact: Michael Schaller Phone: 650-599-1559 Email mschaller@smcgov.org	For Clerk Use Only FILED ENDORSED IN THE OFFICE OF THE COUNTY CLERK RECORDER SAN MATEO COUNTY CALIF DEC 06 2022 MARK CHURCH, County Clerk By <u>GLENN S. CHANGTIN</u> Deputy Clerk
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Filing of a Notice of Determination in compliance with Section 21008 or 21152 of the Public Resources Code.

Description of Project: Local Coastal Program Amendment for CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project. LCP amendment to facilitate: (1) CSA-11 water line extension to serve the Pescadero Middle/High School and future replacement Fire Station 59 located at 350-360 Butano Cut Off and (2) allow for the location of the replacement Station 59 at the Middle/High School property. Existing Station 59, located at 1200 Pescadero Creek Road, will be partially demolished. This project is subject to Coastal Commission certification of the amendments and LAFCo CSA-11 Municipal Service Review and Annexation approval. LCP text amendment only, no construction is proposed under this permit. Construction of the water line extension and fire station will be subject to separate Coastal Development Permits at a later date.

Specific Project Location: 350 - 360 Butano Cut Off Road, Pescadero

Name of Applicant: County Of San Mateo

Name of Person Undertaking the project or receiving the project approval (if different from the applicant): None

Name of Public Agency Approving Project: San Mateo County

This is to advise that the County of San Mateo (Lead Agency) has approved the above described project on November 16, 2022 and has made the following determination regarding the above described project:

1. This project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures were made a condition of the approval of this project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A Statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to the general public at:

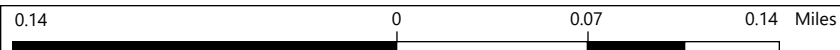
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

Date Received for Filing at OPR (if applicable):

Signature: Michael Schaller

Title: Senior Planner

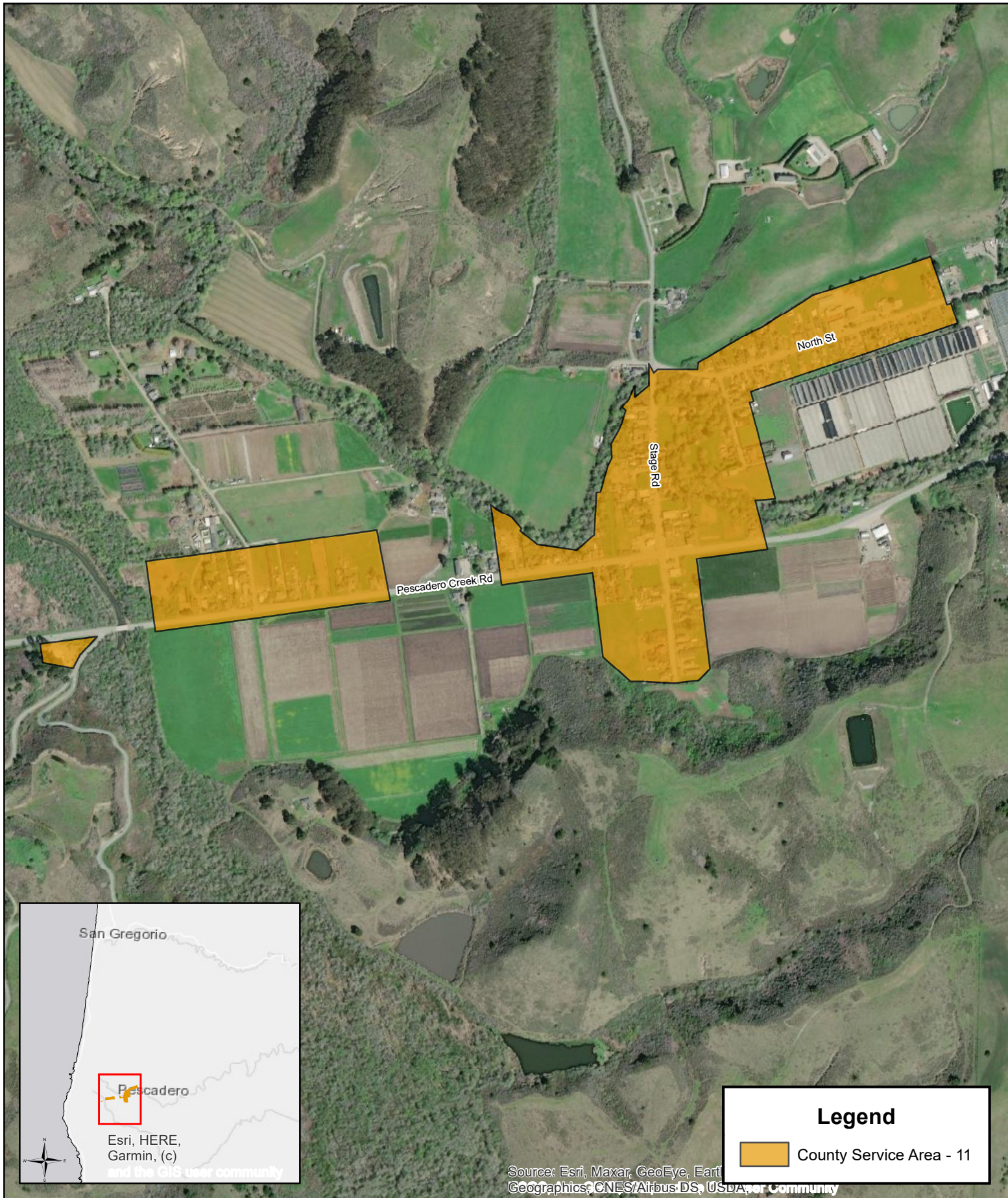
Date: December 6, 2022



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1:4,514





County Service Area - 11



Pescadero Area - CSA-11





LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT
360 Butano Cut Off, Pescadero, CA 94060
650-879-0286

Amy Wooliever, Superintendent

Mr. Rob Bertoli
Executive Officer
San Mateo County LAFCo
455 County Center, 2nd Floor
Redwood City, CA 94063

June 24, 2024

Re: LAFCo File No. 24-08 - Proposed Sphere of Influence amendment for County Service Area 11 (CSA 11) and annexation by CSA 11 of the Pescadero Middle/High School located at 350-360 Butano Cut Off (APN 087-053-010)

To Whom It May Concern,

I recently submitted a letter on behalf of La Honda-Pescadero Unified School District in support of the County application to LAFCo for a sphere of influence amendment and annexation to add APN 087-53-010 to County Service Area-11.

In addition to support, I specifically consent to the annexation per Government Code Section 56662. Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Amy Wooliever".

Amy Wooliever
Superintendent, La Honda-pescadero USD

RESOLUTION NO. 080613

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

*** * * * ***

RESOLUTION APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE IN THE AMOUNT OF \$0 RESULTING FROM COUNTY SERVICE AREA 11'S (CSA-11) ANNEXATION OF PESCADERO MIDDLE/HIGH SCHOOL, LOCATED AT 350-360 BUTANO CUTOFF, PESCADERO, CA (APN 087-053-010)

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that:

WHEREAS, California Revenue and Taxation Code Section 99 requires that the governing bodies of agencies whose service area or service responsibilities will be altered by an annexation of territory from one agency to the other must negotiate a reallocation of property tax revenue between the affected agencies and approve and accept such reallocation by resolution; and

WHEREAS, the San Mateo Local Agency Formation Commission (LAFCo) has received an application for annexation to County Service Area 11 (CSA-11) of Pescadero Middle/High School, located at 350-360 Butano Cutoff, Pescadero, California 94060 (APN 087-053-010) (the "Property"); and

WHEREAS, said Property is within the County of San Mateo and, as a government-owned parcel, is exempt from paying property taxes; and

WHEREAS, the County and CSA-11 have determined that, because the Property is exempt from paying property taxes and CSA-11 is funded through services charges,

rather than property tax revenue, a property tax revenue reallocation of \$0 is appropriate for CSA-11's proposed annexation of the Property.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that, pursuant to Revenue and Taxation Code Section 99, this Board approves and accepts the negotiated exchange of property tax revenue in the amount of \$0 resulting from CSA 11's annexation of the Property.

* * * * *

RESOLUTION NUMBER: 080613

Regularly passed and adopted this 10th day of September, 2024

AYES and in favor of said resolution:

Supervisors:

DAVE PINE

NOELIA CORZO

RAY MUELLER

WARREN SLOCUM

DAVID J. CANEPA

NOES and against said resolution:

Supervisors:

NONE



*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Assistant Clerk of the Board of Supervisors



LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

September 11, 2024

To: LAFCo Commissioners

From: Rob Bartoli, Executive Officer

Subject: Consideration of Municipal Service Review Circulation Draft for the San Mateo County Harbor District

Summary

On August 28, 2024 a public hearing notice was published for the September 18, 2024 LAFCo meeting. The public hearing notice included the Consideration of Municipal Service Review (MSR) Circulation Draft for the San Mateo County Harbor District. LAFCo staff anticipated having this report prepared for the September 18 meeting, however, due to the analysis required for this MSR and due to the allocation of additional staff time allocated to finalize a recently approved LAFCo proposal, staff is requesting that this item be continued to the November 20, 2024 LAFCo Commission meeting.

Recommendation

Continue this item to the November 20, 2024 LAFCo Commission meeting.

**September 11, 2024****To:** LAFCo Commissioners**From:** Rob Bartoli, Executive Officer**Subject:** Consideration of Municipal Service Review Circulation Draft for the City of Millbrae**Summary and Background**

LAFCo prepared comprehensive Sphere of Influence (SOI) studies and adopted SOIs for cities and special districts in 1985 and has subsequently reviewed and updated spheres on a three-year cycle. Updates focused on changes in service demand within the boundaries of cities and special districts. After enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) and the new requirement to prepare MSRs in conjunction with or prior to SOI updates, LAFCo began the process of preparing Municipal Service Review (MSR) and SOI updates in late 2003. This Circulation Draft Municipal Service Review is the first MSR for the City of Millbrae.

The City of Millbrae was incorporated in 1948. As of 2020, the population of Millbrae was 23,216. The City of Millbrae's Sphere of Influence (SOI) includes small portions of unincorporated San Francisco Airport Lands to the northeast of the City's boundaries and west of Highway 101. Although Capuchino High School is entirely surrounded by the City of Millbrae, it is part of the City of San Bruno. Since 1979, the SOI for the City has also included a recommendation to detach Capuchino High School from the City of San Bruno and annex the property to the City of Millbrae. The High School is connected to San Bruno by a narrow corridor with irregular boundaries and is largely surrounded by the City of Millbrae. Currently, the City of Millbrae provides water and sewer to the property.

The City provides the following municipal services: law enforcement, parks and recreation, library, streets, lighting, water, wastewater and storm drain and flood control.

Current Key Issues

Key issues identified in compiling information on the City of Millbrae include the following:

- While LAFCo staff has not identified any issues with the City’s budgeting practices, the City’s enterprise funds for water, sewer, and storm drains are project to operate at a loss. Fund balance for each of these funds are being utilized to address these deficits. In review of the proposed capital improvement projects and the remaining revenue of theses three enterprise funds, it is unclear if there is sufficient revenue to undertake the proposed infrastructure improvements.
- While the revenue for the City has largely returned to pre-pandemic levels, the City has continued to implement a number of cost saving measures such as a hiring freeze for non-critical positions, reducing spending on upgrades or deferred maintenance on City facilities, and having general Fund subsidies to Capital Improvement Projects limited to those deemed mandatory, necessary & achievable.
- The City of Millbrae is making accommodations to incur a nearly 45% increase in its housing stock over the next eight years. The City’s 2040 General Plan, which includes the specific plans and development projects described above, was updated and adopted by the City in 2022. The Environmental Impact Report for the General Plan did not identify any significant impacts to the City’s ability to deliver municipal services to the residents and businesses of Millbrae.

Proposed MSR Recommendations

As required by State law, there are seven areas of determination, including local policies as set forth in Section 56430.

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities¹ within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by LAFCo policy.
 - a. Water Resiliency and Climate Change
 - b. Impact of Natural Hazards and Mitigation Planning

¹ “Disadvantaged community” means a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This area of determination does not apply to the study area.

For the Circulation Draft, LAFCo has the following determinations and recommendations:

1. Growth and Population Determination

As of 2020, the City of Millbrae is home to 23,216 residents and 8,679 housing units. The City's adopted Housing Element proposes to increase its housing stock by 22% over the next eight years. The City's 2020 Urban Water Management Plan, which forecasts water demand and availability through 2045, projects that the City's population will increase to over 27,000 residents and that water demand in 2045 will exceed the available water supply.

Recommendations:

1. LAFCo encourages the City to update the Urban Water Management Plan to align with the projected development in the City's adopted Housing Element.

2. Disadvantaged Unincorporated Communities Determination

The City's sphere and municipal boundaries are nearly contiguous with the exception of the San Francisco International Airport Lands located along the City's eastern border and west of Highway 101. Although Capuchino High School site is part of the City of San Bruno it is surrounded by the City of Millbrae. There are no disadvantaged unincorporated communities within the City's SOL.

3. Capacity and Adequacy of Public Facilities and Services Determination and Recommendations

LAFCo is not aware of any deficiencies in agency capacity to meet existing service needs for which the agency does not have a plan in place to resolve. The City is anticipated to be able to meet most service demands of foreseeable growth with project infrastructure improvements and other mitigation measures.

Recommendations:

1. The City's UMWP was last updated in 2020. The City should align the growth projections in the UMWP with the RHNA growth projections and the 2023-2031 Housing Element in its next UMWP update.
2. LAFCo encourages the City to continue to review potential revenue increases or the creation of a dedicated revenue source for stormwater projects.
3. LAFCo encourages the City to continue to work with Central County Fire, the City of Burlingame and the Town of Hillsborough regarding the implementation of recommendations from the Community Risk Assessment/Standards of Cover & Deployment Analysis

4. Financial Ability Determination and Recommendations

LAFCo staff has not identified any issues with the City's budgeting practices regarding process. The City of Millbrae prepares an annual operating and capital improvement program (CIP) budget for the upcoming fiscal year that gets adopted by the City Council at a noticed public hearing before June 30th. The City also produces an Annual Comprehensive Financial Report (ACFR) that is reviewed by City Council.

The General Fund has been able to cover budgeted expenditures and the City has projected that the General Fund will continue to cover budgeted expenditures in upcoming years. However, the City has had to implement several cost saving measures including a hiring freeze for the few years and deferring maintenance for City facilities.

The City has three main enterprise funds, one each for Sewer, Water, and Storm Drain. Each one of these funds for FY24-25 is projected to be operating at a deficit, with fund balance being used to address the difference. In review of publicly available documents, it appears that these funds will not have enough revenue to address identified CIP projects. However, as budget documents do not differentiate between expenses for capital projects and for ongoing operations and maintenance, LAFCo staff is unable to determine if these are one-time costs or ongoing.

Recommendations:

1. LAFCo encourages the City to continue to review potential revenue increases for stormwater projects.
2. LAFCo encourages the City to develop projections for the Sewer, Water, and Storm Drain enterprise funds to provide the City a more complete assessment of these funds. These projections can be used in conjunction with the CIP to allow the City to allocate appropriate resource to infrastructure projects.
3. For future budget documents, the City should explore including details about capital improvement costs and operation and maintenance expense for enterprise funds to better illustrate what are ongoing versus one-time costs for these funds.

5. Shared Service and Facilities Determination and Recommendations

The City of Millbrae partners with several agencies to share resources and reduce costs.

Recommendations:

1. LAFCo encourages the City to review potential options regarding fire service, including becoming a member of the Central County Fire Department JPA.

6. Accountability, Structure, and Efficiencies Determination

The City of Millbrae ensures that public meetings are accessible and well-publicized. LAFCo staff is not aware of any failures to comply with disclosure laws or the Brown Act. The City prepares and adopts an annual budget, and annual independent audits are reviewed at a City Council meeting. LAFCo staff does not recommend any changes to the City's governmental structure or operations that will increase accountability and efficiency.

7. Other Issues Determinations and Recommendations

The City of Millbrae is engaged in activities to address hazard mitigation, wildfire prevention, and sea level rise for City residents and businesses.

Recommendation -

1. LAFCo encourages the City of Millbrae to continue its work in the areas of natural hazard mitigation and sea level rise and continue to coordinate with partner agencies.

Sphere of Influence Determination

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that addresses the following (§56425(e)):

- 1. The present and planned land uses in the area, including agricultural and open-space lands.**

The City of Millbrae's Sphere of Influence includes small portions of unincorporated San Francisco Airport Lands to the northeast of the City's boundaries and west of Highway 101. Although Capuchino High School is entirely surrounded by the City of Millbrae, it is part of the City of San Bruno. The City's land use is primarily residential with some open space, office, commercial, and industrial uses. There is no agricultural land within the City's SOI.

- 2. The present and probable need for public facilities and services in the area.**

The City of Millbrae's facilities and services meet the needs of its residents and businesses, and the City anticipates that it will be able to provide adequate facilities and services for the anticipated growth within its service area.

- 3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

The City currently provides adequate public services to its residents, including fire and police protection, water, sanitary sewer, and storm water services. In addition, the City routinely adopts a Capital Improvement Program to fund critical repairs, replacements and improvements to the City's infrastructure and facilities.

- 4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.**

There are no disadvantaged unincorporated communities within the SOI for the City of Millbrae

- 5. For an update of a SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

No change to the SOI for the City of Millbrae is proposed at this time.

Public/Agency Involvement

The primary source of information used in this MSR has been information collected from agency staff and adopted plans, budgets, reports, policies, etc. San Mateo LAFCo also submitted a request for data to the City in February 2024. Numerous attempts were made to contact the City regarding this request, however no response from the City was provided to LAFCo. An

administrative copy of the report was submitted to the City for comment and review. No comments were provided from the City on the MSR. LAFCo staff will continue to reach out to the City regarding the data request and the review of the draft circulation MSR.

On August 28, 2024, a Notice of Public Hearing for the Draft MSR was released by LAFCo and published in the San Mateo County Times. In addition, notices were sent to every “affected agency”, meaning all other agencies and school districts with overlapping service areas.

Environmental Review/CEQA

The MSR is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 6, which allows for the basic data collection, research, experimental management, and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource. The MSR collects data for the purpose of evaluating municipal services provided by an agency. There are no land use changes or environmental impacts created by this study.

The MSR is also exempt from CEQA under section 15061(b)(3), the common sense provision, which states that CEQA applies only to projects which have the potential to cause a significant effect on the environment and where it is certain that the activity will have no possible significant effect on the environment, the activity is exempt from CEQA.

The MSR and SOI update will not have a significant effect on the environment as there are no land use changes associated with the documents.

Recommendation

1. Open the public hearing and accept public comment.
2. Provide Commissioner comment.
3. Direct the Executive Officer to schedule the Final Municipal Service Review for the City of Millbrae for a public hearing at the next Commission meeting on November 20 2024, and circulate it with any necessary amendments to the County, cities, and independent special districts.

Attachment

A. Municipal Service Review Circulation Draft for the City of Millbrae



LOCAL AGENCY FORMATION COMMISSION

Municipal Service Review and Sphere of Influence Review for the City of Millbrae

Circulation Draft

Released September 11, 2024

Municipal Service Review and Sphere of Influence Review for the City of Millbrae

SUBJECT AGENCY:

City of Millbrae

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Millbrae, CA 94030

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CONDUCTED BY:

San Mateo Local Agency Formation Commission

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Rob Bartoli, Executive Officer

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**Municipal Service Review
and Sphere of Influence Update
City of Millbrae**

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EXECUTIVE SUMMARY

Section 1: MSR Overview

This report is a Municipal Service Review (MSR) and Sphere of Influence (SOI) update for the City of Millbrae (City). California Government Code Section 56430 requires that the Local Agency Formation Commissions (LAFCOs) complete MSRs and SOI reviews on all cities and special districts. LAFCo is an independent entity with jurisdiction over the boundaries of cities and special districts. An SOI is a plan for the boundaries of a city or special district. The MSR and SOI update do not represent a proposal¹ for reorganization of agencies, but rather a State-mandated study of service provisions of an agency.

Once adopted, the service review determinations are considered in reviewing and updating the SOI pursuant to Section 56425. The SOI, which serves as the plan for boundaries of a special district, is discussed in the second part of this report. This State-mandated study is intended to identify municipal service delivery challenges and opportunities and provides an opportunity for the public and affected agencies to comment on city, county, or special district services and finance; and opportunities to share resources prior to LAFCo adoption of required determinations.

San Mateo Local Agency Formation Commission

San Mateo Local Agency Formation Commission (LAFCo or “the Commission”) is a State-mandated, independent commission with county-wide jurisdiction over the boundaries and organization of cities and special districts including annexations, detachments, incorporations, formations, and dissolutions. LAFCo also has authority over extension of service outside city or district boundaries and activation or divestiture of special district powers. Among the purposes of the Commission are discouraging urban sprawl, preserving open space and prime agricultural lands, planning for the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. LAFCo operates pursuant The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) contained in Government Code Sections 56000 and 57000. The Commission includes two members of the County Board of Supervisors, two members of city councils from the 20 cities, two board members of 21 of the 22 independent special districts, a public member, and four alternate members (county, city, special district, and public).

LAFCo prepared comprehensive SOI studies and adopted SOIs for cities and special districts in 1985 and has subsequently reviewed and updated spheres on a three-year cycle. Updates focused on changes in service demand within the boundaries of cities and special districts. After enactment of the CKH Act and the new requirement to prepare MSRs in conjunction with or prior to SOI updates, LAFCo began the process of preparing MSR and SOI updates in late 2003. Studies were first prepared on sub-regional and County-wide independent special districts, followed by South County cities and special districts.

¹ An application for annexation may be submitted by 5 percent of the voters or landowners of territory proposed for annexation or by resolution of the District.

Local Government in San Mateo County

Municipal service providers in San Mateo County include the County, 20 cities, 22 independent special districts, five subsidiary districts governed by city councils, and 33 County-governed special districts. It merits emphasis that the County plays a dual role that differs from cities or districts. Districts provide a limited set of services based on enabling legislation, while cities generally provide basic services such as police and fire protection, sanitation, recreation programs, planning, street repair, and building inspection. The County, as a subdivision of the State, provides a vast array of services for all residents, including social services, public health protection, housing programs, property tax assessments, tax collection, elections, and public safety. Along with independent water, sewer, and fire districts, the County also provides basic municipal services for residents who live in unincorporated areas. According to Census 2020 data, 63,205 of the County's total 765,417 residents live in unincorporated areas.

Purpose of a Municipal Service Review/Sphere of Influence Update

This MSR/SOI Update examines the City of Millbrae and represents the first MSR done for the City.

LAFCo prepares the MSR and SOI update based on source documents that include Adopted Budgets, Basic Financial Reports and Audits, Capital Plans, Urban Water Management Plans, and Planning Documents, including the General Plan. Draft MSRs and SOI updates are then circulated to the agencies under study, interested individuals and groups. The Final MSR and SOI update will include comments on the circulation draft and recommended determinations for Commission consideration. MSR determinations must be adopted before the Commission updates or amends an SOI.

Per Section 56430, the areas of MSR determination include:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities² within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.

² "Disadvantaged community" means a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This area of determination does not apply to the study area.

7. Any other matter related to effective or efficient service delivery, as required by LAFCo policy.
 - a. Water Resiliency and Climate Change
 - b. Impact of Natural Hazards and Mitigation Planning

Sphere of Influence Determinations:

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that address the following (§56425):

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Disadvantaged Unincorporated Communities

SB 244 (Chapter 513, Statutes of 2011) made changes to the CKH Act related to “disadvantaged unincorporated communities,” including the addition of MSR determination #35 and SOI determination #5 listed above. Disadvantaged unincorporated communities, or “DUCs,” are inhabited, unincorporated territories (containing 12 or more registered voters) where the annual median household income is less than 80 percent of the statewide annual median household income. City of Millbrae does not have any disadvantaged unincorporated communities within its SOI.

Section 2. Summary of Key Issues

Section 3: Affected Agencies

County and Cities: City of Millbrae and San Mateo County

School Districts: Millbrae School District and San Mateo Union High School District

Independent Special Districts: San Mateo County Harbor District, San Mateo County Mosquito and Vector Control, Peninsula Health Care District

Dependent Special Districts: None

Section 4: City of Millbrae

Background & Overview

The City of Millbrae encompasses 3.3 square miles and is bordered by the City of San Bruno and San Francisco Airport (SFO) to the north, SFO and the San Francisco Bay to the east, Highway 280 and unincorporated San Mateo County to the west, and the City of Burlingame and unincorporated San Mateo County to the south. Incorporated in 1948, Millbrae is home to approximately 23,000 residents and remains a primarily residential community with some commercial and industrial uses in the northeast portion of the City near El Camino Real and Highway 101. The City is well served by transit, including BART, SamTrans, Caltrain and SFO.

Millbrae operates under a Council-Manager form of government with five Councilmembers that set legislative priorities and who appoint the City Manager who then oversees daily operations of City life.

The City of Millbrae's Sphere of Influence includes small portions of unincorporated San Francisco Airport Lands to the northeast of the City's boundaries and west of Highway 101. Although Capuchino High School is entirely surrounded by the City of Millbrae, it is part of the City of San Bruno.

Municipal Services

SERVICE	RESPONSIBLE AGENCY
<i>Public Safety</i>	
Police protection	County Sheriff's Office
Fire protection	Central County Fire Department
Emergency Medical Service	Central County Fire Department
Animal Control	Peninsula Humane Society & SPCA
<i>Utilities</i>	
Water distribution	City of Millbrae
Wastewater collection	City of Millbrae
Wastewater treatment	City of Millbrae
Electricity	Pacific Gas & Electric Peninsula Clean Energy
Natural Gas	Pacific Gas & Electric Peninsula Clean Energy
Solid Waste Collection & Disposal	South San Francisco Scavenger Company (franchise agreement)
Stormwater drainage and flood control	City of Millbrae
Street Maintenance	City of Millbrae
Street Lighting	City of Millbrae
<i>Community Services</i>	
Parks and recreation	City of Millbrae
Library	City of Millbrae
Mosquito abatement and vector control	San Mateo County Mosquito & Vector Control

Public transportation	Bay Area Rapid Transit SamTrans Caltrain
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The MSR determinations checked below are potentially significant, as indicated by “yes” or “maybe” answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by “no” answers, the Commission may find that an MSR update is not warranted.

	Growth and Population		Disadvantaged Unincorporated Communities
X	Capacity, Adequacy & Infrastructure to Provide Services	X	Financial Ability
	Shared Services		Accountability, Structure, and Efficiencies
	Other		

1) Growth and Population

Growth and population projections for the affected area.	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	X		
b) Will population changes have an impact on the subject agency’s service needs and demands?		X	
c) Will projected growth require a change in the agency’s service boundary?			X

Discussion

- a) Is the agency’s territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?

As of 2020, the City of Millbrae is home to 23,216 residents and 8,679 housing units. The City’s population (10%) over the past 20 years has grown slightly faster than the County (9%). Like other communities in the Bay Area, the number of new homes built in Millbrae has not kept up with demand. Between 2010 and 2020, Millbrae’s housing stock only increased 3.1%^{3,4}.

³ https://data.census.gov/profile/Millbrae_city,_California?g=160XX00US0647486

⁴ City of Millbrae Draft Housing element

The City of Millbrae offers a variety of housing options. As of 2020, 64.2% of housing were single-family detached, 3.4% were single-family attached, 3.3% were multi-family housing with 2-4 units and 30.5% were multi-family housing with 5 or more units.

The Association of Bay Area Governments (ABAG), the agency responsible for forecasting population, housing and economic trends in the nine Bay Area counties, in coordination with the California Department of Housing and Community Development (HCD) estimates the housing need for the region and allocates a portion of projected need to every jurisdiction. In collaboration with Bay Area partner agencies, non-profit organizations and residents, ABAG developed Plan Bay Area 2050, a long-range regional plan that, among other activities, projects the population growth of each region throughout the Bay Area. Plan Bay Area 2050 anticipates that North San Mateo County, which includes the City of Millbrae, will increase its population by 70% from 98,000 households in 2015 to 166,000 households in 2050.

To accommodate the projected growth, cities and counties throughout the State are updating their housing elements every eight years to accommodate the regional housing need assessment (RHNA) allocation for the upcoming cycle. The County and the cities in San Mateo County are currently in the process of updating their Housing Elements to be consistent with the RHNA allocations. The Housing Element is a required component of a city's or county's General Plan, and the RHNA allocations for each cycle may require an update to zoning ordinances to demonstrate how it plans to meet the housing needs in its community. Housing element enabled the City to address constraints that limit more productive housing production, including amending zoning policies, development impact and permitting fee processes.

Although the City of Millbrae did not meet its housing goals during the 5th RHNA cycle of creating 663 new housing units between 2015-2023, the City had several successes including:

- Issuing 447 building permits issued
- Adopting the updated Millbrae Station Area Specific Plan, which zoned for potential development of 1,750 units near transit,
- Approving the Gateway at Millbrae Station project, which includes 400 new housing units, of which 100 are affordable,
- Approving the Millbrae Serra Station Transit Oriented Development, which includes 488 units, of which 73 are affordable.
- Updating the Millbrae 2040 General Plan
- Updating the Downtown & El Camino Real Specific Plan, which plans for 3,130 units and hotel, office, commercial and restaurant development.

As a result, the City believes that the planning efforts it undertook during the 5th RHNA cycle will prepare it to exceed the mandate of the 6th RHNA cycle. In addition to the 1,700 entitled proposed projects and potential creation of 112 accessory dwelling units, the City has identified over 2,000 sites that are available for housing production at a variety of income levels.

City of Millbrae RHNA allocation

Income Category	RHNA 2015-2023 (5 th Cycle)	Permits Issued 2014-2022	RHNA 2023-2031 (6 th Cycle)	Proposal for 2023-2031
Very low (0-50% Area Median Income [AMI])	193	37 (19%)	575	672 (117%)
Low (51-80% AMI)	101	66 (65%)	331	390 (118%)
Moderate (81-120% AMI)	112	32 (29%)	361	464 (120%)
Above moderate (Over 120% AMI)	257	312 (121%)	932	2,335 (1,151%)
Total	663	447 (67%)	2,199	3,861 (+76%)

- b) Will the population changes have an impact on the subject agency's service needs and demands?

The City of Millbrae is making accommodations to incur a nearly 45% increase in its housing stock over the next eight years. The City's 2040 General Plan, which includes the specific plans and development projects described above, was updated and adopted by the City in 2022. The Environmental Impact Report for the General Plan did not identify any significant impacts to the City's ability to deliver municipal services to the residents and businesses of Millbrae.

However, the City's 2020 Urban Water Management Plan, which forecasts water demand and availability through 2045, projects that the City's population will increase to over 27,000 residents and that water demand in 2045 will exceed the available water supply. Despite a decrease in the average annual water demand over the past several years due to the successful implementation of water conservation measures, the UWMP projects that the annual water demand will be 1,170 million gallons (MG), whereas the annual water supply from the San Francisco Public Utilities Commission (SFPUC) will be 1,150 MG. The shortage would be exacerbated by a single dry year, resulting in a shortage of as much as 635 MG annually.

The City of Millbrae has an adopted Water Shortage Contingency Plan (WSCP), which was updated alongside the 2020 UWMP. The WSCP outlines a six-stage approach to reducing water demand during times of water shortage. In addition, the City uses recycled water from the Water Pollution Control Plant operated by the City. Recycled water usage is currently limited to onsite activities, but the City has identified opportunities for additional recycled water usage that may supplement water supply in future years.

Annual Water Supply and Demand Comparison (Million Gallons)

	2025	2035	2045
Normal year supply			
Supply	1,150	1,150	1,150
Demand	835	896	1,170
Difference	315	251	-20

Dry year supply			
Supply	533	569	635
Demand	835	896	1,170
Difference	-302	-327	-535

c) Will projected growth require a change in the agency's service boundary?

The projected growth will occur within the City's boundaries and will not require a change in the City of Millbrae's service boundary.

Growth and Population MSR Determination

As of 2020, the City of Millbrae is home to 23,216 residents and 8,679 housing units. The City's adopted Housing Element proposes to increase its housing stock by 22% over the next eight years. The City's 2020 Urban Water Management Plan, which forecasts water demand and availability through 2045, projects that the City's population will increase to over 27,000 residents and that water demand in 2045 will exceed the available water supply.

Recommendations:

1. LAFCo encourages the City to update the Urban Water Management Plan to align with the projected development in the City's adopted Housing Element.

2) Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?	X		
b) Are there any "inhabited unincorporated communities" within or adjacent to the subject agency's sphere of influence that are considered "disadvantaged" (80% or less of the statewide median household income)?			X
c) If "yes" to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if "no" to either a) or b), this question may be skipped)?			X

Discussion:

- a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?

The City of Millbrae provides public services related to sewers, municipal and industrial water to its residents and contracts with the Central County Fire Department for structural fire protection.

- b) Are there any inhabited unincorporated communities within or adjacent to the subject agency's sphere of influence that are considered disadvantaged (80% or less of the statewide median household income)?

There are no disadvantaged unincorporated communities within the City of Millbrae's SOI. The areas located within the SOI of the City include uninhabited, vacant lands adjacent to Highway 101 and Capuchino High School. The City of Millbrae already provides water and sewer services to Capuchino High School.

- c) If yes to both, is it feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community?

Not applicable

Disadvantaged Unincorporated Communities MSR Determination

The City's sphere and municipal boundaries are nearly contiguous with the exception of the San Francisco International Airport Lands located along the City's eastern border and west of Highway 101. Although Capuchino High School site is part of the City of San Bruno it is surrounded by the City of Millbrae. There are no disadvantaged unincorporated communities within the City's SOI.

3) Capacity and Adequacy of Public Facilities and Services

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.	Yes	Maybe	No
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?			X
b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?		X	
c) Are there any concerns regarding public services provided by the agency being considered adequate?			X

d) Are there any significant infrastructure needs or deficiencies to be addressed?		X	
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?		X	
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?			X

Discussion:

Water⁵

The City of Millbrae Public Works Department distributes water purchased from the San Francisco Public Utilities Commission (SFPUC) to its residents and commercial customers. The City's 2020 UWMP reported that Millbrae has reduced its water demand and usage over the past decade. In 2020, Millbrae's annual water demand was approximately 685 MG, well under the annual guaranteed supply of 1,150 MG annually. Based on population projections, water demand is projected to rise to 1,170 MG by 2045, which would exceed the guaranteed supply by 1.7%. Demand projections take into account conservation measures such as updated building codes, education and outreach, high efficiency water fixture rebates, water loss control program, and more.

The City's Water Shortage Contingency Plan outlines a six-stage approach to reducing water demand during times of water shortage. On July 25, 2023 the City rescinded the State's 2022 Executive Order to enact water shortage actions and implemented Stage 1 of its Water Contingency Plan. The City is currently under Stage 1 of the WSCP, which calls for voluntary usage reductions and implementation of conservation measures.

In 2017, the City adopted a Water Financial Plan & Rate Study conducted by Bartle Wells Associates. Prior to study adoption, rates had not been increased in 2 years, and the water utility fund was operating at a deficit and drawing down its reserve fund. The Study noted that the City's water rates for a typical single-family home were among the lowest in the County and recommended annual rate increases over five years that would bring water rates in the upper range compared to neighboring agencies and help recover the rising cost associated with purchasing water from SFPUC and ongoing operations and maintenance. The City paused the annual rate increases scheduled for FYs 2020 and 2021 to alleviate the financial burden its residents faced during the COVID-19 pandemic. Rate increases resumed in July 2023.

⁵ 2020 Urban Water Management Plan

City of Millbrae Water Rates⁶

	Effective Dates		
	July 1, 2019	July 1, 2023	July 1, 2024
Fixed monthly service charge			
3/4"	25.00	28.40	30.00
1"	31.25	35.50	37.50
1.5"	62.50	71.00	75.00
2"	100.00	113.60	120.00
3"	187.50	213.00	225.00
4"	312.50	355.00	375.00
6"	625.00	710.00	750.00
8"	1,000.00	1,136.00	1,200.00
10"	1437.50	1,633.00	1,725.00
Quantity charge (billed per hundred cubic feet of metered water use)			
All water use	10.40	12.00	12.80

The Water Utility Fund's sole revenue source is from water fees collected from customers. The City estimated the Water Utility Fund will earn approximately \$11.97M in FY 24-25 and dedicated \$9.42M towards CIP projects during the fiscal year, including the Broadway Water Main Replacement, water main replacements on Ahwahnee Drive and Vista Grande, among other streets.

Sanitary Sewer

Sanitary sewer services are provided by the City of Millbrae Public Works Department. The City's sanitary sewer collection system consists of 55 miles of gravity sewers, 1,600 manholes and 22 miles of publicly owned lower laterals⁷.

The sanitary system has two Enterprise funds to support operations. The first is the Sanitation Fund, which receives revenue through fees collected by customers. Sanitation Sewer Enterprise fund operations and maintenance associated with treatment and collection of wastewater, the Water Pollution Control Plant and pre-treatment. It is anticipated that the Sewer Fund will bring in \$15.891M and expend \$28.93M in FY24-25. \$15 million in fund balance appears to be the funds that will address the deficit for this Enterprise Fund. At the end of the fiscal year, the Enterprise Fund will be reduced to \$2 million.

City of Millbrae Sewer Rates (Residential)⁸

	Effective Dates				
	July 1, 2022	July 1, 2023	July 1, 2024	July 1, 2025	July 1, 2025
Fixed monthly service charge					
Per Account or Dwelling Unit	62.43	66.18	70.15	74.36	78.82

⁶ <https://www.ci.millbrae.ca.us/400/Water-Sewer-Service>

⁷ SSMP 2018

⁸ <https://www.ci.millbrae.ca.us/400/Water-Sewer-Service>

Universal Life Support	46.82	49.64	52.61	55.77	59.12
Quantity charge (billed per hundred cubic feet of metered water use)					
All water use	6.62	6.62	7.01	7.43	7.87

The second Enterprise Fund is the Sewer Modernization Program, which is funded by Clean Bay Charges collected from sewer customers. The Sewer Modernization Program was formed in 2011 in response to a Consent Decree from San Francisco Baykeeper. In the 2000s and early 2010s, the City's sewer system was in significant need of repair and rehabilitation, and the system was susceptible to sanitary sewer overflows (SSOs)⁹. In 2011, the City entered into a Consent Decree with San Francisco BayKeeper that required Millbrae to reduce the number of SSOs by November 2018. The City successfully reduced the number of SSOs by the deadline.

Clean Bay Charges for the City's Sewer Modernization Fund¹⁰

	Effective July 1, 2020
Single Family Charge per Dwelling Unit	23.71
Multi-Family Charge per Dwelling Unit	14.23
Quantity Charge (\$/ccf)	3.89
Min. Monthly Charge	14.23

The sanitary sewer CIP projects for FY 23-24 include the Arroyo Seco Storm Drain Bypass project, annual sewer main replacements at various locations, the bi-annual flow monitoring program, sewer capacity upgrades at Murchison Avenue, Richmond Drive and Anita Drive.

The City also owns and maintains a wastewater treatment plant. The City of Millbrae is the only user of this facility.

Storm Drain and Flood Control¹¹

The City Public Works Water Pollution Control Division operates and maintains the City's storm drain infrastructure and implements programs to remove and prevent pollutants from entering the San Francisco Bay and to address issues related to seal level rise. The Storm Drain Fund supports the administration, maintenance, and improvements of the City's storm drains.

The City's 2018 Storm Drain Master Plan noted that the City's storm drain system is not equipped to handle 100-year, 24-hour storms and that significant SSOs would be expected under those conditions. The Plan recommended Tier 1, 2 and 3 improvements, where tiers 1 and 2 prioritized projects where flood hazard risk is more significant. The City has completed storm drain improvements in Landing Lane Bowl and at several locations along Hillcrest and Tioga Drive

⁹ <https://www.ci.millbrae.ca.us/331/Sewer-Modernization-Program>

¹⁰ <https://www.ci.millbrae.ca.us/400/Water-Sewer-Service>

¹¹ FY 23-24 budget

and continues to prioritize funding toward the Tier 1 improvements. LAFCo staff is unaware of any proposed updates to the master plan.

The storm drain fund receives fees that are collected as part of property tax, but those fees are insufficient to meet program needs. As a result, transfers from the City's General Fund have been made to support storm drain and flood control operations and capital improvements. The City has allocated funding in FY 23-24 for several storm CIP projects at the Arroyo Seco/Vista Grande Vista Grande Bypass project and the Tioga/Helen/Geraldine Drive Storm Drain project and GIS mapping of the stormwater system.

Streets & Sidewalks

The Millbrae Public Works Department maintains street pavement, sidewalks, traffic signs and signals, street lights and pavement marking. As of 2022, the City's pavement condition index, as reported by ABAG, is considered "at risk" with a score of 55 out of a maximum score of 100. The City has an Annual Pavement Maintenance Program, as well as a Sidewalk Maintenance Program to replace damaged or broken sidewalks and pavement. The City has allocated \$2.32M in CIP funding for street and sidewalk projects and is applying for funding to support additional pavement maintenance as part of the State SB1 Local Streets and Road Program.

Police^{12, 13}

Since 2012, the San Mateo County Sheriff's Office operates, via contract with the City, the Millbrae Police Bureau. Contracted police services include a County Sheriff Captain who provides administration and oversight of the department, two deputies and a supervising sergeant available 24 hours a day, seven days a week. In addition, the Sheriff's Office provides staffing for traffic enforcement, investigative services, records, administration and school resources and community policing.

The Police budget for FY 24-25 is \$10.58M.

Fire Protection^{14, 15}

Since 2014 fire protection services are provided to the City of Millbrae via a contract with the Central County Fire Department, a JPA between the City of Burlingame and Town of Hillsborough. CCFD operates two stations in the City of Millbrae. Fire Station 37, located at 511 Magnolia Ave, was built in 1956 and upgraded in 1997 to meet seismic standards. According to the Community Risk Assessment/Standards of Cover & Deployment Analysis published by CCFD in March 2023, Fire Station 37 is in Poor condition. Fire Station 38, located at 785 Crestview Drive, was built in 1974 and is in Fair condition.

Millbrae is responsible for approximately 30% of the CCFD operational budget. In FY 24-25, the City budgeted \$12.63M.

¹² <https://www.ci.millbrae.ca.us/370/San-Mateo-County-Sheriffs-Office>

¹³ FY 23-24 budget

¹⁴ Central County Fire Department FY 23-24 Budget

¹⁵ Central County Fire Department, Community Risk Assessment/Standards of Cover & Deployment Analysis, March 2023, <https://ccfd.org/wp-content/uploads/2023/07/Central-County-FD-CRA-SOC-Study-FINAL-2023-0327-optimized.pdf>

In FY 21-22, CCFD responded to 2,707 calls from the City of Millbrae, representing 32.5% of all calls that fiscal year. On average, CCFD arrives on a structure fire scene within six minutes of dispatch over 80% of the time and responds to priority 1 (emergency) calls in under five minutes and thirty seconds.

CCFD Systemwide performance

	FY 18-19	FY 19-20	FY 20-21	FY 21-22	Est. FY 22-23*
Total calls for service	7,493	7,410	7,004	8,328	4,774
Medical responses	4,548	4,486	4,314	5,141	3,014
Fire suppression responses	144	116	156	153	96
Hazardous conditions responses	214	225	169	238	114
Training hours completed	7,168	18,122	20,491	12,294	4,017
% of time fire engine arrives on structure fire scene within 6 min of dispatch	100%	83%	86%	73%	76%
Avg. response time for all calls	6:59	5:17	5:43	5:32	5:29
Avg. response time for priority 1 calls (emergency)	6:59	5:02	5:30	5:18	5:21
Average response time for priority 3 calls (non-emergency)	6:59	6:21	6:37	6:38	6:08

* FY 22-23 YTD data collected as of March 9, 2023

The Community Risk Assessment/Standards of Cover & Deployment Analysis examined the department's response performance, operations, facilities and apparatus, organizational structure, governance and mutual cooperation. The Assessment made several systemwide recommendations and noted several observations regarding the City of Millbrae, including noting the lack of representation from the City on the Board and that Fire Station 37 in the City of Millbrae has historically incurred most of the service demand within the service area.

Parks and Recreation¹⁶

The City provides parks and recreation services for Millbrae residents. The Recreation Department operates the Millbrae Recreation Center, the Millbrae Community Youth Center, the Millbrae Library, City Hall Council Chambers, Central Park picnic sites and the David J Chetcuti Community Room. In addition, the Department maintains six playgrounds, nine picnic areas, one skate park and one dog parks. All athletic fields are owned by the Millbrae school district and managed by the Recreation Department. The Department provides a variety of programs to Millbrae residents, including adult sports, middle and elementary school sports, senior programs and summer camps.

The City's Recreation was significantly impacted by the COVID-19 pandemic due to low program participation and facility use, but the opening of Millbrae Recreation Center, located at 477 Lincoln Circle, in June 2022, revenue for both have increased substantially. Between FY 22 and FY 23, the City saw a 137% increase in senior classes, a 20% increase in summer camp

¹⁶ City of Millbrae FY 23-24 Budget

participation, a 39% increase in elementary and middle school sports participation, a 133% increase in adult sports participation and a 309% increase in rental revenue.

Library^{17, 18}

The Millbrae Library is located at 1 Library Avenue in Millbrae's municipal complex. As a member of the San Mateo County Libraries, the Millbrae Library serves residents throughout the City, mainlining 500,000 volumes and circulating 3.3M items per year. The Millbrae Library offers a variety of services, including access to public computers, printers, copy machines, Wi-Fi and study rooms.

The Library's roof needs to be re-roofed, as it has reached its end of useful life, and the City has programmed \$150,000 in the FY 24-25 CIP to complete the roof replacement.

Since 1976, the Friends of the Millbrae Library, a non-profit organization, provides support, programming and funding for the Millbrae Library. The non-profit funds events such as the Annual Open House, the Mid-Autumn Festival, and the Tricycle Music Fest and provides support to learning programs¹⁹.

Contract Services

Animal Control

Twenty cities in San Mateo County, including the City of Millbrae, contract with the County to operate a countywide animal control program. The County contracts with the Peninsula Humane Society & SPCA to enforce all animal control laws, shelter homeless animals and to provide a variety of other related services.

Garbage/solid waste/recycling/composting

The City of Millbrae contracts with the South San Francisco Scavenger Company to collect and dispose non-recyclable garbage, recyclables, and yard trimmings along with food scraps once a week. Rates are adjusted annually in accordance with the franchise agreement with the City.

¹⁷ <https://smcl.org/jpa-governing-board/>

¹⁸ <https://citylibrary.com/public-libraries/millbrae-library/>

¹⁹ <https://www.millbraelibraryfriends.org/>

CITY OF MILLBRAE
MAXIMUM GARBAGE RATE SCHEDULE
Effective Date July 1, 2021

	Current Monthly Rates	Proposed Adjustment	Proposed Monthly Maximum Rates
RESIDENTIAL RATES			
20 GALLON (LIFELINE)	17.93		19.70
20 GALLON (ANYONE)	22.39		24.60
32 GALLON			
1 CAN	35.85	9.87%	39.39
2 CANS	71.72		78.80
3 CANS	107.56		118.18
64 GALLON			
1 CAN	71.72		78.80
2 CANS	143.43		157.59
3 CANS	215.14		236.37

Cart Size	Monthly Rate	Quarterly Rate (Invoice Amount)
20-Gallon	\$26.89	\$80.67
32-Gallon	\$43.05	\$129.15
64-Gallon	\$86.12	\$258.36
96-Gallon	\$129.16	\$387.48

- a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?

LAFCo staff has not identified any deficiencies to meet the needs of existing development within the City of Millbrae

- b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?

The City of Millbrae is planning for additional growth over the next eight years and expects to have sufficient water supply during non-drought years and resources to fund sewer, police, fire and emergency response services, as well as administrative services to support administrative and some public works functions.

- c) Are there any concerns regarding the public services provided by the agency being considered adequate?

LAFCo staff does not have any concerns regarding the adequacy of the public services being delivered by the City of Millbrae to its residents and businesses.

- d) Are there any significant infrastructure needs or deficiencies to be addressed?

The City continues to implement capital improvements to road, sewer and water system, and building and park improvements with allocations to capital improvement funds for projects.

- e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?

LAFCo is not aware of any changes in state regulations that will impact the City. The City, however, has not provided comments on this issue, so there may be issued that LAFCo has not been informed about.

- f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?

Not applicable.

Capacity and Adequacy of Public Facilities and Services MSR Determination

LAFCo is not aware of any deficiencies in agency capacity to meet existing service needs for which the agency does not have a plan in place to resolve. The City is anticipated to be able to meet most service demands of foreseeable growth with project infrastructure improvements and other mitigation measures.

Recommendations:

1. The City's UMWP was last updated in 2020. The City should align the growth projections in the UMWP with the RHNA growth projections and the 2023-2031 Housing Element in its next UMWP update.
2. LAFCo encourages the City to continue to review potential revenue increases or the creation of a dedicated revenue source for stormwater projects.
3. LAFCo encourages the City to continue to work with Central County Fire, the City of Burlingame and the Town of Hillsborough regarding the implementation of recommendations from the Community Risk Assessment/Standards of Cover & Deployment Analysis

4) Financial Ability

Financial ability of agencies to provide service	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?			X
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?			X
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?		X	
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?		X	
e) Is the organization lacking financial policies that ensure its continued financial accountability and stability?		X	
f) Is the organization's debt at an unmanageable level?			X

Discussion:

a) Does the City routinely engage in budgeting practices that may indicate poor financial management such as overspending its revenue, failing to commission independent audits, or adopted its budget late?

LAFCo staff has not identified any issues with the City's budgeting practices. The City of Millbrae prepares an annual operating and capital improvement program (CIP) budget for the upcoming fiscal year that gets adopted by the City Council at a noticed public hearing before June 30th.

The City of Millbrae engages in annual budget process to develop its annual budget. At the start of the calendar year, City staff review mid-year actuals for the current fiscal year and works with the Finance team to prepare estimates for the following year. City Council also holds a goal setting session to identify priorities for the following year. In April, the City holds study sessions on the draft budget to finalize a budget proposal that aligns with Council priorities. In May and June, the draft budget is proposed to City Council and the final budget is adopted prior to the beginning of the fiscal year.

The City's largest portions of revenue for the General Fund are Property Tax, Transit Occupancy Tax, Sales Tax, and Franchise Taxes.

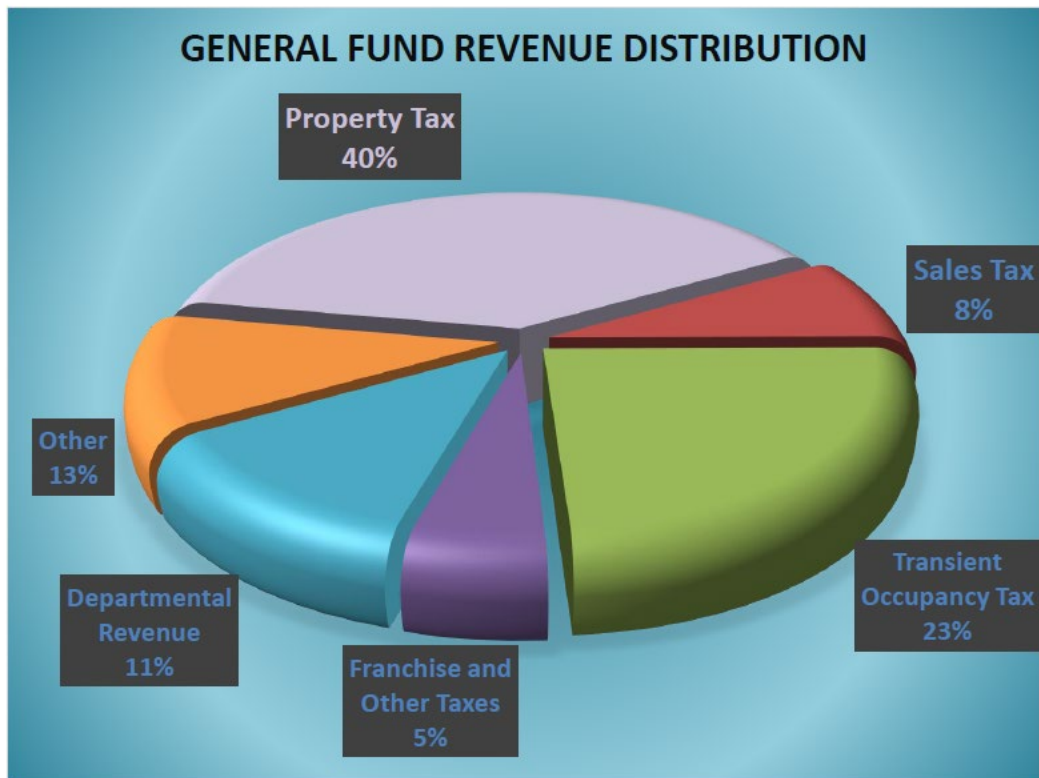


Figure 1 - City of Millbrae General Fund Revenues (Source - City of Millbrae)

City of Millbrae Budgets FY2020-2025

	FY20-21 (Actuals)	FY21-22 (Actuals)	FY22-23 (Actuals)	FY23-24 (Estimated Actuals)	FY24-25 (Projected)
	In 1,000s				
Revenues					
Property Tax	12,676	13,228	16,357	15,823	15,776
Sales Tax	2,621	3,384	3,335	3,395	3,323
Hotel/Motel Tax (TOT)	2,278	4,893	7,960	9,600	9,565
Franchise Tax	1,123	1,264	1,318	1,389	1,513
Other Taxes	606	837	797	711	741
Licenses and Permits	2,186	841	3,497	1,792	2,952
Charges for Services	1,164	1,397	2,085	1,963	1,822
Fines and Forfeitures	929	1,261	884	843	956

Use of Money	-101	-1,390	1,723	1,555	1,689
Grants/Intergovernmental	4,114	3,092	257	195	165
Other Revenue	2,292	2,416	2,376	2,768	2,636
Total Revenue	29,887	31,224	40,595	40,035	41,140
Expenditures					
General Government	4,222	4,689	5,602	5,865	5,212
Police	7,595		8,968	9,845	10,582
Fire	9,287		10,572	10,778	12,117
Public Works	2,412	2,692	3,362	6,101	4,279
Parks	1,310	2,294	2,012	2,674	2,411
Community Development	2,632	3,283	3,702	3,458	4,187
Total Expenditures	28,139	31,723	34,662	38,721	38,788
Transfer to other funds	2,424	2,479	2,784	2,241	2,656
Reserve	4,830	5,028	5,483	5,958	6,171
Fund Balance	14,106	13,166	13,826	12,686	12,480
Total Ending Funding Balance	18,936	16,417	19,565	18,654	18,651

The City has noted that sales tax revenue and Transit Occupancy Tax (TOT) has now return and exceed pre-pandemic levels. However, the City is continuing to being cautious with spending costs. The City has taken a number of steps in recent fiscal years to control spending including:

- A hiring freeze except for critical positions. No new headcount unless approved by the City Council.
- Part time and seasonal employee freeze unless cost recovery.
- A reduction of purchases of vehicles and equipment unless determined essential; extended amortization schedules for additional five (5) years. Equipment replacement fund has sufficient balances.
- Reduction in IT hardware and software updates.
- General Fund subsidies to Capital Improvement Projects limited to those deemed mandatory, necessary & achievable.
- Discontinue or significantly reduce reliance on contract services.
- Reduce spending on upgrades or deferred maintenance on City facilities.

The General Fund has been able to cover budgeted expenditures and the City has projected that the General Fund will continue to cover budgeted expenditures in upcoming years. However, there have been recent costs increases for contracted police and fire services that have increased in recent years.

Enterprise funds

The City of Millbrae has three enterprise funds, one each for Sewer, Water, and Storm Drain. In review of budget documents, The Sewer fund consists of two accounts, one for general sanitation costs associated with collection and treatment of wastewater and the other for sewer system modernization.

Sanitation Sewer Fund: The Sanitation Fund includes programs associated with collection and treatment of wastewater from City customers. This includes utility billing, engineering, operations, Water Pollution Control Plant (WPCP), and pretreatment. These costs are funded entirely by collection of fees from customers. In 2018, costs related to the Sewer Modernization Program (previously called the Wet Weather Program) were moved into a separate fund described in the next section. Reserves will be set at a similar rate to the General Fund (15% of operating expenditures and transfers out.) This fund mainly supports the Public Works department. This fund also supports various administration and finance positions as well as a small public safety allocation. Budget documents do not differentiate between expenses for capital projects and for ongoing operations and maintenance.

Sewer Modernization: In response to a consent decree from Baykeeper requiring the reduction of Sanitary Sewer Overflows (SSO's) from the City's sanitary sewer collection system, the City has initiated a capital improvement program to meet the requirements of this consent decree which is focused on Rainfall Dependent Infiltration and Inflow (RDII or I/I). This program is funded by Clean Bay Charges collected from sewer customers. While these costs are considered a part of the sewer program, the City separates this specific program to assure the specified charges are directed at program needs and associated debt service. For Fiscal Year 2024-2025, many capital projects are included in the Capital Improvement Plan (CIP) including a few large capital projects (Lower Hillcrest Subbasin 4 South Sewer Replacement, Sludge Thickener and Digester 2 Rehabilitation, Nearshore Outfall, and the City SCADA Upgrade Project).

For the combined total revenue for the two Sewer funds for FY24-25 is projected to be \$15,891,000 and expenditures are \$28,930,000. To address the revenue shortfall, fund balance is proposed to be used.

Water Utility: The Water Utility Fund includes programs associated with distribution of water to City customers. This includes utility billing, engineering, operations, and water conservation. These costs are funded entirely by collection of fees from customers. For Fiscal Year 2024-2025, a few capital projects are included in the Capital Improvement Plan (CIP) including Millbrae Downtown Specific Plan Improvement and the Highline – Hillsborough Water Transmission Main. Reserves are set at the same rate as the General Fund (15% of operating expenditures and transfers out.) This fund mainly supports the Public Works department. Total revenue for water fund is projected to be \$13,211,000 in FY24-25, with expenditures expected to be \$17,015,000. To address the revenue shortfall, fund balance is proposed to be used. Budget documents do not

differentiate between expenses for capital projects and for ongoing operations and maintenance.

Storm drain: The Storm Drain Fund is used to account for the administration, maintenance, and improvements of the City's Storm Drains. The storm drain fund receives fees that are collected as part of property tax, but those fees are insufficient to meet program needs, which is similar to several cities that LAFCo has recently conducted MSRs for. Transfers from the General Fund are made to support operations and capital programs in this Fund. For Fiscal Year 2024-2025, a few capital projects are included in the Capital Improvement Plan (CIP), including the Helen Drive Stormwater Subbasin Improvements, Landing Lane Trash Capture Devices Project and the Anita Drive Drainage Subbasin Stormwater Study. Total revenue for stormwater fund is projected to be \$1,452,000 in FY24-25, with expenditures expected to be \$1,460,000. The majority of this revenue is a \$1,152,000 transfer of funds from the General Fund. To address the revenue shortfall, fund balance is proposed to be used. The current CIP notes that there are \$45 million in unfunded stormwater projects compared to just \$1 million in funded projects.

Fire Assessment Fee

Since 2004, the City of Millbrae has maintained a Fire Assessment for pay for fire services. The assessment has been renewed in 2009 and 2014 and was proposed for a reauthorization at a higher rate in the spring of 2024. The rate would have been \$299 per single family home which would have ran in perpetuity. However, this reauthorization did not pass. The City amended the proposed fire assessment with a lower rate of \$199 and that the duration of the assessment would be 10 years. This assessment passed in June of 2024.

Internal service funds

The City has several internal funds, include garage operations for costs associated with maintenance of City vehicles and similar equipment, a vehicle replacement fund, workers compensation fund, insurance, unemployment, and OPEB funds.

CalPERS increases:

The City's share of the "normal" retirement rate increased from 16.87% of payroll to 16.94% of payroll for Classic Employees. Employees pay 5.5% of the employer's cost. The Unfunded Actuarial Liability (UAL) for the City Miscellaneous employees increased from \$2.5 million to \$2.9 million. The UAL portion is allocated to each department based on employee PERS costs.

The transfer to the General Liability Insurance Internal Service Fund has been updated to current rates. Transfers to the Workers Compensation Fund and Unemployment Fund have sufficient balances and will not receive an allocation this year. Staff expects to monitor these Internal Service Funds in future years and restart funding for these funds.

b) Is the organization lacking adequate reserves to protect against unexpected events or upcoming significant costs.

Per the City's FY24-25 Budget, the City's Reserve fund will be funded at 15% of budgeted expenditures and transfers out and all uses of the reserve must be approved by City Council and repaid to the Reserve over period to be determined by Council at the time of approval. It is not clear to LAFCo staff if the City has an adopted reserve policy.

c) Is the City's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?

LAFCo is not aware of any challenges to raising fees for the City. However, in review of the budgets for the sewer, water, and storm drain funds, each fund has a shortfall in revenue. While fund balance is projected to be utilized to address these shortfalls for each fund, based on publicly available data it is unclear to LAFCo if these funds will have sufficient fund balance and revenue in future years with service change increases or reduced expenditures.

d) Is the agency unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?

The City of Millbrae's Five Year Capital Improvement Plan (CIP) is normally developed and updated with funding allocated every two (2) years. Per the City FY24-25 Budget document, that despite increases in revenue for impact fees, the capital plan remains largely limited to and focused on preservation and maintenance of our capital assets, transportation and utility infrastructure, and operations. The document goes on to state that the City will continue to face challenges in finding the resources to build and maintain its capital infrastructure. It is noted that the City will review moving back to a biennial (2-year budget) as revenues and expenditures begin to stabilize.

e) Is the agency lacking financial policies that ensure its continued financial accountability and stability?

Long-term financial planning includes a focus on transit-oriented development, investment in bringing in retail and diversification of revenue sources, including attracting biotech to the City. In addition, the City collects impact fees and focuses on risk management, cash flow and management and Pension and OPEB. The City has not yet provided copies of adopted financial policies to LAFCo.

f) Is the agency's debt at an unmanageable level?

As of June 30, 2022, Millbrae's debt amount subject to the limit was \$8,033,053, approximately 3.40% of the overall legal debt limit. The City is currently making payments on several bonds including a Pension Obligation Bond, General Obligation Refunding Bond associated with the Millbrae Public Library Project, Wastewater Revenue Bond, and a Wastewater Revenue Bond. Total outstanding debt is \$52 million.

Financial Ability MSR Determination

LAFCo staff has not identified any issues with the City's budgeting practices regarding process. The City of Millbrae prepares an annual operating and capital improvement program (CIP) budget for the upcoming fiscal year that gets adopted by the City Council at a noticed public hearing before June 30th. The City also produces an Annual Comprehensive Financial Report (ACFR) that is reviewed by City Council.

The General Fund has been able to cover budgeted expenditures and the City has projected that the General Fund will continue to cover budgeted expenditures in upcoming years. However, the City has had to implement several cost saving measures including a hiring freeze for the few years and deferring maintenance for City facilities.

The City has three main enterprise funds, one each for Sewer, Water, and Storm Drain. Each one of these funds for FY24-25 is projected to be operating at a deficit, with fund balance being used to address the difference. In review of publicly available documents, it appears that these funds will not have enough revenue to address identified CIP projects. However, as budget documents do not differentiate between expenses for capital projects and for ongoing operations and maintenance, LAFCo staff is unable to determine if these are one-time costs or ongoing.

Recommendations:

- 1) LAFCo encourages the City to continue to review potential revenue increases for stormwater projects.
- 2) LAFCo encourages the City to develop projections for the Sewer, Water, and Storm Drain enterprise funds to provide the City a more complete assessment of these funds. These projections can be used in conjunction with the CIP to allow the City to allocate appropriate resource to infrastructure projects.
- 3) For future budget documents, the City should explore including details about capital improvement costs and operation and maintenance expense for enterprise funds to better illustrate what are ongoing versus one-time costs for these funds.

5) Shared Service and Facilities

Status of, and opportunities for, shared facilities	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Is the agency currently sharing services or facilities with other organizations? If so, describe the status of such efforts.	X		
b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?			X
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?		X	

- a) Is the agency currently sharing services or facilities with other organizations?

Police protection services: The City contracts with the County Sheriff's Office to operate the Millbrae Police Bureau.

Fire protection services: The City contracts with the Central County Fire Department to provide fire protection services.

Risk management: The City of Millbrae participates in a JPA with other San Mateo County cities to provide excess insurance coverage. Excess coverage provided by the joint powers authorities covers claims in excess of \$300,000 for workers' compensation claims and \$100,000 for general liability.

Solid waste: The City has a franchise agreement with South San Francisco Scavenger Company to provide solid waste removal services.

Animal control: Along with nineteen other cities in San Mateo County, City of Millbrae contracts with the County to operate a countywide animal control program. The County contracts with the Peninsula Humane Society & SPCA to enforce all animal control laws, shelter homeless animals and to provide a variety of other related services.

Legal services: Legal services are provided by Consultants.

- b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?

LAFCo staff has not identified other opportunities that the City could engage in to share costs and/or reduce duplication of resources, facilities or infrastructure.

- c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?

As noted in the Community Risk Assessment/Standards of Cover & Deployment Analysis for the Central County Fire Department, the City of Millbrae is not a member agency of the JPA. LAFCo is not aware of efforts for the City to become a member agency, but the City may want to explore potential benefits of doing so.

Shared Services MSR Determination

The City of Millbrae partners with several agencies to share resources and reduce costs.

Recommendations:

- 1) LAFCo encourages the City to review potential options regarding fire service, including becoming a member of the Central County Fire Department JPA.

6) Accountability, Structure, and Efficiencies

Accountability for community service needs, including governmental structure and operational efficiencies	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?			X

b) Are there any issues with staff turnover or operational efficiencies?			X
c) Is there a lack of regular audits, adopted budgets and public access to these documents?			X
d) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?			X
e) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?			X
f) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?			X

Discussion:

The City Council is the elected body that oversees all municipal operations and provides policy leadership and acts as the legislative arm of the City government. Until recently councilmembers were elected at large and serve in staggered terms of four years each. However, the City was required to switch to District elections to comply with state law, and the first District elections were held on November 8, 2022 for Districts 2 and 4. District elections for Districts 1, 3 and 5 will occur in November 2024.

Each member of the City Council is provided a stipend in accordance with State law. In addition, Councilmembers are eligible for benefits including PERS retirement, health, dental, and vision care coverage for Councilmembers and their dependents.

a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?

The Millbrae City Council meets in person at the Millbrae Council Chambers in City Hall at 621 Magnolia Avenue on the 2nd and 4th Tuesday of every month at 7pm. Regular meetings are also accessible to the public by Zoom and are broadcast live on the Millbrae Community Television Cable Channel 27 or on www.mctv.tv.

Agendas, agenda packets and meeting presentations for 2023 and 2024 are posted to the City website at least 72 hours prior to meeting dates. Video recordings of meetings are published on the City website.

There do not appear to be any issues with public meetings being accessible and well publicized, nor has LAFCo staff identified any issues regarding the City of Millbrae's compliance with disclosure laws and the Brown Act.

b) Are there issues with staff turnover or operational efficiencies?

Staffing levels have been fairly consistent over the past several fiscal years. The City has implemented a hiring freeze except for critical positions for the FY 23-24 period. This does not appear to have resulted in any operational deficiencies.

c) Is there a lack of regular audits, adopted budgets, and public access to these documents?

The City of Millbrae regularly prepares an annual budget and contracts with an accounting firm to conduct an annual ACFR, both of which are presented to the City Council at a public hearing and are published on the City's website.

d-f) Changes in governance structure:

LAFCo staff does not recommend any changes to or restructuring options of the City's governance structure or service boundaries that would increase accountability and efficiencies, enhance services and/or eliminate deficiencies.

Accountability, Structure, and Efficiencies MSR Determination

The City of Millbrae ensures that public meetings are accessible and well-publicized. LAFCo staff is not aware of any failures to comply with disclosure laws or the Brown Act. The City prepares and adopts an annual budget, and annual independent audits are reviewed at a City Council meeting. LAFCo staff does not recommend any changes to the City's governmental structure or operations that will increase accountability and efficiency.

7) Other

Any other matter related to effective or efficient service delivery, as required by commission policy.	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?			X
b) Water Resiliency and Climate Change			
i) Does the organization support a governance model that enhances and provides a more robust water supply capacity?	X		
ii) Does the organization support multi-agency collaboration and a governance model that provide risk reduction solutions that address sea level rise and other measures to adapt to climate change?	X		
c) Natural Hazards and Mitigation Planning			
i) Has the agency planned for how natural hazards may impact service delivery?	X		

ii) Does the organization support multi-agency collaboration and a governance model that provides risk reduction for all natural hazards?	X		
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- a) Other service delivery issues that can be resolved by the MSR/SOI process.

LAFCo staff did not identify any other service delivery issues that can be resolved by the MSR/SOI process.

- b) Water Resiliency and Climate Change

The City of Millbrae is a partner of One Shoreline, an independent government agency that secures and leverages public and private resources to plan for and build solutions to the climate change impacts of sea level rise, flooding and coastal erosion.

- c) Natural Hazards and Mitigation Planning

Along with the County and other San Mateo County cities, Millbrae participated in the 2021 Local Hazard Mitigation Plan (LHMP) that assessed hazard vulnerabilities and identified opportunities for mitigation to reduce the level of injury, property damage and community disruption that could occur in manmade and natural disasters.

Other Issues MSR Determination

The City of Millbrae is engaged in activities to address hazard mitigation, wildfire prevention, and sea level rise for City residents and businesses.

Recommendation -

1. LAFCo encourages the City of Millbrae to continue its work in the areas of natural hazard mitigation and sea level rise and continue to coordinate with partner agencies

Section 5. Sphere of Influence Review and Update

Determinations

Section 56425 requires the Commission to make determinations concerning land use, present and probable need for public facilities and services in the area, capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide, and existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency. These include the following determinations:

1. **The present and planned land uses in the area, including agricultural and open space lands.**

The City of Millbrae's Sphere of Influence includes small portions of unincorporated San Francisco Airport Lands to the northeast of the City's boundaries and west of Highway 101. Although Capuchino High School is entirely surrounded by the City of Millbrae, it is part of the City of San Bruno. The City's land use is primarily residential with some open

space, office, commercial, and industrial uses. There is no agricultural land within the City's SOI.

2. The present and probable need for public facilities and services in the area.

The City of Millbrae's facilities and services meet the needs of its residents and businesses, and the City anticipates that it will be able to provide adequate facilities and services for the anticipated growth within its service area.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The City currently provides adequate public services to its residents, including fire and police protection, water, sanitary sewer, and storm water services. In addition, the City routinely adopts a Capital Improvement Program to fund critical repairs, replacements and improvements to the City's infrastructure and facilities.

4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

There are no disadvantaged unincorporated communities within the SOI for the City of Millbrae

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

No change to the SOI for the City of Millbrae is proposed at this time.

On the basis of the Municipal Service Review:

☒ Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.

☐ Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

Appendix A. City of Millbrae Fact Sheet

City Manager: Thomas C. Williams

Address: 621 Magnolia Avenue, Millbrae, CA 94030

Email Address: twilliams@ci.millbrae.ca.us

Phone Number: 650-259-2334

Date of Incorporation: January 14, 1948

City Councilmembers:

Councilmember	Term Expiration Date
Gina Papan, District 1	December 2024
Vacant, District 2	December 2026
Ann Schneider, District 3	December 2024
Vacant, District 4	December 2026
Anders Fung (Mayor), District 5	December 2024

Compensation: Councilmembers receive a stipend of \$345/month and are eligible for benefits including PERS retirement, health, dental and vision coverage for themselves and their dependents

Public Meetings: 2nd and 4th Tuesday of the month at 7:00m in the City Hall Council Chambers

Services Provided: Police, Water, Sanitary Sewer, Stormwater Control, Streets & Sidewalks, Lighting, Parks & Recreation

Agency staff: 97.75 Full time equivalent employees

Area Served: City of Millbrae (3.2 square miles)

Population: 23, 216

Sphere of Influence: Boundaries of 1980 less than Capuchino High School plus San Francisco International Airport lands west of Highway 101.

FY 202-25 Budget:

Appendix B. References



MILLBRAE SPHERE OF INFLUENCE

**September 11, 2024****To:** LAFCo Commissioners**From:** Rob Bartoli, Executive Officer**Subject:** Consideration of Final Municipal Service Review for the City of Foster City and the Estero Municipal Improvement District**Summary and Background**

LAFCo prepared comprehensive Sphere of Influence (SOI) studies and adopted SOIs for cities and special districts in 1985 and has subsequently reviewed and updated spheres on a three-year cycle. Updates focused on changes in service demand within the boundaries of cities and special districts. After enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) and the new requirement to prepare MSRs in conjunction with or prior to SOI updates, LAFCo began the process of preparing Municipal Service Review (MSR) and SOI updates in late 2003. This Final Municipal Service Review is the first MSR for the City of Foster City and the Estero Municipal Improvement District.

The City of Foster City incorporated as San Mateo County's 19th city in 1971. The City's incorporation process was unique in that it was preceded by special legislation enacted in 1960 to create Estero Municipal Improvement District (EMID) to form a public agency to develop what was then known as Brewer's Island. EMID was given broad powers to provide all municipal services except planning which remained with the County of San Mateo.

Upon incorporation, the City of Foster City began receiving revenues available to cities in California, but it was EMID that levied taxes for services EMID provided within corporate boundaries. With the passage of Proposition 13, this resulted in EMID receiving property tax revenues and the City of Foster City receiving other revenues such as motor vehicle and sales tax. While they are two distinct governmental entities with EMID receiving property tax and utility revenues and employing personnel and the City receiving other revenues, the City of Foster City and EMID are combined for purposes of service delivery and budget presentation.

The City provides the following municipal services: law enforcement, parks and recreation, library, streets, lighting, water, wastewater and storm drain and flood control.

Like many agencies in San Mateo County, the City's revenue was impacted by the COVID-19 pandemic but is now recovering.

Updates to Final Circulation MSR

San Mateo LAFCo received one comment during the comment period for the draft MSR from the City of Foster City related to minor updates to the five-year budget table for the City and EMID. This update has been made to the MSR. In response to comments at July 17, 2024 LAFCo meeting, a comment was added to the MSR that commends the City and EMID on its work related to sea level rise mitigation.

Current Key Issues

Key issues identified in compiling information on the City of Foster City and Estero Municipal Improvement District include the following:

- While LAFCo staff has not identified any issues with the City's budgeting practices, and the City continues to adopt a balanced budget, the City is anticipating having to utilize reserve funds in future years to balance the budget due to a structural deficit. The City is currently working on a possible revenue measure for Business License Tax to help address the City's current structural deficit; however, as of now, the Council has not voted on this yet.
- The City's adopted Housing Element proposes to increase its housing stock by 13% over the next eight years. The City has evaluated potential impacts to City and EMID infrastructure. While water demand for proposed development under the 2023-2031 Housing Element will be able to be met, during single and multiple dry years, EMID's total annual water demand is expected to exceed EMID's available water supplies from 2025 to 2045 with or without the additional demand from the 2023-2031 Housing Element. The City and EMID is aware of this issue and is working on implementing policies and programs to address this.

Proposed MSR Recommendations

As required by State law, there are seven areas of determination, including local policies as set forth in Section 56430.

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities¹ within or contiguous to the SOL.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers,

¹ "Disadvantaged community" means a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This area of determination does not apply to the study area.

municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the SOI.

4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by LAFCo policy.
 - a. Water Resiliency and Climate Change
 - b. Impact of Natural Hazards and Mitigation Planning

For the Final MSR, LAFCo has the following determinations and recommendations:

1. Growth and Population Determination and Recommendation

Currently, there are an estimated 13,174 housing units in the City of Foster City. The City's housing element proposes to add 1,896 housing units to the City's housing stock, which represents a 13% increase in housing production over the next decade. However, the City General Plan largely evaluated this potential future growth. While water demand for proposed development under the 2023-2031 Housing Element will be able to be met, during single and multiple dry years, EMID's total annual water demand is expected to exceed EMID's available water supplies from 2025 to 2045 with or without the additional demand from the 2023-2031 Housing Element.

The City/EMID is aware of this issue and the Housing Element includes policies to work with EMID to develop water conservation requirements and/or increased water supply that will ensure sufficient water capacity to accommodate the RHNA, such as the potential use of water demand offset policies, require new and renovated developments to have "net neutral" water demand, or the use of recycled water for irrigation.

Recommendation-

1. LAFCo encourages the City/EMID to continue work related to water conservation to allow the City to meet needs for future development of the City.

2. Disadvantaged Unincorporated Communities Determination

The City's and EMID's spheres of influence and municipal boundaries are contiguous.

3. Capacity and Adequacy of Public Facilities and Services Determination and Recommendations

LAFCo is not aware of any deficiencies in agency capacity to meet existing service needs for which the agency does not have a plan in place to resolve. The City and EMID is anticipated to be able to meet most service demands of foreseeable growth with project infrastructure improvements and other mitigation measures.

Recommendation-

1. EMID's UMWP was last updated in 2021. EMID and the City should align the growth projections in the UMWP with the RHNA growth projections and the 2023-2031 Housing Element in its next UMWP update.

4. Financial Ability Determination

Like many public agencies, the City continues to address maintaining current levels of services as costs continue to rise. For FY23-27, the City is currently projected to achieve this reserve percentage, however starting in FY27-28, the General Fund Reserve would drop to 36% of total expenditures. This is due to the use of the reserves to balance the City's budget in FY24-27 due to a structural deficit.

To address pension costs, the City Council Subcommittee for Pension Liability, which meets on an as-needed basis and considers/evaluates the liability and any need to make a discretionary payment.

The City is currently working on a possible revenue measure for Business License Tax to help address the City's current structural deficit; however, as of now, the Council has not voted on this yet.

The City Council and staff are dedicated to prudent fiscal management to ensure the continued financial health of the City.

The City is well aware of these financial liabilities and a comprehensive MSR is unlikely to contribute additional valuable information.

5. Shared Service and Facilities Determination and Recommendations

The City of Foster City/EMID partners with several agencies to share resources and reduce costs. LAFCo staff has not identified other opportunities that the City could engage in to share costs and/or reduce duplication of resources, facilities or infrastructure.

6. Accountability, Structure, and Efficiencies Determination

The City of Foster City/EMID complies with disclosure laws and the Brown Act and ensures that public meetings are accessible and well publicized. Adopted budgets and annual budgets are available on the City's website. While highly detailed, the budget documents could be enhanced by including a simplified summary table of revenue and expenditures for the City and EMID, particularly for the general fund.

There are no recommended changes to the organization's governmental structure or operations that will increase accountability and efficiency.

Recommendations:

1. The City/EMID could explore a future a study of potential efficiencies and savings could be undertaken to determine the feasibility of a merger of EMID with the City.
2. Consider the inclusion of simplified summary table of revenue and expenditures for the City and EMID, particularly for the general fund, in future budget documents.

7. Other Issues Determinations and Recommendations

The City of Foster City/EMID is engaged in activities to address hazard mitigation, wildfire prevention and sea level rise for City residents and businesses.

Recommendation -

1. LAFCo encourages the City of Foster City and EMID to continue its work in the areas of natural hazard mitigation and sea level rise and continue to coordinate with partner agencies.

Sphere of Influence Determination

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that addresses the following (§56425(e)):

- 1. The present and planned land uses in the area, including agricultural and open-space lands.**

The boundaries of City of Foster City and EMID do not include agricultural land.

- 2. The present and probable need for public facilities and services in the area.**

The City of Foster City and EMID facilities and services meet the needs of its residents and businesses, and the City of Foster City and EMID anticipates that will be able to provide adequate facilities and services for the anticipated growth within its service area.

- 3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

The City and EMID currently provides adequate public services to its residents, including police protection, water, sanitary sewer and storm water services. In addition, the City routinely adopts a Capital Improvement Program to fund critical repairs, replacements and improvements to the City's infrastructure and facilities.

- 4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.**

There are no disadvantaged unincorporated communities within the City of Foster City's or EMID's SOIs.

- 5. For an update of a SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

No change to the City of Foster City's or EMID's SOIs is proposed at this time.

Public/Agency Involvement

The primary source of information used in this MSR has been information collected from agency staff and adopted plans, budgets, reports, policies, etc. On August 28, a Notice of Public

Hearing for the Final MSR was released by LAFCo and published in the San Mateo County Times. In addition, notices were sent to every “affected agency”, meaning all other agencies and school districts with overlapping service areas.

Environmental Review/CEQA

The MSR is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 6, which allows for the basic data collection, research, experimental management, and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource. The MSR collects data for the purpose of evaluating municipal services provided by an agency. There are no land use changes or environmental impacts created by this study.

The MSR is also exempt from CEQA under section 15061(b)(3), the common sense provision, which states that CEQA applies only to projects which have the potential to cause a significant effect on the environment and where it is certain that the activity will have no possible significant effect on the environment, the activity is exempt from CEQA.

The MSR and SOI update will not have a significant effect on the environment as there are no land use changes associated with the documents.

Recommendation

1. Open the public hearing and accept public comment.
2. Accept the Final Municipal Service Review for the City of Foster City and Estero Municipal Improvement District
3. Adopt the Municipal Service Review Determinations and Recommendations contained in this report.

Attachment

- A. Final Municipal Service Review for the City of Foster City and Estero Municipal Improvement District
- B. Resolution No. 1328 for the City of Foster City and Estero Municipal Improvement District
Municipal Service Review
- C. MSR Areas of Determinations and Recommendations for the City of Foster City and Estero Municipal Improvement District



LOCAL AGENCY FORMATION COMMISSION

**Municipal Service Review and Sphere of Influence
Review for the City of Foster City and Estero
Municipal Improvement District**

Final

Released September 11, 2024

Municipal Service Review and Sphere of Influence Review for the Foster City and Estero Municipal Improvement District

SUBJECT AGENCY:

Foster City and Estero Municipal Improvement District

610 Foster City Boulevard

Foster City, CA 94404

Contact: Stefan Chatwin, City Manager/General Manager

CONDUCTED BY:

San Mateo Local Agency Formation Commission

455 County Center, 2nd Floor

Redwood City, CA 94063

(650) 363-4224

Commissioners:

Kati Martin, Chair, Special District Member

Ray Muller, Vice Chair, County Member

Tygarjas Bigstyk, City Member

Virginia Chang-Kiraly, Special District Member

Harvey Rarback, City Member

Warren Slocum, County Member

Ann Draper, Public Member

Commission Alternates:

Chris Mickelsen, Special District Member

James O'Neill, Public Member

Noelia Corzo, County Member

Ann Schneider, City Member

Staff:

Rob Bartoli, Executive Officer

Diane Estipona, Commission Clerk

Tim Fox, Legal Counsel

**LAFCo Municipal Service Review
and Sphere of Influence Update
City of Foster City and Estero Municipal Improvement District**

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EXECUTIVE SUMMARY

Section 1: MSR Overview

This report is a Municipal Service Review (MSR) and Sphere of Influence (SOI) update for the City of Foster City (City) and Estero Municipal Improvement District (EMID). California Government Code Section 56430 requires that the Local Agency Formation Commissions (LAFcos) complete MSRs and SOI reviews on all cities and special districts. LAFco is an independent entity with jurisdiction over the boundaries of cities and special districts. An SOI is a plan for the boundaries of a city or special district. The MSR and SOI update do not represent a proposal¹ for reorganization of agencies, but rather a State-mandated study of service provisions of an agency.

Once adopted, the service review determinations are considered in reviewing and updating the SOI pursuant to Section 56425. The SOI, which serves as the plan for boundaries of a special district, is discussed in the second part of this report. This State-mandated study is intended to identify municipal service delivery challenges and opportunities and provides an opportunity for the public and affected agencies to comment on city, county, or special district services and finance; and opportunities to share resources prior to LAFco adoption of required determinations.

San Mateo Local Agency Formation Commission

San Mateo Local Agency Formation Commission (LAFco or “the Commission”) is a State-mandated, independent commission with county-wide jurisdiction over the boundaries and organization of cities and special districts including annexations, detachments, incorporations, formations, and dissolutions. LAFco also has authority over extension of service outside city or district boundaries and activation or divestiture of special district powers. Among the purposes of the Commission are discouraging urban sprawl, preserving open space and prime agricultural lands, planning for the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. LAFco operates pursuant The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) contained in Government Code Sections 56000 and 57000. The Commission includes two members of the County Board of Supervisors, two members of city councils from the 20 cities, two board members of 21 of the 22 independent special districts, a public member, and four alternate members (county, city, special district, and public).

LAFco prepared comprehensive SOI studies and adopted SOIs for cities and special districts in 1985 and has subsequently reviewed and updated spheres on a three-year cycle. Updates focused on changes in service demand within the boundaries of cities and special districts. After enactment of the CKH Act and the new requirement to prepare MSRs in conjunction with or prior to SOI updates, LAFco began the process of preparing MSR and SOI updates in late 2003.

¹ An application for annexation may be submitted by 5 percent of the voters or landowners of territory proposed for annexation or by resolution of the District.

Studies were first prepared on sub-regional and County-wide independent special districts, followed by South County cities and special districts.

Local Government in San Mateo County

Municipal service providers in San Mateo County include the County, 20 cities, 22 independent special districts, five subsidiary districts governed by city councils, and 33 County-governed special districts. It merits emphasis that the County plays a dual role that differs from cities or districts. Districts provide a limited set of services based on enabling legislation, while cities generally provide basic services such as police and fire protection, sanitation, recreation programs, planning, street repair, and building inspection. The County, as a subdivision of the State, provides a vast array of services for all residents, including social services, public health protection, housing programs, property tax assessments, tax collection, elections, and public safety. Along with independent water, sewer, and fire districts, the County also provides basic municipal services for residents who live in unincorporated areas. According to Census 2020 data, 63,205 of the County's total 765,417 residents live in unincorporated areas.

Purpose of a Municipal Service Review/Sphere of Influence Update

This MSR/SOI Update examines the City of Foster City and the Estero Municipal Improvement District.

LAFCo prepares the MSR and SOI update based on source documents that include Adopted Budgets, Basic Financial Reports and Audits, Capital Plans, Urban Water Management Plans, and Planning Documents, including the General Plan. Draft MSRs and SOI updates are then circulated to the agencies under study, interested individuals and groups. The Final MSR and SOI update will include comments on the circulation draft and recommended determinations for Commission consideration. MSR determinations must be adopted before the Commission updates or amends an SOI.

Per Section 56430, the areas of MSR determination include:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities² within or contiguous to the SOI.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the SOI.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.

² "Disadvantaged community" means a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This area of determination does not apply to the study area.

7. Any other matter related to effective or efficient service delivery, as required by LAFCo policy.
 - a. Water Resiliency and Climate Change
 - b. Impact of Natural Hazards and Mitigation Planning

Sphere of Influence Determinations:

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that address the following (§56425):

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Disadvantaged Unincorporated Communities

SB 244 (Chapter 513, Statutes of 2011) made changes to the CKH Act related to “disadvantaged unincorporated communities,” including the addition of MSR determination #2 and SOI determination #5 listed above. Disadvantaged unincorporated communities, or “DUCs,” are inhabited, unincorporated territories (containing 12 or more registered voters) where the annual median household income is less than 80 percent of the statewide annual median household income. City of Foster City does not have any disadvantaged unincorporated communities within its SOI.

Section 2. Summary of Key Issues

Section 3: Affected Agencies

County and Cities: City of Foster City and San Mateo County

School Districts: San Mateo-Foster City School District Boundaries, San Mateo Union High School District, and San Mateo County Community College District

Independent Special Districts: Peninsula Health Care District, San Mateo County Harbor District, San Mateo County Mosquito & Vector Control District

Dependent Special Districts: Estero Municipal Improvement District

Section 4: City of Foster City and Estero Municipal Improvement District

Background & Overview

The City of Foster City incorporated as San Mateo County's 19th city in 1971. The City's incorporation process was unique in that it was preceded by special legislation enacted in 1960³ to create Estero Municipal Improvement District (EMID) to form a public agency to develop what was then known as Brewer's Island.⁴ EMID was given broad powers to provide all municipal services except planning which remained with the County of San Mateo. The need for special legislation was justified by the lack of existing laws that would enable the use of a public agency for financing public infrastructure, land reclamation, and infrastructure construction for a new community built from the ground up. The enabling legislation created a three-member board to represent land ownership since there were no residents. EMID sold general obligation bonds for extensive planning and engineering studies followed by further land reclamation and initial capital improvements. Improved residential lots were sold and the first families moved in during 1964.

The Foster City Community Association (FCCA) was formed in 1966. Initially FCCA focused on school issues and eventually focused on incorporation. A primary issue was the fact that EMID was using general obligation bonds partly to finance each increment of infrastructure improvements and partly to pay interest on previous bonds, and that Foster City residents were obligated to pay the growing debt but had no representation on the EMID board. Community interest in incorporation picked up momentum after special legislation in 1967 allowed for expansion of the EMID board to five members, which resulted in controversy over how board members were selected and subsequent concern over the ability of the District to continue to sell bonds to implement the Foster City plan of development. In addition, incorporation would provide for local land use control and was a means to receive revenues such as sales tax and State subventions that were not available to EMID. Community interest in self-determination resulted in several studies and eventually incorporation in 1971, at which time EMID was made a subsidiary district of the City with the City Council serving as the governing body of the District.

Upon incorporation, the City of Foster City began receiving revenues available to cities in California, but it was EMID that levied taxes for services EMID provided within corporate boundaries. With the passage of Proposition 13, this resulted in EMID receiving property tax revenues and the City of Foster City receiving other revenues such as motor vehicle and sales tax. While they are two distinct governmental entities with EMID receiving property tax and

³ Statutes of 1960, First Extra Session, Chapter 82, Page 459

⁴ The area that is now Foster City was once marshland in San Francisco Bay. The marsh was diked and drained in 1901 by Frank Brewer and became known as Brewer's Island. Brewer and later owners used the reclaimed land for agricultural purposes and salt evaporation. In the late 1950s, developers T. Jack Foster and Richard Grant acquired an option to purchase the land and sought special legislation to allow formation of a public agency for development of Brewer's Island. According to the 2005-2010 Urban Water Management Plan, a massive construction operation was necessary to convert the land to the Foster City that exists today. Approximately 18 million cubic yards of fill were necessary to provide gradient for the storm water runoff and cover for the utility lines as well as support for the buildings. Two hundred twelve acres of lagoons were created for collecting storm water, which is pumped into San Francisco Bay.

utility revenues and employing personnel and the City receiving other revenues, the City of Foster City and EMID are combined for purposes of service delivery and budget presentation.

The City is a general-law city with five council members elected at large. The Council selects the Mayor and appoints the City Manager/District Manager, City Attorney, and City Clerk. The City Council meets on the first and third Mondays of the month at 6:30 pm at the City Council Chambers located at 620 Foster City Boulevard, Foster City. Agendas, staff reports and minutes are available on the City's website and through e-mail subscription. Agendas are also posted in locations throughout the City.

Existing Sphere of Influence

The City's Sphere of Influence (SOI) and EMID's SOI is coterminous with the City's boundaries and EMID's boundaries respectively.

Municipal Services

SERVICE	RESPONSIBLE AGENCY
<i>Public Safety</i>	
Police protection	Foster City
Fire protection	San Mateo Consolidated Fire
Emergency Medical Service	San Mateo Consolidated Fire
Animal Control	San Mateo County Animal Control
<i>Utilities</i>	
Water distribution	Foster City/EMID
Wastewater collection	Foster City/ EMID
Wastewater treatment	Foster City/EMID/San Mateo/ San Mateo Regional Water Quality Control Plant
Electricity	Pacific Gas & Electric
Natural Gas	Pacific Gas & Electric
Solid Waste Collection & Disposal	Recology San Mateo County (franchise agreement)
Stormwater	Foster City
Street Maintenance	Foster City
Street Lighting	Foster City
<i>Community Services</i>	
Parks and recreation	Foster City
Library	San Mateo County Libraries
Mosquito abatement and vector control	San Mateo Mosquito and Vector Control
Planning, Building, Code Enforcement	Foster City
Public transportation	SamTrans

The MSR determinations checked below are potentially significant, as indicated by "yes" or "maybe" answers to the key policy questions in the checklist and corresponding discussion on the following pages. If most or all of the determinations are not significant, as indicated by "no" answers, the Commission may find that an MSR update is not warranted.

	Growth and Population		Disadvantaged Unincorporated Communities
	Capacity, Adequacy & Infrastructure to Provide Services		Financial Ability
	Shared Services		Accountability, Structure, and Efficiencies
	Other		

1) Growth and Population

Growth and population projections for the affected area.	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Is the agency's territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	X		
b) Will population changes have an impact on the subject agency's service needs and demands?		X	
c) Will projected growth require a change in the agency's service boundary?			X

Discussion^{5,6}

As of 2020 the City of Foster City is home to approximately 33,806, representing 6% of the population in San Mateo County. Between 2000 and 2020, population increased by approximately 3,000 residents. The population of Foster City increased by 17.2% from 1990 to 2020, slightly below the growth rate of 19% for San Mateo County and well below the growth rate of 29% for the Bay Area. The number of homes in Foster City increased 5.7% from 2010 to 2020, which is above the growth rate for San Mateo County (3.6%) and the Bay Area Region (5.0%). In 2020, 35.4% of homes in Foster City were single family detached, 20.0% were single family attached, 7.0% were in small multi-family buildings (2-4 units), and 37.5% were medium or large multifamily buildings (5+ units).

The Association of Bay Area Governments (ABAG), the agency responsible for forecasting population, housing and economic trends in the nine Bay Area counties, in coordination with the California Department of Housing and Community Development (HCD) estimates the housing need for the region and allocates a portion of projected need to every jurisdiction. In collaboration with Bay Area partner agencies, non-profit organizations and residents, ABAG developed Plan Bay Area 2050, a long-range regional plan that, among other activities, projects the population growth of each region throughout the Bay Area.

⁵ U.S. Census Bureau, City of Foster City 2020 U.S. Census Bureau Profile

⁶ City of Foster City Housing Element adopted May 2023

To accommodate the projected growth, cities and counties throughout the State are updating their housing elements every eight years to accommodate the regional housing need assessment (RHNA) allocation for the upcoming cycle. The County and the cities in San Mateo County are currently in the process of updating their Housing Elements to be consistent with the RHNA allocations. The Housing Element is a required component of a city's or county's General Plan, and the RHNA allocations for each cycle may require an update to zoning ordinances to demonstrate how it plans to meet the housing needs in its community.

For the sixth RHNA cycle, ABAG tasked the City of Foster City with identifying appropriately zoned or re-developable land to accommodate 1,896 housing units by 2031. The City's submission to HCD includes buffer to ensure that the City is prepared to meet its RHNAs obligations through projects that are currently in the pipeline (74), proposed accessory dwelling units (24), and developable property included in the sites inventory (1,763).

The City of Foster City adopted its sixth cycle Housing Element on May 22 2023 and revisions were adopted in March 2024. The Housing Element was certified by the state on April 18, 2024.

Distribution of RHNA allocation for the City of Foster City Housing Element

Income Level	RHNA 2015-2023	Units Completed 2015-2023	RHNA 2023-2031
Very Low Income (50% Average Median Income [AMI])	148	89	520
Low Income (60% AMI)	87	50	299
Moderate Income (80% AMI)	76	14	300
Above Moderate Income (120% AMI)	119	679	777
Total:	430	823	1,896

a) Is the agency's territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?

In the last ten years, Foster City has seen the development of several large apartment buildings and commercial development, including Foster Square, a mixed-use commercial project including 155 assisted living units (including 24 memory care units), 66 below market rate apartments and 200 for-sale units along with up to 35,000 square feet of commercial, and the Pilgrim-Triton developments that included The Plaza, The Triton, 100 Grand, Laguna Vista, and 501 Pilgrim Drive, the 22-unit workforce housing development purchased by the City in 2022. In all, when the remaining units under construction at Laguna Vista are completed, these Pilgrim Triton developments have provided 805 new housing units, of which 163 are below market rate units. The City's new workforce housing development includes eight rent-restricted units, and 14 income and rent restricted units. The workforce housing units have a preference priority for first responders and city employees.

- b) Will the population changes have an impact on the subject agency's service needs and demands?

As noted in the recently adopted housing element, the City conducted a Water Capacity Study to assess total projected water supplies available during normal, single-dry, and multiple-dry water years during a 20-year projection compared to the projected water demand associated with the 2023-2031 Housing Element. While water demand for proposed development under the 2023-2031 Housing Element will be able to be met, during single and multiple dry years, EMID's total annual water demand is expected to exceed EMID's available water supplies from 2025 to 2045 with or without the additional demand from the 2023-2031 Housing Element.

The Housing Element includes polices to work with EMID to develop water conservation requirements and/or increased water supply that will ensure sufficient water capacity to accommodate the RHNA, such as the potential use of water demand offset policies, require new and renovated developments to have "net neutral" water demand, or the use of recycled water for irrigation.

- c) Will projected growth require a change in the agency's service boundary?

The projected growth will occur within the City's boundaries and will not require a change in the agency's service boundary.

Growth and Population MSR Determination

Currently, there are an estimated 13,174 housing units in the City of Foster City. The City's housing element proposes to add 1,896 housing units to the City's housing stock, which represents a 13% increase in housing production over the next decade. However, the City General Plan largely evaluated this potential future growth. While water demand for proposed development under the 2023-2031 Housing Element will be able to be met, during single and multiple dry years, EMID's total annual water demand is expected to exceed EMID's available water supplies from 2025 to 2045 with or without the additional demand from the 2023-2031 Housing Element.

The City/EMID is aware of this issue and the Housing Element includes polices to work with EMID to develop water conservation requirements and/or increased water supply that will ensure sufficient water capacity to accommodate the RHNA, such as the potential use of water demand offset policies, require new and renovated developments to have "net neutral" water demand, or the use of recycled water for irrigation.

Recommendations:

LAFCo encourages the City/EMID to continue work related to water conservation to allow the City to meet needs for future development of the City.

2) Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Does the subject agency provide public services related to sewers, municipal and industrial water, or structural fire protection?			X
b) Are there any “inhabited unincorporated communities” within or adjacent to the subject agency’s sphere of influence that are considered “disadvantaged” (80% or less of the statewide median household income)?			X
c) If “yes” to both a) and b), it is feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community (if “no” to either a) or b), this question may be skipped)?			X

Discussion:

- a) Does the subject agency provide public services related to sewers and municipal and industrial water, and structural fire protection?

Yes. The City of Foster City/EMID provides public services related to sewers, municipal and industrial water, and structural fire protection to City residences and businesses.

- b) Are there any inhabited unincorporated communities within or adjacent to the subject agency’s sphere of influence that are considered disadvantaged (80% or less of the statewide median household income)?

Not applicable as the City’s and EMID’s SOIs are coterminous with its boundaries.

- c) If yes to both, is it feasible for the agency to be reorganized such that it can extend service to the disadvantaged unincorporated community?

Not applicable.

Disadvantaged Unincorporated Communities MSR Determination

The City’s and EMID’s spheres of influence and municipal boundaries are contiguous.

3) **Capacity and Adequacy of Public Facilities and Services**

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.	Yes	Maybe	No
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?			X
b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?		X	
c) Are there any concerns regarding public services provided by the agency being considered adequate?			X
d) Are there any significant infrastructure needs or deficiencies to be addressed?			X
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?			X
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?			X

Discussion:

Water: Estero Municipal Improvement District (EMID) operates and maintains the water supply, distribution and system in the City of Foster City and as well as a portion of the City of San Mateo called Mariners Island which is adjacent to Foster City. The system , including approximately 116 miles of pipeline, eight pumping stations, four production wells and eight storage tanks. Foster City. EMID delivers water to residential, commercial, and a small number of industrial businesses. As of 2020, the total population served was approximately 36,516 through a total of 8,170 service connections. EMID purchases all of its potable water supplies from the San Francisco Public Utilities Commission (SFPUC) ⁷.

⁷ 2020 Urban Water Management Plan, Estero Municipal Improvement District

Water maintenance, operations and capital improvements are entirely paid for through revenue received through water service fees that fund the Water Enterprise Fund. Water Enterprise Fund revenue is entirely dedicated to the water system and cannot be used for other purposes. Since the Water Enterprise Fund is intended to fully support Water activities, the City evaluates water rates and fees on a routine basis to determine if the forecasted revenue is sufficient for ongoing water operations, maintenance and capital improvements.

The District has a two-tiered model for its residential customers where higher levels of water consumption are subject to higher water rates based on a proportionate share of conservation program costs. Commercial customers are charged a uniform rate, which includes commercial customer's proportionate share of conservation program costs. The latest update to the water rates was adopted by the City Council/EMID Board in June 2024.

City of Foster City/EMID Adopted Water Rate Schedule

City of Foster City / Estero Municipal Improvement District
Proposed Water Rates - Two Tier Hybrid Model

TWO TIER HYBRID MODEL

Recommended Rates	Current Rates	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
Monthly Meter Charge											
3/4"	\$27.60	\$28.85	\$30.15	\$31.50	\$32.90	\$34.40	\$35.80	\$37.25	\$38.75	\$40.30	\$41.90
1"	46.00	48.08	50.25	52.50	54.83	57.33	59.67	62.08	64.58	67.17	69.83
1-1/2"	110.40	115.40	120.60	126.00	131.60	137.60	143.20	149.00	155.00	161.20	167.60
2"	147.20	153.87	160.80	168.00	175.47	183.47	190.93	198.67	206.67	214.93	223.47
3"	322.00	336.58	351.75	367.50	383.83	401.33	417.67	434.58	452.08	470.17	488.83
4"	579.60	605.85	633.15	661.50	690.90	722.40	751.80	782.25	813.75	846.30	879.90
6"	1,288.00	1,346.33	1,407.00	1,470.00	1,535.33	1,605.33	1,670.67	1,738.33	1,808.33	1,880.67	1,955.33
8" or greater	2,208.00	2,308.00	2,412.00	2,520.00	2,632.00	2,752.00	2,864.00	2,980.00	3,100.00	3,224.00	3,352.00
Conservation-Based Water Rate Model (based on bi-monthly allotments)											
<i>Single Family Residential</i>											
Tier 1 0-20 per ccf	6.36	6.60	6.85	7.11	7.38	7.66	7.96	8.18	8.41	8.66	8.90
Tier 2 Over 20 ccf	7.01	7.33	7.60	7.84	8.09	8.36	8.67	8.89	9.12	9.36	9.60
<i>Multi-Family Residential (per living unit)</i>											
Tier 1 0-10 ccf per living unit	6.36	6.60	6.85	7.11	7.38	7.66	7.96	8.18	8.41	8.66	8.90
Tier 2 Over 10 ccf per living unit	7.09	7.36	7.64	7.88	8.13	8.40	8.71	8.93	9.16	9.40	9.64
<i>Irrigation Customers</i>											
Tier 1 <=100% of annual budget	6.36	6.60	6.85	7.11	7.38	7.66	7.96	8.18	8.41	8.66	8.90
Tier 2 >100% of annual budget	7.22	7.80	8.08	8.31	8.55	8.82	9.13	9.35	9.58	9.81	10.05
<i>Commercial and Fire Line Customers</i>											
Base Consumption Rate	6.47	6.72	6.98	7.23	7.50	7.77	8.08	8.30	8.53	8.77	9.02
Monthly Fire Meter Charge											
3/4"	38.64	40.39	42.21	44.10	46.06	48.16	50.12	52.15	54.25	56.42	58.66
1"	38.64	40.39	42.21	44.10	46.06	48.16	50.12	52.15	54.25	56.42	58.66
1-1/2"	38.64	40.39	42.21	44.10	46.06	48.16	50.12	52.15	54.25	56.42	58.66
2"	51.61	53.95	56.38	58.91	61.52	64.33	66.95	69.66	72.46	75.36	78.35
3"	112.61	117.71	123.01	128.52	134.23	140.35	146.06	151.98	158.10	164.42	170.95
4"	202.86	212.05	221.60	231.53	241.82	252.84	263.13	273.79	284.81	296.21	307.97
6"	450.71	471.12	492.35	514.40	537.26	561.75	584.61	608.29	632.79	658.10	684.23
8" or greater	772.80	807.80	844.20	882.00	921.20	963.20	1,002.40	1,043.00	1,085.00	1,128.40	1,173.20

(Minimum charge is equivalent to 1-1/2" meter charge)

Wastewater: The Wastewater Division of the Foster City/EMID Public Works Department provides sanitary sewer services and is responsible for the operations and maintenance of the

wastewater collection system, including all sewer mains, manholes. The Public Works Department Wastewater Division operates and maintains more than 43 miles of sanitary sewer lines, more than 8.5 miles of sewer force mains, 49 pumping stations, 15 permanent standby generators, and four (4) portable generators to ensure that the nearly three (3) million gallons of wastewater generated by Foster City each day is transmitted to the joint-owned San Mateo Treatment facility.

City of Foster City/EMID Wastewater Rates

City of Foster City / Estero Municipal Improvement District
Projected Wastewater Rate Impacts

Projected Rates	Current	Projected - Fiscal Year Ending June 30				
	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029
% Rate Increase		2.00%	2.00%	2.00%	2.00%	2.00%
Residential (flat monthly rate)						
Single Family	\$130.87	\$133.49	\$136.16	\$138.88	\$141.66	\$144.49
Increase (Decrease)		2.62	2.67	2.72	2.78	2.83
Townhouse/Duplex	\$109.93	\$112.13	\$114.37	\$116.66	\$118.99	\$121.37
Increase (Decrease)		2.20	2.24	2.29	2.33	2.38
Apartment/Condominium (Pools w/ Restrooms)	\$109.93	\$112.13	\$114.37	\$116.66	\$118.99	\$121.37
Increase (Decrease)		2.20	2.24	2.29	2.33	2.38
Commercial (rate per ccf of water use)						
High Strength	\$23.78	\$24.26	\$24.75	\$25.25	\$25.76	\$26.28
Increase (Decrease) per ccf		0.48	0.49	0.50	0.51	0.52
Medium/Domestic Strength	\$8.36	\$8.53	\$8.70	\$8.87	\$9.05	\$9.23
Increase (Decrease) per ccf		0.17	0.17	0.17	0.18	0.18
Low Strength	\$5.50	\$5.61	\$5.72	\$5.83	\$5.95	\$6.07
Increase (Decrease) per ccf		0.11	0.11	0.11	0.12	0.12

The City of San Mateo and Foster City/Estero Municipal Improvement District (EMID) jointly own the San Mateo Wastewater Treatment Plant (WWTP) through a Joint Powers Agreement (JPA). San Mateo operates the plant as the Lead Agency of the JPA. The facility treats wastewater for the citizens of the City of San Mateo and Foster City/EMID, in addition to surrounding communities. Foster City/EMID owns 25% of the WWTP.

Stormwater: The stormwater component of the Streets & Stormwater Division, funded via the Stormwater Enterprise Fund, is part of the Public Works Departments and is responsible for the maintenance of and capital improvements to the stormwater conveyance system. The City funds Stormwater Projects using the City's General Fund and minimally with Measure M Funding (a countywide vehicle registration fee).

Streets & Sidewalks: The City's Public Works Department maintains and repairs the City's streets and sidewalks, including pothole repairs, removal of trash in public rights-of-way and maintaining city streetlights for the safety of motorists, bicyclists and pedestrians. As of 2022, Foster City's pavement condition index (PCI) score is 78, or Good, and is the second highest

rated city in the County⁸. The five-year CIP for FY 24-25 is \$99M, 19% is dedicated to street and traffic improvements.

Police: The City of Foster City is a full-service policing agency that provides public safety services twenty-four hours a day, seven days a week. The Police Department is staffed by a team of approximately 55 FTE employees including 39 Police Officers, three Senior Community Service Officers, seven Dispatchers, four records staff, one Management Analyst and one Administrative Assistant II. Police expenditures accounted for a little less than a third of the general fund budget for FY 24-25.⁹

Public safety services provided by the Foster City Police Department include patrol, traffic and parking enforcement, investigations, and dispatch. According to the Police Department's 2023 Annual Report, the Department responded to 25,966 police incidents in 2023. Of those incidents, 16,428 (63%) were initiated by calls from service from the community, and approximately 323 arrests were made.

City Police Station was remodeled in 2001.

Parks and Recreation¹⁰: Recreation services and activities are provided by the Administration and Recreation Division of the Parks and Recreation Department. The City maintains 100 acres of park and open space land including bike paths, dog exercise areas, a lighted softball field, soccer and youth baseball fields, tennis courts, pickleball courts, basketball courts, volleyball courts, picnic facilities, and a wildlife refuge. In 2015, the City constructed two new parks - Bridgeview Park and Shorebird Park. The City's lagoon system is over 200 acres in size. The City's Parks and Recreation Department offers a wide variety of classes year-round including creative arts, sports, and fitness programs for children, teens, adults and seniors. Staffed by 30 FTEs the budget for Recreation represents 18% of the City's general fund. For 2023, the City had 5,674 participants in our programs, and the City had adequate staffing and facilities to meet that need.

Contract Services/JPA Agencies

Animal Control: Twenty cities in San Mateo County, including the City of Foster City, contract with the County to operate a countywide animal control program. The County contracts with the Peninsula Humane Society & SPCA to enforce all animal control laws, shelter homeless animals and to provide a variety of other related services.

Fire Protection: The San Mateo Consolidated Fire Department (SMC Fire Department) provides fire protection to the City of Foster City. SMC Fire is a Joint Powers Authority comprised of the Belmont Fire Protection District/City of Belmont, the City of Foster City, and the City of San Mateo. SMC Fire started operations on January 13, 2019. In 2023, SMC Fire response to 15,641 incidents¹¹. The service area of the San Mateo Consolidated Fire Department consists of just

⁸ ABAG/MTC PCI index 2022

⁹ FY 24-25 Budget

¹⁰ FY 23-24 Budget

¹¹ San Mateo Consolidated Fire Department 2023 Annual Report

over 40 square miles. Foster City represents nearly 20 square miles, San Mateo nearly 16 square miles, and Belmont nearly five square miles. Of those, about 19 square miles is water within the San Francisco Bay¹².

The department provides emergency operations, hazardous materials response program, training, community risk reduction and fire prevention, office of emergency services, and administrative support. SMC Fire has 164.31 FTEs as of 2023 and budget of \$49.6 million for FY23-24. 84% of the budget is allocated to operations. The vast majority, (94%) of the revenue for SMC Fire comes from funding from the three member agencies. In accordance with the governance section of the JPA, the contribution breakdown is 20% from Belmont, 20% from Foster City, and 60% from San Mateo.

The San Mateo Consolidated Fire Department is currently an ISO Class 2 Department, with Class 1 being the highest ranking.

The San Mateo Consolidated Fire Department prepared a Community Risk Assessment in 2023. The Community Risk Assessment evaluated the department's performance, facilities and organizational structure and operations and deployment. The Assessment made several recommendations to the Department, including:

- The department should consider conducting performance and outcome measurements to share with the community and the elected officials.
- Consider hiring enough additional firefighters to ensure a minimum of 4-person staffing daily on Fire Engines.
- Consider constructing or relocating the San Mateo Consolidated Fire Department Administrative Facility and replacing two fire stations due to the age and poor conditions of the stations.
- Consider developing a long-term Capital Facilities Replacement Plan
- Consider moving the Finance and Human Resources (HR) administrative positions within San Mateo Consolidated Fire Department's Administration. These services are currently provided by the City of San Mateo.
- Developing and updating standard operating guidelines and all policies and procedures.

Solid Waste: Garbage/ /recycling/composting: The City of Foster City contracts with Recology San Mateo County to provide for the collection of solid waste and recycling from residences and business.

Library: The Foster City Library (a branch of the San Mateo County Library) is located in the Civic Center complex at 1000 East Hillsdale Boulevard. This library building includes 18,500 sq. ft. of library space and the 9,000 sq. ft. Community Center.

- a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?

¹² Community Risk Assessment for San Mateo Consolidated Fire Department, January 2023

LAFCo staff has not identified any deficiencies to meet the needs of existing development within the City of Foster City/EMID.

- b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?

The City of Foster City is planning for significant growth over the next eight years and expects to have sufficient water supply during non-drought years and resources to fund sewer, police, fire and emergency response services, as well as administrative services to support administrative and some public works functions. The City and EMID are implementing steps to address projected water shortages in drought years.

The City's/EMID's enterprise funds for water and sewer have sufficient fundings for proposed capital improvement projects.

- c) Are there any concerns regarding the public services provided by the agency being considered adequate?

LAFCo staff does not have any concerns regarding the adequacy of the public services being delivered by the City of Foster City to its residents and businesses.

- d) Are there any significant infrastructure needs or deficiencies to be addressed?

The City/EMID continues to implement capital improvements to road, sewer and water system, and building and park improvements with allocations to capital improvement funds for projects.

- e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?

The City is not aware of any new state regulations and legislation that will require significant facility and/or infrastructure upgrades.

- f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural within or contiguous to the agency's sphere of influence?

Not applicable.

Capacity and Adequacy of Public Facilities and Services MSR Determination

LAFCo is not aware of any deficiencies in agency capacity to meet existing service needs for which the agency does not have a plan in place to resolve. The City and EMID is anticipated to be able to meet most service demands of foreseeable growth with project infrastructure improvements and other mitigation measures.

Recommendations:

1. EMID's UMWP was last updated in 2021. EMID and the City should align the growth projections in the UMWP with the RHNA growth projections and the 2023-2031 Housing Element in its next UMWP update.

4) Financial Ability

Financial ability of agencies to provide service	Yes	Maybe	No
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?			X
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?			X
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?			X
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?			X
e) Is the organization lacking financial policies that ensure its continued financial accountability and stability?			X
f) Is the organization's debt at an unmanageable level?			X

Discussion:

a) Does the City routinely engage in budgeting practices that may indicate poor financial management such as overspending its revenue, failing to commission independent audits, or adopted its budget late?

LAFCo staff has not identified any issues with the City's budgeting practices. The City of Foster City/EMID prepares an annual operating and capital improvement program (CIP) budget for the upcoming fiscal year that gets adopted by the City Council at a noticed public hearing before June 30th. Prior to adoption, the Foster City City Council participates in one or more study sessions to review the City's priorities, agency and department achievements, any financial or service challenges and an overview of the CIP and planned expenditures. Throughout the year, the City Council receives quarterly financial reports to assess and evaluate budget variances during the year. The City also adopts a 5-year financial plan¹³

The City also produces an Annual Comprehensive Financial Report (ACFR) that is reviewed by City Council.

¹³ City of Foster City FY 24-25 Budget

Per City FY24-25 budget document, the City is facing a structural deficit over the next few years. The preliminary five-year financial plan for FY 2024-25 through FY 2028-29 indicates General Fund annual structural deficit of \$5.58 million, \$6.62 million, \$8.53 million, \$8.87 million, and \$9.82 million respectively. These deficits largely stem from increased pension and labor costs, and the potential loss or reduction of Vehicle License Funds in future years.

The City's estimated revenue for FY 24-25 is \$143 million, \$62 million of which is dedicated to the City's General Fund. Water and Sewer Enterprise funds total \$45 million. \$5.58 million dollars is proposed to be transferred from reserves to balance the general fund budget for FY24-25. The City is working on additional or updated revenue opportunities, cost recovery measures, and operational efficiencies. The City is currently working on a possible revenue measure for Business License Tax; however, as of now, the Council has not voted on this yet.

City of Foster City/EMID General Fund Budget FY2020-2025

	<u>FY 20-21</u>	<u>FY 21-22</u>	<u>FY 22-23</u>	<u>FY 23-24</u>	<u>FY 24-25</u>
-	<u>Actuals</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Approved Budget</u>	<u>Approved Budget</u>
<u>Revenue</u>					
<u>Property Tax</u>	<u>\$30,803,263</u>	<u>\$31,525,503</u>	<u>\$33,873,554</u>	<u>\$34,384,300</u>	<u>\$35,476,460</u>
<u>Sales Tax</u>	<u>\$3,131,071</u>	<u>\$3,899,280</u>	<u>\$4,447,372</u>	<u>\$3,927,700</u>	<u>\$4,099,600</u>
<u>Transient Occ. Tax (TOT)</u>	<u>\$992,616</u>	<u>\$1,982,779</u>	<u>\$3,435,359</u>	<u>\$3,559,800</u>	<u>\$4,698,500</u>
<u>Vehicle License Fee</u>	<u>\$2,709,686</u>	<u>\$4,345,596</u>	<u>\$5,681,466</u>	<u>\$4,387,980</u>	<u>\$4,288,848</u>
<u>Business Tax</u>	<u>\$1,506,696</u>	<u>\$1,583,789</u>	<u>\$1,735,472</u>	<u>\$1,615,500</u>	<u>\$1,890,000</u>
<u>Departmental Revenue</u>	<u>\$912,542</u>	<u>\$1,607,283</u>	<u>\$2,091,294</u>	<u>\$1,738,209</u>	<u>\$1,604,506</u>
<u>Excess ERAF</u>	<u>\$3,547,948</u>	<u>\$3,100,633</u>	<u>\$3,295,053</u>	<u>\$1,619,850</u>	<u>\$2,800,000</u>
<u>Other Revenue</u>	<u>\$5,525,293</u>	<u>\$9,343,752</u>	<u>\$11,538,198</u>	<u>\$6,815,448</u>	<u>\$7,189,124</u>
<u>Total Revenue</u>	<u>\$49,129,115</u>	<u>\$57,388,615</u>	<u>\$66,097,768</u>	<u>\$58,048,787</u>	<u>\$62,047,038</u>
<u>Expenditures</u>					
<u>Parks & Rec</u>	<u>\$10,088,307</u>	<u>\$9,106,299</u>	<u>\$9,542,991</u>	<u>\$11,012,244</u>	<u>\$11,354,928</u>
<u>Police</u>	<u>\$15,969,511</u>	<u>\$14,969,116</u>	<u>\$15,134,593</u>	<u>\$17,886,289</u>	<u>\$18,768,530</u>
<u>Fire</u>	<u>\$11,931,423</u>	<u>\$10,861,609</u>	<u>\$11,352,653</u>	<u>\$11,686,922</u>	<u>\$12,531,604</u>
<u>Community Development</u>	<u>\$3,434,513</u>	<u>\$2,947,704</u>	<u>\$3,262,087</u>	<u>\$4,589,661</u>	<u>\$4,453,562</u>
<u>Public Works</u>	<u>\$2,321,554</u>	<u>\$2,407,200</u>	<u>\$2,844,722</u>	<u>\$4,604,965</u>	<u>\$5,259,983</u>
<u>General Government</u>	<u>\$6,422,488</u>	<u>\$5,731,714</u>	<u>\$6,424,288</u>	<u>\$8,891,151</u>	<u>\$9,640,583</u>
<u>Total Expenditures</u>	<u>\$50,167,796</u>	<u>\$46,023,642</u>	<u>\$48,561,334</u>	<u>\$58,671,232</u>	<u>\$62,009,190</u>

Deleted: City of Foster City/EDIM General Fund Budget FY 2020 - FY 2025

Foster City's general fund primary revenue sources are property tax, sales tax, Vehicle License Fee, and TOT. Property within the City of Foster City has an average assessed value of approximately \$1.5 Million per property, higher than the average assessed value of the County of \$1.4 Million and)¹⁴.

The City acknowledges that Excess Educational Revenue Augmentation Fund (ERAF) is an unreliable revenue source and budgets it as one-revenue that gets allocated to City reserves. Currently the City is projected \$2,800,000 in Excess ERAF.

As of June 30, 2023, The City/District's total net position increased by \$41.26 million, or 11.38%, to \$403.77 million from the previous year¹⁵.

The City/EMID has several internal service funds as well. These funds, which include vehicle and equipment replacement, building maintenance, employee benefits, and compensated absences are financial health and can be used to help balance the general fund in times of deficits.

The City/EMID also adopts annual Gann Appropriation Limits at a public meeting.

Enterprise Funds

The City of Foster City/EMID has two Enterprise Funds – Water and Wastewater. The Enterprise Funds deliver services that are supported by the rates and fees levied by each respective fund. The City/EMID has not experienced any challenges to raising Water or Wastewater rates or fees. Wastewater rates are evaluated annually and currently adopted for five years. Water rates are evaluated annually and have been adopted annually, although the City/EMID is anticipating a five-year adoption next year. Both of these funds are adequately funded and have sufficient reserves. The Water Enterprise fund totals \$21,955,045 and is projected to have an increase of \$817,099 in fund balance. The Wastewater Enterprise fund totals \$42,480,508 and is projected to have an increase of \$6,367,653 in fund balance.

Capital Improvement Program (CIP)

The City of Foster City/EMID prepares and adopts a Capital Improvement Program (CIP) on an annual basis that identifies projects and funding over a five-year period. The FY 2024-29 CIP identified 47 projects and programs and \$99 million in funding to be programmed over that time. 14 of projects to funded related to park capital improvement projects.

Pensions & Pension Liability

Pensions account 16%, or \$10.80M, of budgeted General Fund Revenues in FY 24-25. It is anticipated that these costs will continue to rise to \$10.96 million for FY 2025-26; \$11.54 million for FY 2026-27; \$11.37 million for FY 2027-28; and \$12.33 million for FY 2028-29. The only revenue sources to fund employee pensions come from investment earnings, employee contributions and employers' contributions. Although the City has implemented the reduced

¹⁴ San Mateo County Assessor's Office

¹⁵ City of Foster City FY 22-23 ACFR

pension benefits formula (PEPRA), the City will not see the impact of those changes for several more years.

The City Council has a City Council Subcommittee for Pension Liability, which meets on an as-needed basis and considers/evaluates the liability and any need to make a discretionary payment. The most recent discretionary payments the City has made were in FY 2021 for \$7.5 million and in FY 2019 for \$3.5 million.

Other Post Employment Benefits (OPEB)

The City contributes towards the OPEB liability cost and is trying to build a reserve balance based on every year's need. As of 6/30/23, the City is approximately 71.6% funded towards a total actuarial liability of \$8.78 million.

b) Is the organization lacking adequate reserves to protect against unexpected events or upcoming significant costs.

In FY 2020-21, Sustainable Foster City was added to the General Fund Group. The fund balance includes a minimum reserve equal to 50% (6 months) of annual budgeted operating expenditures as dictated by City Council / Estero Municipal Improvement District Board policy Technology Reserve with a goal with a goal of 25% of fund expenditures.

The City's General Fund has a reserve balance of \$54.3 million as for FY23-24. The City has general reserve policy of 50% of the general fund. For FY23-27, the City is currently projected to achieve this reserve percentage, however starting in FY27-28, the General Fund Reserve would drop to 36% of total expenditures. This is due to the use of the reserves to balance the City's budget in FY24-27 due to a structural deficit.

The City also has the following funds that include a reserve component:

- Capital Investment - City Fund
- Water Capital Investment Fund
- Wastewater Capital Investment Fund
- Self-Insurance Fund

Several other City/EMID funds have reserve/fund balances as well.

c) Is the City's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?

Per City staff, the City/EMID has not experienced any challenges to raising Solid Waste/Water/Wastewater rates or fees; Wastewater and Solid Waste rates are evaluated annually and currently adopted for five years. Water rates are evaluated annually and have been adopted annually, although the City/EMID is anticipating a five-year adoption next year.

The San Mateo Consolidated Fire Department last did a fee study in and is undertaking a new fee study in 2024. SMC Fire Department has not faced any challenges raising fees for service, which is only for services offered beyond normal response. These fees are predominantly fees for services provided for Fire Prevention services.

The City also amended its franchise agreement with Recology San Mateo County in 2017. The City approved rate increases for a five-year period starting on January 1, 2024.

d) Is the agency unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?

The City/EMID routinely adopts an Operating Budget and Capital Improvement Plan to fund necessary infrastructure maintenance, replacement and any needed expansion for City facilities. As part of the Operating Budget, the City Council approves an equipment and vehicle replacement fund, which is used to accumulate funds for replacement of equipment and vehicles. Departments are charged an annual replacement charge to cover future equipment replacement costs. The City/EMID also charges impact fees on development to off-set impacts to city services, such as roads, water, and sewer.

e) Is the agency lacking financial policies that ensure its continued financial accountability and stability?

The City of Foster City/EMID has adopted several policies to ensure its continued financial accountability and stability, including policies purchasing policy, investment, credit card use, reimbursement¹⁶.

f) Is the agency's debt at an unmanageable level?

For the fiscal year ending June 30, 2022, the City/EMID had total long-term debt outstanding of \$85 million, \$7.7 million in OPEP liability, and \$87 million in net pension liabilities for a total \$177 million in long-term liabilities.

In anticipation of the issuance of revenue bonds and the associated debt service payments, in 2017, the EMID Board approved the adoption of a 5-year rolling wastewater rate increase of 14.25% per year starting in FY 2017-18. In 2018, the EMID Board approved an additional 14.25% rate increase for FY 2022-23. In 2019, the District Board further approved a 10% rate increase to the rolling five-year model for FY 2023-24, and a 2% increase for FY 2024-25.

The City has a Levee Protection Planning and Improvements General Obligation Bond Fund which accounts for the payment of debt service (principal and interest) on the City's general obligation bond debt used for financing up to \$90 million levee improvements costs.

Financial Ability MSR Determination

Like many public agencies, the City continues to address maintaining current levels of services as costs continue to rise. For FY23-27, the City is currently projecting to utilize reserve funds to maintain a balanced budget due to a structural deficit.

To address pension costs, the City Council Subcommittee for Pension Liability, which meets on an as-needed basis and considers/evaluates the liability and any need to make a discretionary payment.

¹⁶ City of Foster City FY 23-24 Budget

The City is currently working on a possible revenue measure for Business License Tax to help address the City's current structural deficit; however, as of now, the Council has not voted on this yet.

The City Council and staff are dedicated to prudent fiscal management to ensure the continued financial health of the City.

The City is well aware of these financial liabilities and a comprehensive MSR is unlikely to contribute additional valuable information.

5) **Shared Service and Facilities**

Status of, and opportunities for, shared facilities	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Is the agency currently sharing services or facilities with other organizations? If so, describe the status of such efforts.	X		
b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?			X
c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?			X

a) Is the agency currently sharing services or facilities with other organizations?

Fire Department: Since 2010, the City of Foster City and the City of San Mateo have shared a fire chief position. This partnership expanded over the next few years to include the sharing of several other command staff position. In 2013, the City of Belmont/Belmont Fire Protection District joined the partnership. At that time, the three cities agreed to share, jointly staff, and relocate the Foster City Ladder Truck to a centralized location that better served the three communities. In 2015, the three cities conducted a study regarding the viability of completing the merger of all fire protection services. Staff from the cities and fire departments explored available options and determined a JPA was the most viable option. The JPA was officially established on November 22, 2017, and on January 13, 2019, San Mateo Consolidated (SMC) Fire commenced operations as an independent fire department.¹⁷

The Board of Directors, also known as the Fire Board, is comprised of a City Council member from each of the three cities within the San Mateo Consolidated Fire Department's jurisdiction. Each Board member has a designated alternate from their City Council who serves as a backup in the event of their absence.

¹⁷ <https://www.smcfire.org/about-us/history/>

Animal Control: Along with 20 other San Mateo County Cites, Foster City contracts with the County to operate a countywide animal control program. The County contracts with the Peninsula Humane Society & SPCA to enforce all animal control laws, shelter homeless animals and to provide a variety of other related services.

Solid Waste: Foster City is a member of the 11-agency South Bayside Waste Management Authority (SBMWA, or RethinkWaste) which is responsible for assisting the City to provide solid waste collection services and related outreach and regulatory compliance measures.

Wastewater Treatment: The City of San Mateo and Foster City/Estero Municipal Improvement District (EMID) jointly own the San Mateo Wastewater Treatment Plant (WWTP) through a Joint Powers Agreement (JPA). San Mateo operates the plant as the Lead Agency of the JPA. The facility treats wastewater for the citizens of the City of San Mateo and Foster City/EMID, in addition to surrounding communities. Foster City/EMID owns 25% of the WWTP¹⁸.

Water Distribution: Estero Municipal Improvement District (EMID) operates and maintains the water supply, distribution and system in the City of Foster City and as well as a portion of the City of San Mateo called Mariners Island which is adjacent to Foster City. Foster City is a member of the Bay Area Water Supply and Conservation Agency (BAWSCA), a special district that provides regional water supply planning, resource development, and conservation program services to enhance the reliability of the 16 cities, 8 water districts, and 2 private water providers that provide water to over 1.8 million people and over 40,000 commercial, industrial and institutional accounts in Alameda, San Mateo and Santa Clara Counties.

City of Foster City Minimum Wage Ordinance Enforcement: The City contracts with the City of San Jose for enforcement for the City's minimum wage ordinance.

- b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?

Staff has not identified any additional opportunities for the City/EMID to share services or facilities with neighboring or overlapping organizations that are not currently being utilized.

- c) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?

Staff has not identified any governance options that would reduce duplication of resources, facilities or infrastructure.

Shared Services MSR Determination

¹⁸ <https://www.fostercity.org/publicworks/page/wastewater>

The City of Foster City/EMID partners with several agencies to share resources and reduce costs. LAFCo staff has not identified other opportunities that the City could engage in to share costs and/or reduce duplication of resources, facilities or infrastructure.

6) Accountability, Structure, and Efficiencies

Accountability for community service needs, including governmental structure and operational efficiencies	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?			X
b) Are there any issues with staff turnover or operational efficiencies?		X	
c) Is there a lack of regular audits, adopted budgets and public access to these documents?			X
d) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?			X
e) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?			X
f) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?			X

Discussion:

Foster City is general law city and utilize a Council-Manager form of government. The five city council members are elected at large. The five city council members also serve as the board of directors of EMID.

a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?

The City Council meets in person at the City Council Chambers located 610 Foster City Boulevard, Foster City, CA 94404 on the First and third Mondays of every month at 6:30pm. Regular meetings are also accessible for viewing to the public by Zoom, meetings are streamed live online at www.fostercity.org/fctv or on FCTV on Comcast Channel 27 and AT&T Channel 99.

Agendas, agenda packets and meeting presentations are posted to the City website at least 72 hours prior to meeting dates.

Neither the City of Foster City nor LAFCo staff were able to identify any failures by the City to comply with disclosure laws and the Brown Act.

The City's website contains a public request portal which enables members of the public to search through available records directly through the City website. The website also contains a public record request page to make requests of records that not available through the portal.

b) Are there issues with staff turnover or operational efficiencies?

In FY 23-24, the City reported a total of 177 FTE. The City acknowledges that upcoming retirements pose a risk to institutional knowledge. City staff state that recruiting for firefighter positions is somewhat challenging industry wide in the Fire Service, though the City has not had any issues with turnover on a large scale outside of normal retirements.

c) Is there a lack of regular audits, adopted budgets and public access to these documents?

The City of Foster City regularly prepares an annual budget and contracts with an accounting firm to conduct an annual ACFR, both of which are presented to the City Council at a public hearing and are published on the City's website.

d-f) Changes in governance structure:

LAFCo staff does not recommend any changes to or restructuring options of the City's governance structure that would increase accountability and efficiencies, enhance services and/or eliminate deficiencies.

EMID was created by special legislation to provide municipal services except planning and land use function to an unincorporated area which later became the City of Foster City. EMID currently is the entity that provided water and sewer to customers in Foster City and portions of the City of San Mateo. EMID also is the agency that currently receives the property tax allocation for City. Two potential governance alternatives have been identified for EMID:

Status Quo

EMID is a subsidiary district of the City of Foster City and is governed by the City Council. No significant issues have been identified by LAFCo as part of this MSR.

Dissolution of EMID and merger with the City of Foster City

The original purpose for EMID was to provide several municipal functions to an unincorporated area in anticipation of urban development and the potential future incorporated on the area. Now that the City of Foster City has been incorporated, the specific purpose of EMID has been fulfilled. EMID sold bonds to finance the major improvements needed for development of the City, of which the last bond payment was made in 2007.

EMID provides water and sewer service to the City of Foster City and to Mariner's Island in San Mateo. EMID is also the entity that receives the City's allocation of property tax and Excess ERAF. The City began receiving revenues available to cities in California, but it was EMID that levied taxes for services EMID provided within corporate boundaries. With the passage of

Proposition 13, this resulted in EMID receiving property tax revenues and the City of Foster City receiving other revenues such as motor vehicle and sales tax. In the past few years, there has been discussions at the State level about reducing Excess ERAF for cities and eliminating it for special districts. As EMID is considered a special district, EMID was at risk of having its ERAF funds eliminated even though it is a subsidiary district of the City. If EMID was dissolved and merged with the City, the City could then become entity that receives property tax revenue and Excess ERAF Funds, as well as becoming the successor agency of any agreements that EMID has in place regarding water and sewer services.

A full merger of EMID with the City could result in long-term operational and administrative cost savings. A study of potential efficiencies and savings could be undertaken to determine the feasibility of this government structure alternative. Currently, the City/EMID have not explored the potential of a merger/dissolution of EMID.

Accountability, Structure, and Efficiencies MSR Determination

The City of Foster City/EMID complies with disclosure laws and the Brown Act and ensures that public meetings are accessible and well publicized. Adopted budgets and annual budgets are available on the City's website. While highly detailed, the budget documents could be enhanced by including a simplified summary table of revenue and expenditures for the City and EMID, particularly for the general fund.

There are no recommended changes to the organization's governmental structure or operations that will increase accountability and efficiency.

Recommendation:

- 1) The City/EMID could explore a future a study of potential efficiencies and savings could be undertaken to determine the feasibility of a merger of EMID with the City.
- 2) Consider the inclusion of simplified summary table of revenue and expenditures for the City and EMID, particularly for the general fund, in future budget documents.

7) Other

Any other matter related to effective or efficient service delivery, as required by commission policy.	<i>Yes</i>	<i>Maybe</i>	<i>No</i>
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?		X	
b) Water Resiliency and Climate Change			
i) Does the organization support a governance model that enhances and provides a more robust water supply capacity?	X		
ii) Does the organization support multi-agency collaboration and a governance model that provide risk	X		

reduction solutions that address sea level rise and other measures to adapt to climate change?			
c) Natural Hazards and Mitigation Planning			
i) Has the agency planned for how natural hazards may impact service delivery?	X		
ii) Does the organization support multi-agency collaboration and a governance model that provides risk reduction for all natural hazards?	X		

a) Other service delivery issues that can be resolved by the MSR/SOI process.

LAFCo staff has not identified other service delivery issues that could be resolved through the MSR/SOI process.

b) Water Resiliency and Climate Change

Foster City has an adopted Urban Water Management for EMID and a Climate Action Plan for the City. The Plan was last updated in 2022. The City/EMID has completed several projects related to water resiliency and climate change that discussed in the next section of the MSR.

c) Natural Hazards and Mitigation Planning

Along with the County and other San Mateo County cities, Foster City participated in the 2021 Local Hazard Mitigation Plan (LHMP) that assessed hazard vulnerabilities and identified opportunities for mitigation to reduce the level of injury, property damage and community disruption that could occur in manmade and natural disasters.

In addition to participation in the LHMP, the City has taken the completed the following projects:

- **Water Tanks and Water Booster Pump Station** – A current CIP is under construction to provide some seismic retrofitting to components of the City's 3 steel water tanks, the Water Booster Pump Station, and the City's Lagoon Pump Station.
- **Lagoon Pump Station** – A current CIP is under preliminary design to investigate increasing City's pumping capacity of the lagoon pump station, to combat increasingly intense storm events that have been experienced in recent years. Additionally, an assessment and recommendation for rehabilitation is planned for the City's oldest building, the Lagoon Pump House.
- **24-Inch Water Transmission Main** – The City's sole supply of water is a 24-inch cement mortar lined and coated steel transmission main. A recently completed CIP project (2023), provided for the installation of bypass connections on either side of a pedestrian bridge along East Third Avenue upon which the transmission main is attached. In the event of an earthquake and/or catastrophic failure of the pedestrian bridge along East Third Avenue, staff will be able to engage the bypass (temporarily connecting aluminum pipe to the bypass connections) to

continue to supply the City with water. A project in the City CIP is planned to install a permanent bypass on the vehicular bridge crossing East Third Avenue in the event the pedestrian bridge collapses in a seismic event.

- **Levee Project** – City completed 6.5 miles of levee improvements, to raise the levee elevation to meet sea level rise resilience to 2100 including 2 feet of wave run-up and storm surge.
- **Waste Water Treatment Plant** – City embarked on a 10-year CIP project to construct a new liquid processing facility to manage wet-weather events. The project is anticipated to go on-line at the end of 2024 and be completed in 2025. The new plant will better manage wet weather flows from the City, meet more stringent regulatory guidelines for effluent discharge to the bay, and provide a higher quality effluent that is Title 22 compliant. The plant was constructed to be resilient to sea level rise to 2100. Master Plans for both the Water and Wastewater Collection Systems were completed in 2021 outlining prioritized improvements over the next 20-years.
- **Emergency Preparedness** – Staff actively participates in emergency preparedness exercises and tabletop exercises through the Fire and Police Departments. (i.e.: Emergency Response Plan; COOP; Annex; Emergency Ops Plan, LHMP). The Fire Department has participated heavily in the LHMP process and helps to develop and maintain a variety of emergency plans for all 3 cities.

Other Issues MSR Determination

The City of Foster City/EMID is engaged in activities to address hazard mitigation, wildfire prevention and sea level rise for City residents and businesses. [San Mateo LAFCo commends the City and EMID for the work they have undertaken in the areas of address hazard mitigation, wildfire prevention and sea level rise.](#)

Recommendation -

- 1) LAFCo encourages the City of Foster City and EMID to continue its work in the areas of natural hazard mitigation and sea level rise and continue to coordinate with partner agencies.

Determinations

Section 56425 requires the Commission to make determinations concerning land use, present and probable need for public facilities and services in the area, capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide, and existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency. These include the following determinations:

- 1) **The present and planned land uses in the area, including agricultural and open space lands.**
The boundaries of City of Foster City and EMID do not include agricultural land.
- 2) **The present and probable need for public facilities and services in the area.**

The City of Foster City and EMID facilities and services meet the needs of its residents and businesses, and the City of Foster City and EMID anticipates that will be able to provide adequate facilities and services for the anticipated growth within its service area.

3) **The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

The City and EMID currently provides adequate public services to its residents, including police protection, water, sanitary sewer and storm water services. In addition, the City routinely adopts a Capital Improvement Program to fund critical repairs, replacements and improvements to the City's infrastructure and facilities.

4) **The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.**

There are no disadvantaged unincorporated communities within the City of Foster City's or EMID's SOIs.

5) **For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

No change to the City of Foster City's or EMID's SOIs is proposed at this time.

On the basis of the Municipal Service Review:

☒ Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update is NOT NECESSARY in accordance with Government Code Section 56425(g). Therefore, NO CHANGE to the agency's SOI is recommended and SOI determinations HAVE NOT been made.

☐ Staff has reviewed the agency's Sphere of Influence and recommends that a SOI Update IS NECESSARY in accordance with Government Code Section 56425(g). Therefore, A CHANGE to the agency's SOI is recommended and SOI determinations HAVE been made and are included in this MSR/SOI study.

Appendix A. City of Foster City/EMID Fact Sheet

City Manager/General Manager: Stefan Chatwin

Address: 610 Foster City Boulevard, Foster City, CA 94404

Phone Number & Email Address: (650) 286-3200

Date of Incorporation: April 27, 1971

City Councilmembers:

Mayor & Councilmembers	Term Expiration Date
Patrick Sullivan, Mayor	December 2024
Stacy Jimenez, Vice Mayor	December 2026
Jon Froomin, Councilmember	December 2024
Sam Hindi, Councilmember	December 2024
Art Kiesel, Councilmember	December 2026

Compensation: City Councilmembers receive \$496 per month. Councilmembers shall be reimbursed for reasonable expenses incurred in the performance of duties imposed upon them by law or in the course of business on behalf of the City as authorized by the City Council. In addition, each Councilmember receives \$25.00 for each Estero Municipal Improvement District meeting attended, not to exceed three meetings per month. Councilmembers are also eligible for certain other City benefits such as medical and dental insurance.

Public Meetings: First and third Mondays of every month at 6:30pm.

Services Provided: Police, Water, Sanitary Sewer, Stormwater Control, Streets & Sidewalks, Lighting, Parks & Recreation

Agency staff: 179 Full time equivalent employees

Area Served: City of Foster City and City of San Mateo portion of Mariners Island for water

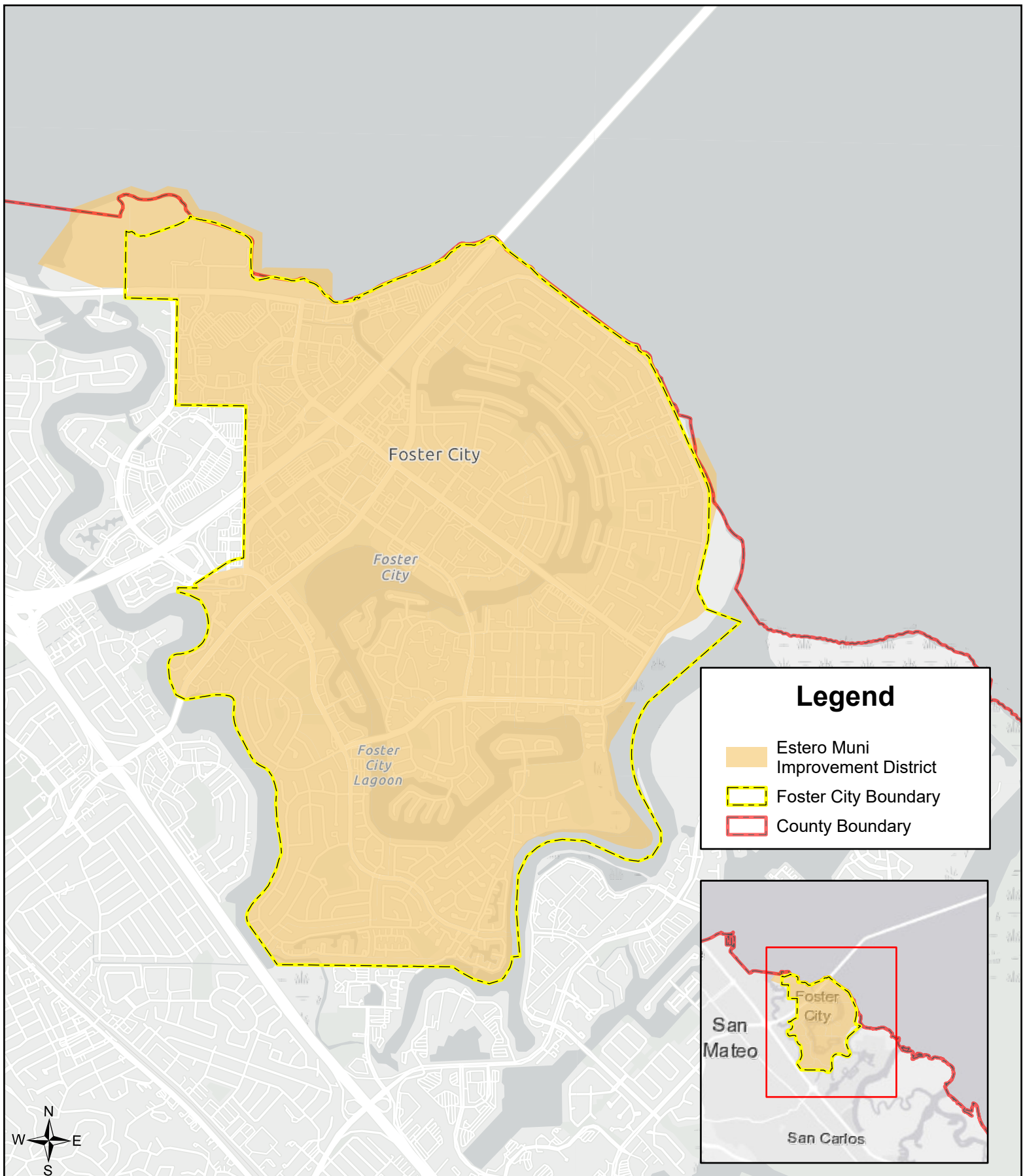
Population: 33,806

Sphere of Influence: Coterminous with City and EMID boundaries

FY 2023-24 Budget: \$142M, including \$62M for Operating Expenditures

Appendix B. References

City of Foster City MSR response letters and comments on Administrative Draft



Foster City/Estero Muni Improvement District

RESOLUTION NO. 1328

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SAN MATEO
MAKING DETERMINATIONS PURSUANT TO GOVERNMENT CODE
SECTION 56430 FOR THE CITY OF FOSTER CITY AND
ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that:

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, set forth in Government Code Section 56000 et seq., governs the organization and reorganization of cities and special districts by local agency formation commissions established in each county, as defined and specified in Government Code Section 56000 et seq.,

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, the Commission conducted a Municipal Service Review pursuant to Government Code Section 56430 for the City of Foster City and Estero Municipal Improvement District;

WHEREAS, the Executive Officer prepared a written report of the Municipal Service Review that was provided to the Commission and affected agencies; and

WHEREAS, the Executive Officer set a public hearing date for September 18, 2024, for the consideration of the final Municipal Service Review and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on September 18, 2024; and

WHEREAS, a public hearing by this Commission was held on the report and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the Commission is required pursuant to Government Code Section 56430 to make

statement of written determinations with regards to certain factors; and

WHEREAS, the Commission is required pursuant to Government Code Section 56425 and local Commission policy to make statement of written determinations with regards to the following factors:

1. The present and planned land uses in the area, including agricultural and open-space lands.

The boundaries of City of Foster City and EMID do not include agricultural land.

2. The present and probable need for public facilities and services in the area.

The City of Foster City and EMID facilities and services meet the needs of its residents and businesses, and the City of Foster City and EMID anticipates that will be able to provide adequate facilities and services for the anticipated growth within its service area.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The City and EMID currently provides adequate public services to its residents, including police protection, water, sanitary sewer and storm water services. In addition, the City routinely adopts a Capital Improvement Program to fund critical repairs, replacements and improvements to the City's infrastructure and facilities.

4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

There are no social or economic communities of interest within the City of Foster City's or EMID's SOIs.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

No change to the Sphere of Influence of the Foster City's or EMID's SOIs is proposed at this time.

WHEREAS, based on the results of the MSR, staff has determined that the SOIs for City of Foster City and Estero Municipal Improvement District do not need to be updated at this time; and

WHEREAS, the Municipal Service Review is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 6, which allows for basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The Municipal Service Review collects data for the purpose of evaluating municipal services provided by an agency. There are no land use changes or environmental impacts created by this study.

The Municipal Service Review also is exempt from CEQA under the section 15061(b)(3), the

common-sense provision, which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it is certain that the activity will have no possible significant effect on the environment, the activity is exempt from CEQA; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. By Resolution, the Commission accepts the Executive Officer's Report dated September 11, 2024, Final Municipal Service for the City of Foster City and Estero Municipal Improvement District, and all written comments and attachments incorporated herein and contained in attached "Exhibit A."

Section 2. By Motion, the Commission adopts the Municipal Service Review determinations set forth in "Exhibit B" which is attached and hereby incorporated by reference.

Regularly passed and adopted this ____day of__.

Ayes and in favor of said resolution:

Commissioners: _____

Noes and against said resolution:

Commissioners Absent and/or Abstentions:

Commissioners: _____

Chair
Local Agency Formation Commission
County of San Mateo
State of California

ATTEST:

Executive Officer
Local Agency Formation Commission

Date: _____

I certify that this is a true and correct copy of the resolution above set forth.

Date:_____

Clerk to the Commission
Local Agency Formation Commission

Exhibit B

Municipal Service Review (MSR) Areas of Determination and Recommendations for
the City of Foster City and the Estero Municipal Improvement District (EMID)**Areas of Determinations and Recommendations****Growth and population projections for the affected area.***Determination*

Currently, there are an estimated 13,174 housing units in the City of Foster City. The City's housing element proposes to add 1,896 housing units to the City's housing stock, which represents a 13% increase in housing production over the next decade. However, the City General Plan largely evaluated this potential future growth. While water demand for proposed development under the 2023-2031 Housing Element will be able to be met, during single and multiple dry years, EMID's total annual water demand is expected to exceed EMID's available water supplies from 2025 to 2045 with or without the additional demand from the 2023-2031 Housing Element.

The City/EMID is aware of this issue and the Housing Element includes polices to work with EMID to develop water conservation requirements and/or increased water supply that will ensure sufficient water capacity to accommodate the RHNA, such as the potential use of water demand offset policies, require new and renovated developments to have "net neutral" water demand, or the use of recycled water for irrigation.

Recommendation

1. LAFCo encourages the City/EMID to continue work related to water conservation to allow the City to meet needs for future development of the City.

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the SOI.*Determination*

The City's and EMID's spheres of influence and municipal boundaries are contiguous.

Recommendation

- None

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the SOI.*Determination*

LAFCo is not aware of any deficiencies in agency capacity to meet existing service needs for which the agency does not have a plan in place to resolve. The City and EMID is anticipated to

be able to meet most service demands of foreseeable growth with project infrastructure improvements and other mitigation measures.

Recommendations -

1. EMID's UMWP was last updated in 2021. EMID and the City should align the growth projections in the UMWP with the RHNA growth projections and the 2023-2031 Housing Element in its next UMWP update.

Financial ability of agencies to provide services.

Determination

Like many public agencies, the City continues to address maintaining current levels of services as costs continue to rise. For FY23-27, the City is currently projected to achieve this reserve percentage, however starting in FY27-28, the General Fund Reserve would drop to 36% of total expenditures. This is due to the use of the reserves to balance the City's budget in FY24-27 due to a structural deficit.

To address pension costs, the City Council Subcommittee for Pension Liability, which meets on an as-needed basis and considers/evaluates the liability and any need to make a discretionary payment.

The City is currently working on a possible revenue measure for Business License Tax to help address the City's current structural deficit; however, as of now, the Council has not voted on this yet.

The City Council and staff are dedicated to prudent fiscal management to ensure the continued financial health of the City.

The City is well aware of these financial liabilities and a comprehensive MSR is unlikely to contribute additional valuable information.

Recommendation

- None

Status of, and opportunities for, shared facilities.

Determination

The City of Foster City/EMID partners with several agencies to share resources and reduce costs. LAFCo staff has not identified other opportunities that the City could engage in to share costs and/or reduce duplication of resources, facilities or infrastructure.

Recommendation

- None

Accountability for community service needs, including governmental structure and operational efficiencies.

Determination

The City of Foster City/EMID complies with disclosure laws and the Brown Act and ensures that public meetings are accessible and well publicized. Adopted budgets and annual budgets are available on the City's website. While highly detailed, the budget documents could be enhanced by including a simplified summary table of revenue and expenditures for the City and EMID, particularly for the general fund.

There are no recommended changes to the organization's governmental structure or operations that will increase accountability and efficiency.

Recommendations:

1. The City/EMID could explore a future a study of potential efficiencies and savings could be undertaken to determine the feasibility of a merger of EMID with the City.
2. Consider the inclusion of simplified summary table of revenue and expenditures for the City and EMID, particularly for the general fund, in future budget documents.

Any other matter related to effective or efficient service delivery, as required by LAFCo policy including the following:

i. Water Resiliency and Climate Change

ii. Impact of Natural Hazards and Mitigation Planning

Determination

The City of Foster City/EMID is engaged in activities to address hazard mitigation, wildfire prevention and sea level rise for City residents and businesses. San Mateo LAFCo commends the City and EMID for the work they have undertaken in the areas of address hazard mitigation, wildfire prevention and sea level rise.

Recommendation -

1. LAFCo encourages the City of Foster City and EMID to continue its work in the areas of natural hazard mitigation and sea level rise and continue to coordinate with partner agencies

**September 11, 2024**

To: LAFCo Commissioners

From: Rob Bartoli, Executive Officer

Subject: FY 23-24 Year End and FY24-25 Quarterly LAFCo Budget Update
– Information Only

Summary

The intent of the year end and quarterly financial reports is to provide the Commission with an update on how LAFCo performed financially in the previous fiscal year and quarter as compared to the adopted budget and to discuss any issues as appropriate. The practice was recommended during a previous audit as an additional safeguard to ensure sound financial management. In accordance with LAFCo Fiscal Policies and Procedures, the Commission adopts the final budget and is authorized to make adjustments as appropriate.

End of Year Report for FY 23-24**Revenue**

The LAFCo FY 22-23 final budget was adopted on May 17, 2023. Overall, LAFCo revenues totaled \$623,919 exceeding its budgeted revenue of \$588,323. This included the carryover from FY 22-23 of \$257,707. LAFCo received \$53,520 in application fees in FY 23-24 out of a budget amount of \$35,000.

Expenditures

LAFCo expenditures totaled \$613,798 compared to a budgeted amount of \$738,142 (83%). The variance resulted from salary savings due to the vacancy of the Management Analyst position for four months and the vacancy of the LAFCo Clerk position for three. Higher than expected costs include expenditures for legal notices (paid for by application fees) and County Attorney Office (budgeted originally at \$40,000 and then increased to \$80,000.) The carryover funds will be allocated to the reserve fund until the next budget process commences. The ending fund balance for FY 24-25 is \$217,948.

Year to Date Report for FY 2024-25

Revenue

LAFCo has received 99% of the 1/3 apportionment from member agencies. Application revenue to date is \$2,028.

The carryover fund balance from FY 22-23 was \$217,948, approximately \$83,024 more than projected in May. These savings are based on lower than anticipated costs for the County Attorney and the vacant Management Analyst position. These additional funds have been allocated to one-time costs for the County Attorney and for the LAFCo reserve fund.

Expenditures

LAFCo is within budget for all expenditures for FY 24-25.

Recommended Commission Action

Receive the budget update.

Attachments

- A. LAFCo FY 23-24 Budget Actuals
- B. LAFCo FY 24-25 Year to Date

Attachment A

LAFCo	Actuals for FY23-24	Adopted FY 23-24	Actuals FY 23-24	Percentage of Budget
	Expenditures			
4111	Salary & Benefits Executive Officer	261,732	261,732	100%
4111	Salary & Benefits Management Analyst	188,199	134,699	72%
4141	Admin. Leave Cash Out	5,790	3,967	69%
4161	Commissioner Compensation	5,000	4,800	96%
4628	Wellness Dividend	500	0	0%
4512	Workers Compensation Experience	294	294	100%
4000	SALARIES & BENEFITS SUBTOTAL	462,615	405,492	88%
5132	Internet/Communications	1,200	1,459	122%
5184	Refund for application	0	0	0%
5191	Outside Printing (other special printing)	1,000	0	0%
5193	General Office Supplies	550	550	100%
5196	Photocopy - in-house copier	550	550	100%
5197	Postage & Mailing Service	1,000	560	56%
5211	Computer Supplies	500	0	0%
5212	Computer Equipment under \$5,000	0	0	0%
5215	Software License	1,022	976	95%
5218	Corovan Records Storage	700	206	29%
5234	Office Furniture/Equipment	0	0	0%
5331	Memberships (CALAFCO/CSDA)	16,000	13,936	87%
5341	Legal Advertising	2,000	9,589	479%
5712	Mileage Allowance	250	368	147%
5721	Meetings & Conferences	11,000	8,110	74%
5733	Training	250	0	0%
5443	Signage	0	577	
5814	Fiscal Office Specialist	1,676	1,676	100%
5838	.5 FTE LAFCo Clerk	66,055	40,520	61%
5842	Outside Auditing Services	9,800	9,800	100%
5848	Graphics	1,500	0	0%
5856	Consulting	10,127	3,633	36%
	Other Professional Contract Services			
5858	(Recording of Meetings)	4,000	2,793	70%
5861	DPW/GIS Mapping	4,000	0	0%
5866	Fingerprinting new employee	0	0	
5872	Controller Admin	8,000	7,177	90%
5969	Other special dept expense	0	50	
5000	SERVICES & SUPPLIES SUBTOTAL	141,180	102,530	73%
6712	Telephone	0	0	0
6713	ISD (Automation Services)	9,405	8,663	92%
6714	Rent	16,744	16,744	100%
6717	Motor Pool	78	78	100%
6725	Gen'l Liability	9,500	8,423	89%
6727	Bond Insurance	70	68	97%
6732	County Attorney's Office	80,000	56,244	70%
6733	Human Resources	100	71	71%

LAFCo	Actuals for FY23-24	Adopted FY 23-24	Actuals FY 23-24	Percentage of Budget
	Expenditures			
6738	Countywide Security	150	149	99%
6739	All Other Charges (Accounting Software)	100	88	88%
6751	Card key services	200	169	85%
6821	A 87 Charges/County Cost Allocation	18,000	15,079	84%
6000	OTHER CHARGES SUBTOTAL	134,347	105,776	79%
	Subtotal Appropriations	738,142	613,798	83%
8612	Reserve	60,000	0	0
	Special Reserve	0	0	0
	Total Appropriations Budget	798,142	613,798	77%
	Revenues			
2421	Application Fees	35,000	53,520	153%
2600	Miscellaneous Revenue	0	75	
1521	Interest	200	16,995	8597%
	Intergov. Rev. (County/City/Dist)	553,122	553,122	
	Total Revenues	588,323	623,912	106%
	Fund Balance Offset			
	City/District/County 1/3 Apportionment	184,374	184,374	100%

LAFCo	Final FY 24-25 Budget	Adopted FY 24-25	Expenditures YTD	Percent Expended
	Expenditures			
4111	Salary & Benefits Executive Officer	302,626	51,000	17%
4111	Salary & Benefits Management Analyst	184,353	0	0%
4141	Admin. Leave Cash Out	5,800	0	0%
4161	Commissioner Compensation	5,000	700	14%
4628	Wellness Dividend	500	0	0%
4512	Workers Compensation Experience	435	0	0%
4000	SALARIES & BENEFITS SUBTOTAL	498,714	51,700	10%
5132	Internet/Communications	100	122	122%
5184	Refund for application	0	0	0%
5191	Outside Printing (other special printing)	1,000	0	0%
5193	General Office Supplies	550	0	0%
5196	Photocopy - in-house copier	550	0	0%
5197	Postage & Mailing Service	1,000	193	19%
5211	Computer Supplies	500	0	0%
5212	Computer Equipment under \$5,000	7,000	0	0%
5215	Software License	1,000	0	0%
5218	Corovan Records Storage	700	28	4%
5234	Office Furniture/Equipment	7,500	0	0%
5331	Memberships (CALAFCo/CSDA)	16,000	12,509	78%
5341	Legal Advertising	2,500	110	4%
5712	Mileage Allowance	1,000	200	20%
5721	Meetings & Conferences	19,000	5,325	28%
5733	Training	250	0	0%
5443	Signage	200	0	0%
5814	Fiscal Office Specialist	1,840	0	0%
5838	.5 FTE LAFCo Clerk	61,881	0	0%
5842	Outside Auditing Services	9,800	0	0%
5848	Graphics	1,500	0	0%
5856	Consulting	0	0	0%
	Other Professional Contract Services			
5858	(Recording of Meetings)	4,200	600	14%
5861	DPW/GIS Mapping	4,000	0	0%
5866	Fingerprinting new employee	50	0	0%
5872	Controller Admin	8,500	0	0%
5969	Other special dept expense	100	0	0%
5000	SERVICES & SUPPLIES SUBTOTAL	150,721	19,087	13%
6712	Telephone	0	0	0%
6713	ISD (Automation Services)	12,000	0	0%
6714	Rent	17,059	0	0%
6717	Motor Pool	78	0	0%
6725	Gen'l Liability	9,600	5,334	56%
6727	Bond Insurance	72	0	0%
6732	County Attorney's Office	80,000	0	0%
6733	Human Resources	100	0	0%
6738	Countywide Security	180	0	0%
6739	All Other Charges (Accounting Software)	320	0	0%

LAFCo	Final FY 24-25 Budget	Adopted FY 24-25	Expenditures YTD	Percent Expended
	Expenditures			
6751	Card key services	250	0	0%
6821	A 87 Charges/County Cost Allocation	27,000	0	0%
6000	OTHER CHARGES SUBTOTAL	146,659	5,334	4%
	Subtotal Appropriations	796,094	76,121	10%
8612	Reserve	94,924	0	0%
	Special Reserve	0	0	0%
	Total Appropriations Budget	891,018	76,121	9%
	Revenues			
2421	Application Fees	35,000	2,028	6%
2600	Miscellaneous Revenue	0	0	0%
1521	Interest	8,000	0	0%
	Intergov. Rev. (County/City/Dist)	713,094	702,988	99%
	Total Revenues	891,018	750,121	84%
	Fund Balance Offset	134,924		0%
	City/District/County 1/3 Apportionment	237,698	237,698	100%

**LOCAL AGENCY FORMATION COMMISSION**

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

September 11, 2024**To:** LAFCo Commissioners**From:** Rob Bartoli, Executive Officer**Subject:** Legislative Report – Information Only**Summary*****Legislative tracker***

As of September 9, 2024, CALAFCO is tracking 10 bills. Legislation that is of interest to San Mateo LAFCo includes:

- **AB 3277** is the annual CALAFCO Omnibus bill for 2024. The bill would add language that clarifies that a financial analysis would only be needed to be conducted by LAFCo and a project applicant in those instances where a portion of the ad valorem property taxes is being sought by an agency. Currently, the section of law would be applicable even in cases where an agency waives any portion of the ad valorem taxes as part of their application. On July 2, 2024 the bill was signed by the Governor and chaptered. (CALAFCO – Support/Sponsor)
- **SB 1209** would authorize a LAFCo to require, as a condition for, among other things, processing a change of organization or reorganization, that the applicant agrees to defend, indemnify, and hold harmless the LAFCo, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, arising from or relating to the action or determination by the LAFCo. CALAFCO sponsored bill in response to a 2022 appellate decision out of San Luis Obispo that held that LAFCOs could not use indemnification provisions in applications because indemnifications are a form of agreement that LAFCOs are currently not authorized to enter into. As introduced, the bill would allow LAFCOs to use provisions similar to counties and cities. This bill is currently before the Governor awaiting his signature. (CALAFCO – Support/Sponsor)
- **AB 805** would set up a program in which the state would provide technical, managerial, administrative, and financial assistance, where applicable, to disadvantaged communities. CALAFCO's position on the bill was changed to watch. On August 15, this bill was removed from the suspense file and moved out of Appropriations. The bill was

amended to authorize the State Water Resources Control Board (State Water Board), until January 1, 2029, to require a sewer service provider—for a sewer system serving a disadvantaged community that has failed to meet regulatory standards, or to maintain the technical, managerial, and financial capacity needed to prevent waste, fraud, and abuse—to contract with an administrator designated or approved by the State Water Board. This bill does not include the consolidation of waste water systems, but instead is focused on the state management of existing sewer providers that are failing to provide adequate sewer service to disadvantaged communities. (*CALAFCO – Watch*)

- **AB 2302** would amend existing law, which is in effect until January 1, 2026, regarding the use of alternative teleconferencing in specified circumstances if, during the teleconference meeting. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The participation requirements would be changed to:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a “meeting” shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

This bill is currently before the Governor awaiting his signature. (*CALAFCO – Watch*)

- **Recommendation**

Receive the report.

Attachments

A. Legislative Daily 9/9/2024

CALAFCO List of Current Bills 9/9/2024

[AB 805](#)

(Arambula D) Sewer service: disadvantaged communities.

Current Text: Enrollment: 9/5/2024 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amend: 6/6/2024

Status: 9/5/2024-Enrolled and presented to the Governor at 4 p.m.

Location: 9/5/2024-A. ENROLLED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Current law authorizes a regional board to order the provision of sewer service by a receiving sewer system, as defined, to a disadvantaged community served by an inadequate onsite sewage treatment system, as defined. This bill would authorize the state board, until January 1, 2029, and after it makes a specified finding or findings by resolution, to require a designated sewer system to contract with an administrator designated or approved by the state board for administrative, technical, operational, legal, or managerial services to assist a designated sewer system with the delivery of adequate sewer service, as defined.

Position

Watch

CALAFCO Comments: 9/5/2024: Presented to the Governor at 4 p.m.

8/27/2024: Received Assembly concurrence; to Engrossing and Enrolling.

8/27/2024: Assembly Rule 77 suspended. Urgency clause adopted.

8/27/24: Scheduled for concurrence.

8/26/24: Read third time.

Third Senate reading rescheduled to 8/26/2024.

8/23/24: Third reading had been rescheduled to 8/22/2024 but was not read. No new date yet scheduled.

Third reading rescheduled to 8/21/2024.

8/19/2024: Read for Second time in Senate. Scheduled for third reading on 8/20/2024.

8/15/2024: Passed out of Appropriations.

6/24/2024 Referred to Appropriations suspense file.

6/5/2024: Passed Senate Environmental Quality Committee and re-referred to Appropriations due to recent amendments.

5/15/2024: Amended. Now provides administrative, financial, and technical assistance to help address and correct sewer system failures or other regulatory non-compliance exhibited by existing infrastructure.

5/1/2024: Assigned to Senate Environmental Quality committee. No hearing date yet scheduled.

1/26/2024: Support, if amended, approved. Amendment requested is the inclusion of language requiring the state board to consult with the local LAFCO.

1/22/2024: Gutted and amended. No longer addresses consolidation of waste water systems but, rather, would set up a program in which the state would provide technical, managerial, administrative, and financial assistance, where applicable, to disadvantaged communities. Position changed to support if amended to include a provision requiring the state board to consult with the local LAFCO regarding the system.

As introduced, this bill would have authorized the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities. It failed to meet 2023 deadlines and became a 2 year bill that cannot be acted upon until January, 2024.

[AB 817](#)

(Pacheco D) Open meetings: teleconferencing: subsidiary body.

Current Text: Amended: 5/29/2024 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amend: 5/29/2024

Status: 7/2/2024-Failed Deadline pursuant to Rule 61(b)(13). (Last location was L. GOV. on 5/1/2024)

Location: 7/2/2024-S. DEAD

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met (nonemergency provisions). Current law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to provide specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require at least one staff member of the local agency to be present at a designated primary physical meeting location during the meeting. The bill would require the local agency to post the agenda at the primary physical meeting location. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. The bill would also require the subsidiary body to list a member of the subsidiary body who participates in a teleconference meeting from a remote location in the minutes of the meeting. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

Position

Watch

CALAFCO Comments: 7/2/2024: Died on 7/2/2024 for failing to meet the July 1st deadline, which was the last day for policy committees to meet and report bills.

6/5/2024: Considered by Senate Local Government Committee and failed, with reconsideration granted.

1/25/2024: Moved out of the Assembly and was assigned to Senate Local Government Committee and the Senate Judiciary Committee.

1/17/2024: Amended to add a Sunset date of January 1, 2026.

3/16/2023: The bill was amended to speak specifically to teleconferenced meetings of subsidiary bodies, defined as a body that serves exclusively in an advisory capacity, and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements. For qualifying bodies, this bill would remove the requirement to post an agenda at the location of the subsidiary body member who was participating from off site- providing that the legislative body that formed the subsidiary body has previously made findings noting that teleconferenced meetings of the subsidiary body would enhance public access, and would promote the attractions, retention and diversity of the subsidiary body. The superior legislative body would need to revisit the matter and repeat those finding every 12 months thereafter. This bill also reaffirms that other provisions of the Brown Act are applicable to subsidiary bodies.

Failed to meet deadlines and now a 2 year bill that cannot be acted upon until January, 2024.

AB 828**(Connolly D) Sustainable groundwater management: managed wetlands.**

Current Text: Enrolled: 8/31/2024 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amend: 8/20/2024

Status: 8/28/2024-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 30 pursuant to Assembly Rule 77. Assembly Rule 77 suspended. Senate amendments concurred in. To Engrossing and Enrolling.

Location: 8/28/2024-A. ENROLLMENT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms "managed wetland" and "small community water system."

Position

None at this time

CALAFCO Comments: 8/28/2024: Received Assembly concurrence; to Engrossing and Enrolling. 8/27/24: Read third time and ordered back to Assembly. Third reading rescheduled to 8/27/2024. Senate Third Reading rescheduled to 8/26/2024. 8/22/24: Scheduled for third reading but not read. No new date yet. 8/21/24: Read second time, and ordered to third reading. 8/20/2024: Read third time but amended to add federally reserved water rights in the list of exclusions, so ordered back for second reading. 8/19/24: Rescheduled to 8/20/2024 for Third reading. 8/13/24: Advanced to 8/13/24 Floor consideration where it received its second reading. Now scheduled for Senate Third Reading on 8/19/24. 8/15/24: Scheduled for Senate Second Reading. 8/05/24: Not heard and rescheduled to Appropriations on 8/12/2024, then moved out to Senate Floor. 7/01/24: Read second time and amended. Re-referred to Appropriations where it is scheduled for hearing on 8/5/2024. 6/25/24: Passed out of Senate Committee on Natural Resources and Water with amendments, and re-referred to Appropriations. 1/29/24: Passed Assembly Floor and moved to Senate to be scheduled for policy hearing. 1/18/24: Passed out of Assembly Appropriations Committee. 1/11/24: Amended to strike provisions regarding small community water systems serving disadvantaged communities and pivots to groundwater sustainability agencies. New provisions were added to the bill that would have the effect of carving out of the existing law, until January 1, 2028, small community water systems serving disadvantaged communities from permitted public water supply wells. After January 1, 2028, that provision sunsets and the law would revert back to its current state without the carve out. 1/9/24: Passed Assembly Water, Parks and Recreation Committee. 4/17/2023: Amended to define agencies and entities required or excluded from existing 10726.4 (a) (4). Amends Water Code section 10730.2 to add language regarding fees, and amends Water Code section 10733 to address groundwater sustainability plans. Failed to make April policy committee deadline and now cannot be acted upon until January 2024.

As introduced, would add definitions for Managed Wetlands, and Small community water system to Water Code Section 10721.

AB 2302 (Addis D) Open meetings: local agencies: teleconferences.

Current Text: Enrolled: 8/27/2024 [html](#) [pdf](#)

Introduced: 2/12/2024

Status: 8/27/2024-Enrolled and presented to the Governor at 12 p.m.

Location: 8/27/2024-A. ENROLLED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Ralph M. Brown Act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative

body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.

Position
Watch

CALAFCO Comments: 8/27/2024: Presented to the Governor at 12 p.m.
8/20/2024: To Engrossing and Enrolling.
8/19/2024: Third reading; approved.
Senate Third Reading rescheduled to 8/19/24.
8/15/2024: Scheduled for Senate Third Reading
8/8/2024: Scheduled for Third Reading in Senate but rescheduled to 8/15.
7/3/2024: Was scheduled for Third Reading in Senate but not heard. No new date yet scheduled.
6/5/2024: Passed Senate Local Government Committee, read second time on June 5, 2024. Third Reading scheduled for 06/10/2024 but pushed out to 6/25/2024, then pushed again to 7/3/2024.
5/9/2024: Passed Assembly Third Reading and moved to Senate.
4/10/24 passed Assembly Local Government Committee and sent to Assembly Floor.
Introduced on 2/12/2024, this bill would enact changes to Brown Act provisions that allow members of legislative bodies to teleconference for meetings. Currently, the law limits teleconferencing to no more than 3 consecutive months, 20% of the regular meetings in a calendar year, or 2 meetings for bodies that meet less than 10 times in a calendar year. This bill redefines those limits as 2 meetings per year for bodies meeting monthly or less; 5 meetings per year for those meeting twice per month; or 7 meetings per year if the body meetings three times or more per month.

AB 2661 (Soria D) Electricity: Westlands Water District.

Current Text: Enrolled: 9/5/2024 [html](#) [pdf](#)
Introduced: 2/14/2024
Last Amend: 8/23/2024
Status: 8/31/2024-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.
Location: 8/31/2024-A. ENROLLMENT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize the Westlands Water District to provide, generate, and deliver solar photovoltaic or hydroelectric electricity and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for generating and delivering that electricity. The bill would require the district to use the electricity for the district’s own purposes, and the bill would authorize the district to sell surplus electricity to a public or private entity engaged in the distribution or sale of electricity. The bill would also authorize the district to construct, operate, and maintain energy storage systems and electric transmission lines, and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for the operation of the energy storage system and electric transmission lines, within the boundaries of the district, as specified. The bill would require the district to report the amount of income, and the purposes for expenditure of that income, from these electricity facilities in a specified report. The bill would require the district to establish a community benefits agreement plan for a specified electrical infrastructure development plan and related transmission and other electrical projects, as provided. This bill would make legislative findings and declarations as to the necessity of a special statute for the Westlands Water District.

Position
Watch

CALAFCO Comments: 8/31/2024: Concurrence in Assembly, and sent to Enrolling and Engrossing.
8/30/3024: Third reading in Senate, sent to Assembly for concurrence.
Third reading rescheduled to 8/30/2024.
Third reading rescheduled to 8/28/2024
8/26/2024: Read second time and scheduled for Third Reading on 8/27/2024.
8/23/2024: Read third time but amended to narrow the focus of this bill to solar photo voltaic electrical generation, and to require that the Westlands Water District create a community benefits agreement plan for the Valley Clean Infrastructure Plan. Ordered back to Second Reading because of

the amendment, and now scheduled for Second Reading on 8/26/2024.
8/21/2024: Third reading rescheduled to 8/22/24 but not read. No new date yet scheduled.
8/20/2024: Third reading rescheduled to 8/21/24.
8/19/2024: Third reading rescheduled to 8/20/24.
08/08/2024: Third reading rescheduled to 8-15-24, then rescheduled again to 8-19-24.
08/08/2024: Scheduled for third reading.
08/05/2024: Scheduled for third reading.
07/03/2024: Read second time, and ordered to third reading.
7/2/2024: Passed Senate Energy, Utilities, and Communications committee and ordered to second reading.
06/11/2024: Passed Senate Local Government Committee and re-referred to Senate Energy, Utilities, and Communications Committee.
06/05/2024: Referred to Senate Local Government Committee, and Energy, Utilities, and Communications Committee.
05/24/2024: In Senate. Read first time. To Rules Committee for assignment.
05/23/2024: Third reading passes in Assembly. Bill moves to Senate.
05/20/2024: Read second time in Assembly. Ordered to third reading.
05/16/2024: Passed by Appropriations as Amended. Second reading as amended.
05/08/2024: Referred to Appropriations suspense file.
04/25/2024: Re-referred to Appropriations.
04/24/2024: Read second time. Amended.
04/23/2024: Passed in Assembly Natural Resources Committee as amended. Re-referred to Appropriations.
04/18/2024: Passed Assembly Utilities and Energy Committee. Re-referred to Natural Resources Committee.
04/15/2024: Assembly Rule 56 suspended. (Pending re-refer to Natural Resources Committee.)
04/01/2024: Re-referred to Utilities and Energy Committee due to submission of author amendments.
03/28/2024: First hearing set, then canceled at the request of author.
03/21/2024: Passed Committee on Utilities & Energy.
02/14/2024: Read first time.

AB 2715 (Boerner D) Ralph M. Brown Act: closed sessions.

Current Text: Enrolled: 8/27/2024 [html](#) [pdf](#)
Introduced: 2/14/2024
Last Amend: 4/24/2024
Status: 8/27/2024-Enrolled and presented to the Governor at 12 p.m.
Location: 8/27/2024-A. ENROLLED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Current law authorizes a legislative body to hold a closed session with specified individuals on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information, as defined, relating to cybersecurity.

Position
None at this time

CALAFCO Comments: 8/27/2024: Presented to the Governor at 12 p.m.
8/20/2024: To Engrossing and Enrolling.
8/19/2024: Read third time in Senate and passed.
Third reading again rescheduled; now scheduled for 8/19/24.
8/8/2024: Third reading rescheduled to 8/15/24.
8/8/2024: Hearing date for Senate Third Reading.
7/2/2024: Scheduled for third reading but not read. No new date yet scheduled.
06/27/2024: Read second time and ordered to third reading.
06/26/2024: Passed Senate Judiciary Committee.
6/5/2024: Passed Senate Local Government Committee and re-referred to the Senate Judiciary Committee; scheduled for 6/25.
5/1/2024: Passed Assembly Local Government Committee.
4/24/2024: Amended to include cybersecurity threats among the things that can be discussed in

LAFCo Meeting

closed session. Provides a definition of "critical infrastructure controls" to include I.T. networks. As introduced on 2/14/2024, would make minor changes in the Brown Act. Monitoring.

AB 2986 **(Carrillo, Wendy D)** **County of Los Angeles: East Los Angeles: report.**

Current Text: Amended: 7/3/2024 [html](#) [pdf](#)

Introduced: 2/16/2024

Last Amend: 7/3/2024

Status: 8/31/2024-Ordered to inactive file at the request of Senator Gonzalez.

Location: 8/31/2024-S. INACTIVE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. The act continues in existence in each county a local agency formation commission (LAFCO) that consists of members appointed, as specified, and that oversees those changes of organization and reorganization. The act authorizes a LAFCO to, among other things, review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, including incorporation of a city or formation of a district, as specified. Current law requires each county to have a board of supervisors and provides for the organization and powers of the board of supervisors. This bill would require the County of Los Angeles, no later than March 1, 2025, to submit to the Legislature a report that includes specified information, including, among other things, for East Los Angeles, the feasibility of forming a municipal advisory council, a local town council, or a coordinating council that could represent the comprehensive interests of the entire East Los Angeles community. If the county has produced a report that contains substantially similar information to the information required by the above-described provisions, this bill would authorize the county to submit that report in lieu of completing a separate report.

Position

None at this time

CALAFCO Comments: 8/31/24: Ordered to inactive file at the request of Senator Gonzalez. Third reading rescheduled to 8/26/2024, then rescheduled to 8/27/2024, and 8/28/2024. Now scheduled for 8/30/2024.

8/21/24: Third reading rescheduled to 8/22/2024 but not read. No new date yet scheduled.

8/20/2024: Second reading occurred. Third reading scheduled for 8/21/2024.

Second reading rescheduled to 8/20/2024.

Passed out of Suspense and now scheduled for second Senate reading on 8/19/2024.

8/15/2024: Appropriations Suspense file scheduled to be considered.

8/5/2024: Placed in Suspense File by Senate Appropriations.

8/5/2024: Scheduled for hearing in Senate Appropriations.

07/03/2024: Amended to remove LA LAFCO entirely from the process and shifts outreach requirements to the County of Los Angeles. Passed Local Government Committee as amended, and re-referred to Appropriations.

05/30/2024: Senate Local Government committee hearing postponed by the committee.

05/21/2024: Read third time. Passed and ordered to the Senate; assigned to the Local Government Committee.

05/20/2024: Read second time. Ordered to third reading.

05/16/2024: Joint Rule 62(a), file notice suspended. Passed out of Appropriations.

05/15/2024: In committee: Set, first hearing. Referred to suspense file.

04/30/2024: Re-referred to Appropriations.

4/29/2024: Amended version in print. Makes the bill contingent on appropriation of funds to reimburse LA LAFCO for the costs of the Task Force.

4/24/2024: Passed Assembly Local Government Committee hearing with amendments and re-referred to Appropriations.

3/21/2024: the bill was gutted and amended and now requires the LA LAFCO to develop an East Los Angeles Formation Task Force. Not a statewide issue.

AB 3277 **(Committee on Local Government)** **Local agency formation commission: districts: property tax.**

Current Text: Chaptered: 7/2/2024 [html](#) [pdf](#)

Introduced: 2/27/2024

Status: 7/2/2024-Chaptered by Secretary of State - Chapter 70, Statutes of 2024

Location: 7/2/2024-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes the sole and exclusive authority and procedures for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. Current law requires proceedings for the formation of a district to be conducted as authorized by the principal act of the proposed district, and authorizes the local agency formation commission in each county to serve as the conducting authority, as specified. Current law requires a commission to determine the amount of property tax revenue to be exchanged by an affected local agency, as specified, if the proposal includes the formation of a district, as defined. This bill would, instead, require a commission to determine the amount of property tax revenue to be exchanged by an affected local agency if the proposal includes the formation of a district and the applicant is seeking a share of the 1% ad valorem property taxes.

Position

Sponsor

CALAFCO Comments: CALAFCO Sponsored bill.

7/2/2024: Signed by the Governor and Chaptered. Will become effective on January 1, 2025.

06/25/2024: Enrolled and presented to the Governor at 4 p.m.

06/13/2024: Read third time in Senate and ordered to the Assembly. In Assembly. Ordered to Engrossing and Enrolling.

06/07/2024: Removed from Appropriations 6/10/2024 calendar. Awaiting new date.

05/29/2024: Passed by Senate Local Government Committee and re-referred to Appropriations, where it is scheduled to be heard on 6/10/24.

4/29/2024: Removed from Appropriations and sent to Assembly floor where it passed. Assigned to Senate Local Government Committee and Appropriations.

4/10/2024: Passed Assembly Local Government Committee and was referred to Appropriations.

SB 1209 (Cortese D) Local agency formation commission: indemnification.

Current Text: Enrollment: 9/3/2024 [html](#) [pdf](#)

Introduced: 2/15/2024

Last Amend: 6/11/2024

Status: 9/3/2024-Enrolled and presented to the Governor at 3 p.m.

Location: 9/3/2024-S. ENROLLED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. The act continues in existence in each county a local agency formation commission (LAFCO) that consists of members appointed, as specified, and oversees those changes of organization and reorganization. The act authorizes a LAFCO to, among other things, review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, as specified. This bill would authorize a LAFCO to require, as a condition for, among other things, processing a change of organization or reorganization, that the applicant agrees to defend, indemnify, and hold harmless the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, to attack, set aside, void, or annul an approval by the LAFCO. The bill would require the LAFCO to promptly notify the applicant of any claim, action, or proceeding to attack, set aside, void, or annul an approval by the LAFCO and require the LAFCO to fully cooperate in the defense. The bill would specify that an applicant who is a party to the agreement is not responsible to defend, indemnify, or hold harmless the LAFCO if the LAFCO fails to notify the applicant or cooperate fully in the defense, and is not required to pay or perform any settlement relating to the agreement, unless the applicant approves the settlement.

Position

Sponsor

CALAFCO Comments: 9/3/2024: Presented to the Governor at 3 p.m.

8/26/2024: Senate concurred. The bill has now been sent to Engrossing and Enrolling.

Scheduled for Senate concurrence on 8/26/2024.

8/22/2024: Passed Assembly, now waiting for concurrence.

Third reading rescheduled to 8/22/2024.

Third Assembly reading rescheduled to 8/20/2024.

08/08/2023, Third Reading in Assembly rescheduled for 8/15/2024, then rescheduled again to 8/19/24.

LAFCo Meeting

08/05/2023, Scheduled for third reading in Assembly but not read; rescheduled to 08/08/2023.
07/03/2024, Scheduled for third reading in Assembly but not read. No new date yet scheduled.
06/24/2024, Read in Assembly second time. Ordered to third reading.
06/20/2024, Passed Assembly Local Government Committee.
06/11/2024, Author amends. Read second time and amended. Re-referred to Local Government Committee.
05/28/2024, Referred to Assembly Local Government Committee and waiting on hearing date.
05/21/2024, Passed out of Senate and moved to Assembly.
03/20/2024, Passed Senate Local Government Committee hearing. Now proceeds to Senate floor vote, then will move to Assembly.
CALAFCO sponsored bill in response to a 2022 appellate decision out of San Luis Obispo that held that LAFCOs could not use indemnification provisions in applications because indemnifications are a form of agreement that LAFCOs are currently not authorized to enter into. As introduced, the bill would allow LAFCOs to use provisions similar to counties and cities.

SCR 163 (Cortese D) Local agency formation commissions.

Current Text: Amended: 6/26/2024 [html](#) [pdf](#)
Introduced: 6/19/2024
Last Amend: 6/26/2024
Status: 7/3/2024-July 3 hearing: Failed passage in committee. (Ayes 2. Noes 0.) July 3 hearing: Reconsideration granted.
Location: 6/26/2024-S. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would reaffirm the sole authority of local agency formation commissions for the initiation, conduct, and completion of changes of organization, reorganizations, and extraterritorial services for cities and districts.

Position
Support

CALAFCO Comments: 07/03/2024: Considered in Senate Local Government Committee but failed, with leave to reconsider.
06/26/2024: Re-referred to Senate Local Government Committee, read second time and amended by author.
06/19/2024: Introduced. Referred to Rules Committee for assignment.

Total Measures: 10
Total Tracking Forms: 10

9/9/2024 9:01:45 AM

2023 SAN MATEO COUNTY AGRICULTURAL CROP REPORT



California Department of
Food and Agriculture
Karen Ross, Secretary

**San Mateo County Board of
Supervisors**

Dave Pine, District 1
Noelia Corzo, District 2
Ray Mueller, District 3
Warren Slocum, District 4
David Canepa, District 5

Agricultural Commissioner/Sealer
Koren Widdel

**Deputy Agricultural Commissioner/
Deputy Sealers**

Jeremy Eide
Jeremy Wagner
Ione Yuen

Biologist/Standards Specialists

Erin Becker
Teddy Chung
Jonathan Fausto
Richard Garcia
Jenny Gossett
Joseph Hannen
Marithza Hernandez
Avneet Kakkar
Briana Maldonado
Mark Melendez
Kathleen Parks
Nancy Poss
Thaïs Spiropoulos
Justin Thieu
Jonathan Winslow
Michael Wong
Lawrence Yang
Jorge Zaragoza
Aldo Zuniga

Pest Detection Program Manager
Gerardo Ibarra Jr.

Pest Detection Specialists

Curtiss Coffman
Catherine Fraley
Jesus Garcia
Sheila Hofer
Jean Paul Lorrain
Steve McDonagh
Alejandro Nunez
Irving Tinajero
Salvador Zambrano

Administrative Services Manager
Kelly Mayer

Administrative Assistant
Mei Wong

Payroll Personnel Coordinator
Maria Luna



It is my pleasure to present the 2023 Annual Crop Report for San Mateo County pursuant to Section 2279 of the California Food and Agricultural Code. The total estimated gross value of San Mateo County agricultural production in 2023 was \$98,969,000, an increase of 7.4% from 2022. It is important to note this gross value does not represent net profit or loss, as it does not account for inputs such as labor, packaging, transportation, and other production costs.

Across all commodity groups, vegetable production value saw the largest growth with a 30% increase in 2023. This is mainly attributed to the miscellaneous vegetables category, which includes commodities such as herbs, kale, mushrooms, etc. that are not specifically named. When a commodity has only a few producers, it is reported as an aggregated group to protect confidentiality of the growers' business practices. The increase of \$6,041,000 in gross value reported in the miscellaneous vegetable commodity group, can be explained by both an increase on the price of commodities, and the realization of production not previously reported.

Numerous factors influence agricultural production, many of which are outside the control of a farmer. Winter storms of 2022-23 brought the water we had all begged for after several years of continuous drought, but not without a cost. While most crops were not planted in the ground during the heaviest of the winter storms, many farms' operational infrastructures were severely damaged in the early part of the year. Farms rely on farm roads, bridges, water systems, equipment, and even homes to produce the crops featured in this report. Despite the clean-up efforts, the water was welcome relief as holding ponds, wells, and fields began to fill to capacity.

As I think back on 2023, it is with a heavy heart remembering the seven lives that were tragically lost to gun violence on two farms in the county. The immediate trauma impacting their families, neighbors, and co-workers sent ripple effects throughout San Mateo County and up to the state. As we review our systems and tackle the hard questions, we start with an awareness of issues such as the recognition of farmworkers and agriculture's role in the food system, the scarcity of affordable housing, and a need to better understand the changing population we serve.

Featured on the cover and throughout this crop report is the art of San Mateo County's middle and high school students. The cover art was painted by Shayla Peralta Lopez, an 11th grader from San Mateo High School who won the top prize for her beautiful representation of agriculture featuring flowers, pumpkins, livestock, and the hardworking people of the community. Thank you to all the artists that submitted their work for the report. It was truly inspiring for Agriculture/Weights & Measures staff and San Mateo County Farm Bureau to consider such beautiful works of art.

A special thanks to Michael Wong and Thaïs Spiropoulos for putting this report together and to the growers and ranchers that voluntarily supplied their valuable data.

Respectfully submitted,

Koren J. Widdel
Agricultural Commissioner
Sealer of Weights and Measures



County of San Mateo Agricultural Commissioner

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Packet Page 431

The San Mateo County Department of Agriculture hosted its first ever cover art contest to highlight some of the top agricultural commodities produced within the county. The purpose of this contest was to develop a greater appreciation of agriculture through the creation of creative pieces by student artists. Prize money for the top three entrants was donated by the San Mateo County Farm Bureau through the As Fresh As It Gets program (learn more about this program on page 17). The top three entrants' artwork submissions are featured on this page, and additional artwork is also featured throughout this report as honorable mentions due to the impressive quality of the contest entries.

Honorable Mentions

Elizabeth Zakharov, Design Tech High School - Page 5
 Naisha Oberai, Bowditch Middle School - Page 6
 Poema Bowen, San Mateo High School - Page 8
 Siwoo (Sienna) Lee, Mercy High School - Page 8
 Marian Manahan, El Camino High School - Page 8
 Mi Nguyen, Bowditch Middle School - Page 9
 Anja Voss, San Mateo High School - Back Cover

1st Place: \$500



Artist: Shayla Peralta Lopez

Grade: 11

Title: La finca de sueños

Medium: gouache

Shayla is a junior at San Mateo High School. She enjoys drawing, being with her pals, and watching mystery shows. She plans to go to college to study design or dentistry.

2nd Place: \$300



Artist: Tamar Dayagi **Grade:** 11

Title: Sunlit Flowers **Medium:** watercolor, colored pencils

Tamar is a junior at San Mateo High School. She loves art and animals, and wants to illustrate children's books one day.

3rd Place: \$200



Artist: Kathryn Bagby **Grade:** 8

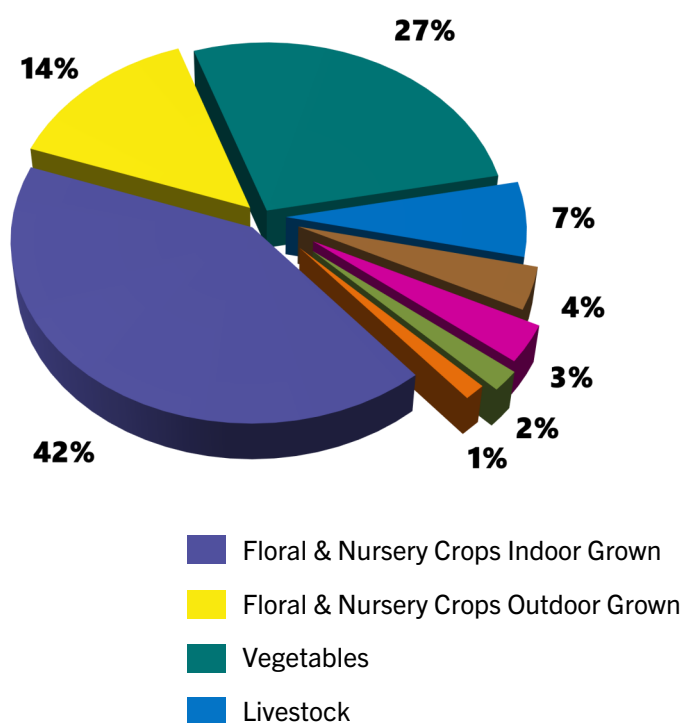
Title: Curated Garden **Medium:** colored pencils, markers

Kathryn is an eighth grader at Tierra Linda Middle School. She has been drawing her entire life and plans to go to art school in the future.

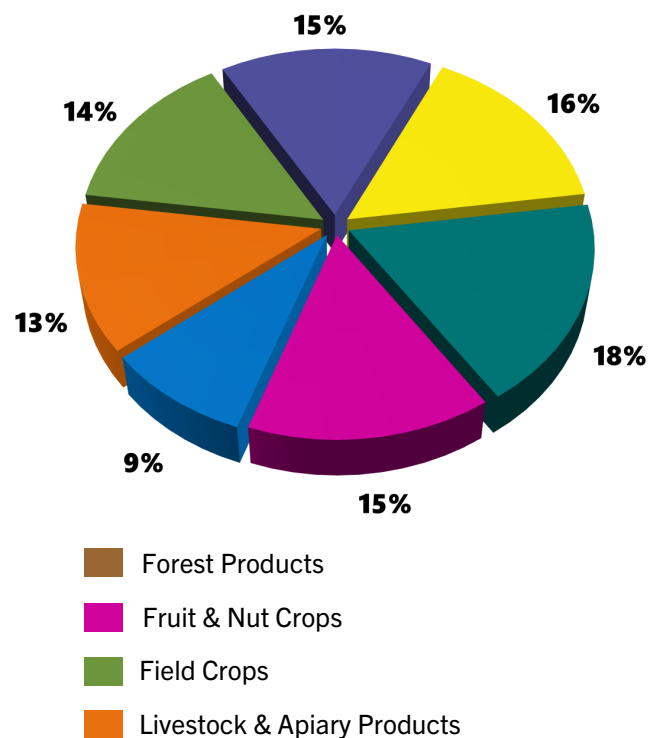
GROSS PRODUCTION VALUE

Commodity Group	2023	2022
Floral and Nursery Crops	\$55,291,000	\$55,103,000
Vegetables	\$26,808,000	\$20,649,000
Livestock	\$6,583,000	\$6,397,000
Forest Products	\$3,759,000	\$3,887,000
Fruit and Nut Crops	\$3,353,000	\$2,731,000
Field Crops	\$1,818,000	\$2,052,000
Livestock Products and Apiary	\$1,357,000	\$1,360,000
PRODUCTION TOTAL	\$98,969,000	\$92,179,000

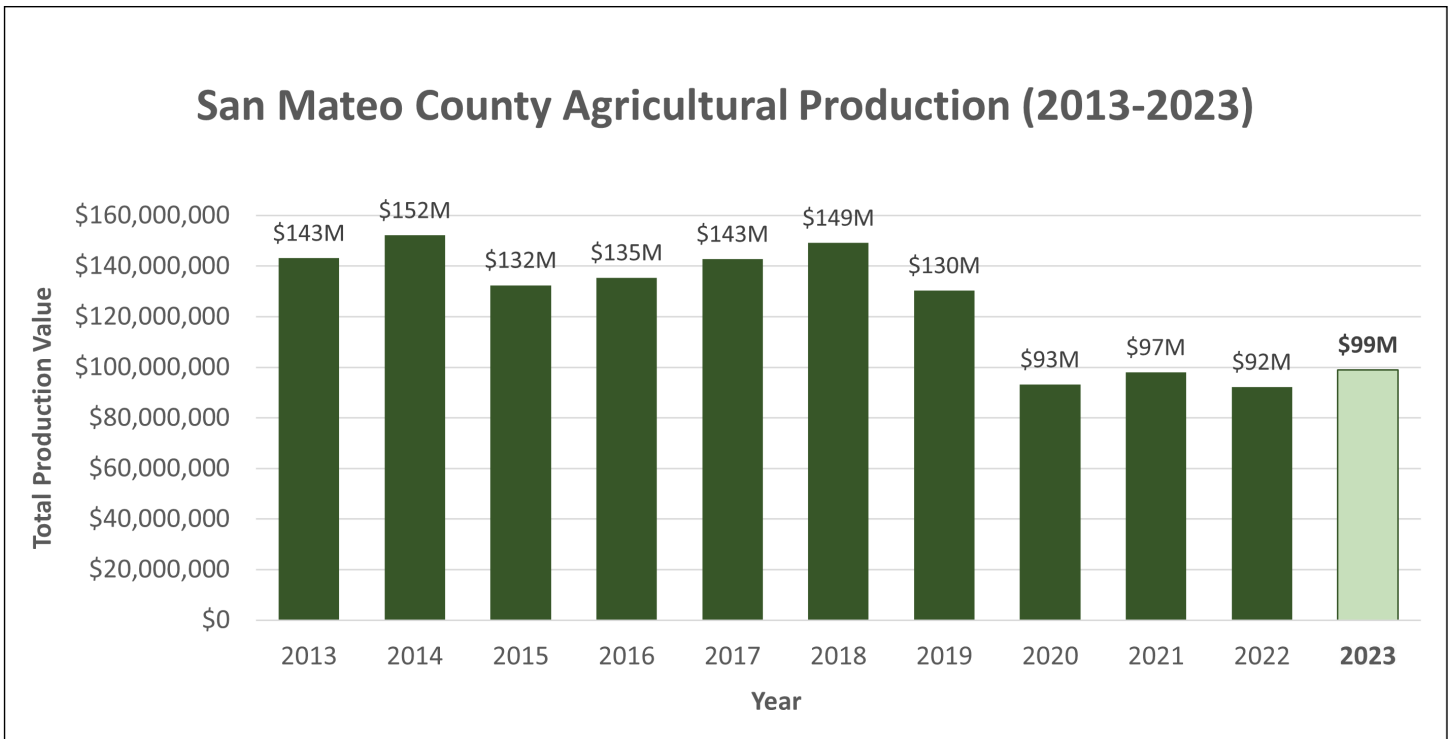
AGRICULTURAL PRODUCTION VALUES



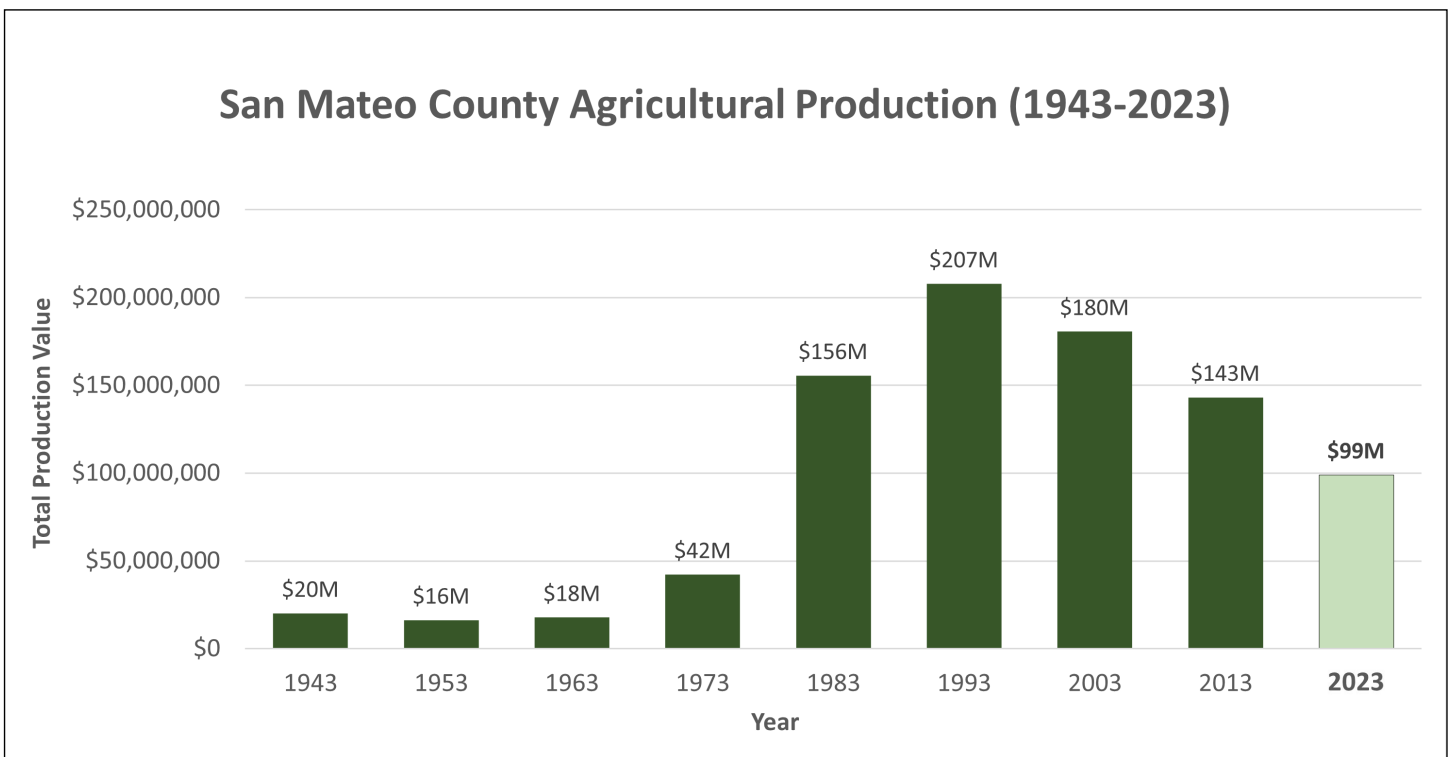
PRODUCERS PER COMMODITY GROUP



10 YEAR PRODUCTION VALUES



HISTORICAL PRODUCTION VALUES



INDOOR GROWN

Crop	Year	Square Feet	Total Value
Flowering and Foliage Potted Plants ¹	2023	1,926,000	\$32,171,000
	2022	1,950,000	\$30,227,000
Cut Flowers ²	2023	745,000	\$1,544,000
	2022	827,000	\$2,343,000
Bedding Plants, Cuttings, Other ³	2023	592,000	\$7,442,000
	2022	338,000	\$6,634,000
INDOOR GROWN FLORAL/ NURSERY CROP TOTAL	2023	3,263,000	\$41,157,000
	2022	3,115,000	\$39,204,000

¹Includes begonias, lilies, orchids, poinsettias, succulents, etc.

²Includes alstroemerias, freesias, hemp, lilies, ranunculus, etc.

³Includes herbs, seeds, succulents, vegetables, etc.

Indoor plant total value increases despite cut flower value losses

San Mateo County saw a 5% increase in both total value and square footage of indoor grown floral and nursery crops in 2023. The steady decrease in indoor grown cut flower production and square footage over the past few years can be partially attributed to retiring growers. Additionally, producers have been shifting focus by ramping up production of other commodities instead. Flowering and foliage potted plants remains the highest value category with its production value comprising 33% of the county's production total. While the indoor cut flower business may never reach the heights it once did within San Mateo County, new opportunities arise for other producers to prosper.



Elizabeth Zakharov

OUTDOOR GROWN

Crop	Year	Acres	Total Value
Ornamental Nursery Stock ¹	2023	80	\$10,925,000
	2022	77	\$12,503,000
Christmas Trees (cut)	2023	143	\$454,000
	2022	162	\$375,000
Cut Flowers ²	2023	180	\$2,755,000
	2022	181	\$3,021,000
OUTDOOR GROWN FLORAL AND NURSERY CROP TOTAL	2023	403	\$14,134,000
	2022	420	\$15,899,000

¹Includes herbaceous perennials, shrubs, and trees.

²Includes dahlias, hydrangeas, ranunculus, sunflowers, etc.

Outdoor grown floral/nursery crops decrease overall in value

Outdoor grown floral and nursery crops decreased in acreage by 4% and in total production value by 11% in 2023. Christmas tree production increased in value despite a reduction in acreage, while both ornamental nursery stock and outdoor cut flowers decreased in total production value. The outdoor cut flower businesses in San Mateo County have been more stable with their production when compared to the indoor cut flower businesses. Similar to previous years, ornamental nursery stock comprises the largest percentage of total value in the outdoor grown floral and nursery crop category at 77%.



VEGETABLE CROPS

Crop	Year	Acres	PRODUCTION		Unit	VALUE	
			Per Acre	Total		Per Unit	Total
Artichokes	2023	30	2.14	64	Ton	\$2,805	\$180,000
	2022	31	2.38	74	Ton	\$2,374	\$176,000
Beans, Fava	2023	94	3.04	286	Ton	\$2,011	\$575,000
	2022	107	2.30	246	Ton	\$1,991	\$490,000
Beans, Snap	2023	26	2.74	71	Ton	\$2,172	\$154,000
	2022	35	2.78	97	Ton	\$2,273	\$221,000
Brussels Sprouts	2023	419	10.53	4,412	Ton	\$1,817	\$8,017,000
	2022	476	10.48	4,988	Ton	\$1,654	\$8,250,000
Leeks	2023	38	13.74	522	Ton	\$1,363	\$711,000
	2022	41	13.15	539	Ton	\$1,186	\$639,000
Peas	2023	114	2.15	245	Ton	\$2,505	\$614,000
	2022	107	1.05	112	Ton	\$3,581	\$401,000
Pumpkins	2023	173	5.03	870	Ton	\$1,497	\$1,302,000
	2022	164	5.64	925	Ton	\$1,360	\$1,258,000
Miscellaneous Vegetables ¹	2023	326					\$15,255,000
	2022	311					\$9,214,000
VEGETABLE CROP TOTAL	2023	1,220					\$26,808,000
	2022	1,272					\$20,649,000

¹Includes field and indoor grown herbs, kale, lettuce, mushrooms, peppers, squash, tomatoes, etc.



Poema Bowen



Siwoo (Sienna) Lee



Marian Manahan

FRUIT AND NUT CROPS

Crop	Year	Acres	Total Value
Wine Grapes, Red Varietals	2023	135	\$2,035,000
	2022	136	\$1,437,000
Wine Grapes, White Varietals	2023	40	\$467,000
	2022	40	\$404,000
Miscellaneous ¹	2023	115	\$851,000
	2022	114	\$890,000
FRUIT AND NUT CROP TOTAL	2023	290	\$3,353,000
	2022	290	\$2,731,000

¹Includes apples, berries, chestnuts, stone fruits, etc.

Both vegetable and fruit/nut crops increase in total value

Vegetable crops saw a 30% increase in total value with a decrease in acreage of 4%. Increases in total production value were seen in artichokes, fava beans, leeks, peas, pumpkins, and miscellaneous vegetables in 2023, while decreases were seen in snap beans and Brussels sprouts. Fruit and nut crops saw a 23% increase in total value with no change in acreage. This increase in value is largely attributable to the increased production value of both red and white wine grapes in the county.

Livestock/field crop values hold steady

Livestock showed an increase of 3% in production value and 2% increase in number of head sold in 2023. Livestock products and apiary production value showed a decrease of less than 1%. This was largely attributable to livestock products other than honey, which had a decreased production amount and decreased production value. Field crop production value decreased by 11% overall, driven by the decrease in value of dry beans. Forest products production value decreased by 3%.



Mi Nguyen

LIVESTOCK

Commodity	Year	Number Head Sold	Total Value
Cattle and Calves	2023	1,429	\$3,012,000
	2022	1,396	\$2,851,000
Other ¹	2023	106,810	\$3,571,000
	2022	105,000	\$3,546,000
LIVESTOCK TOTAL	2023	108,239	\$6,583,000
	2022	106,396	\$6,397,000

¹Includes goats, lambs, pigs, poultry, etc.

LIVESTOCK PRODUCTS AND APIARY

Commodity	Year	Production	Per Unit	<u>VALUE</u>
				Total
Honey	2023	40,000 lbs	\$10.46	\$418,000
	2022	37,000 lbs	\$10.92	\$404,000
Other ¹	2023			\$939,000
	2022			\$956,000
LIVESTOCK PRODUCTS AND APIARY TOTAL	2023			\$1,357,000
	2022			\$1,360,000

¹Includes beeswax, cheese, eggs, wool, etc.

FIELD CROPS

Commodity	Year	PRODUCTION				VALUE	
		Acres	Per Acre	Total	Unit	Per Unit	Total
Beans, Dry ¹	2023	140	0.61	85	Ton	\$7,692	\$654,000
	2022	177	0.55	97	Ton	\$9,433	\$915,000
Grain ²	2023	66	0.60	40	Ton	\$384	\$15,000
	2022	74	0.61	45	Ton	\$364	\$16,000
Oat & Rye Hay	2023	579	2.37	1,372	Ton	\$211	\$289,000
	2022	569	2.26	1,286	Ton	\$211	\$271,000
Volunteer Hay	2023	165	1.39	229	Ton	\$112	\$26,000
	2022	165	1.57	259	Ton	\$113	\$29,000
Irrigated Pasture	2023	351				\$204	\$72,000
	2022	316				\$210	\$66,000
Other Pasture	2023	26,286				\$29	\$762,000
	2022	26,037				\$29	\$755,000
FIELD CROP TOTAL	2023	27,587					\$1,818,000
	2022	27,338					\$2,052,000

¹Includes cranberry, gigante, romano, scarlet runner, etc.

²Includes barley, oats, quinoa, rye, and wheat.

FOREST PRODUCTS

Year	Board Feet	Total Value
2023	7,077,000	\$3,759,000
2022	10,084,000	\$3,887,000

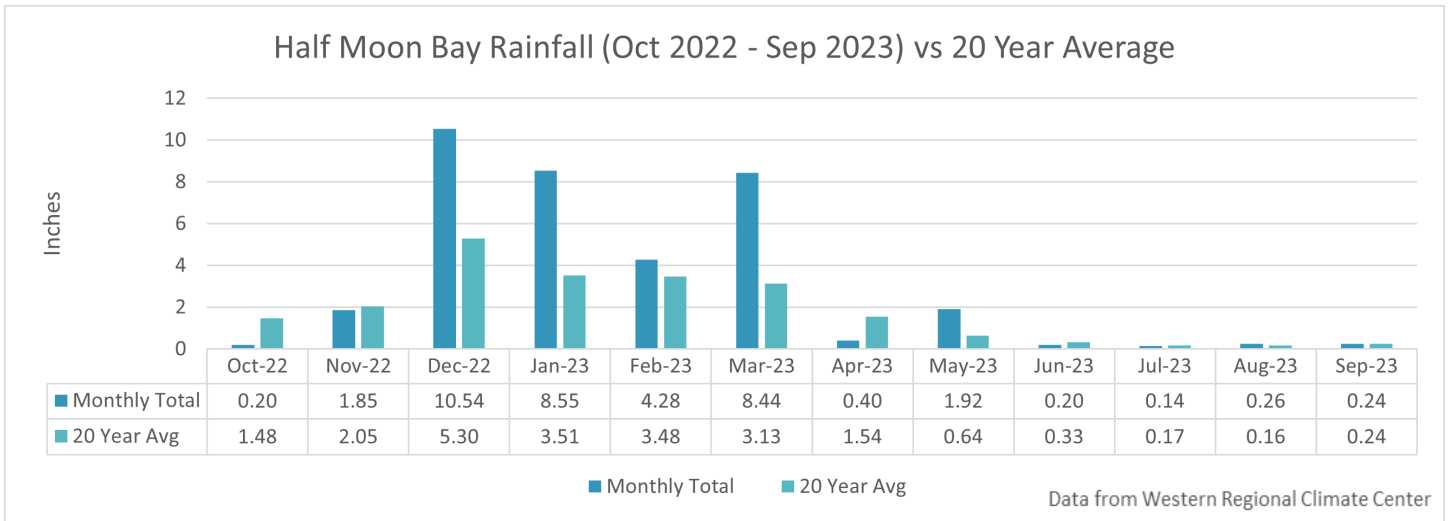
COMMERCIAL FISH CATCH

Species	Year	Pounds	Value	Species	Year	Pounds	Value
Crab, Dungeness	2023	1,141,801	\$3,770,037	Rockfish, all	2023	212,596	\$305,618
	2022	855,125	\$5,060,872		2022	255,594	\$370,785
Crab, Rock	2023	45,457	\$133,300	Sablefish	2023	81,464	\$224,018
	2022	23,876	\$87,586		2022	146,008	\$283,077
Flounder, all	2023	4,808	\$4,656	Salmon, Chinook	2023	0*	\$0*
	2022	3,787	\$4,229		2022	447,164	\$3,478,663
Halibut, California	2023	97,424	\$484,915	Sole, all	2023	235,580	\$213,693
	2022	103,323	\$504,587		2022	141,529	\$149,230
Lingcod	2023	6,293	\$23,258	Tuna, Albacore	2023	3,417	\$22,177
	2022	7,356	\$27,900		2022	46,544	\$93,151
Miscellaneous	2023	66,515	\$122,458				
	2022	53,798	\$136,994				
FISH CATCH GRAND TOTAL	2023	1,895,355 lbs		\$5,304,130			
	2022	2,084,104 lbs		\$10,197,074			

*The CA Department of Fish and Wildlife canceled commercial salmon fishing in 2023 due to past drought conditions impacting salmon populations.

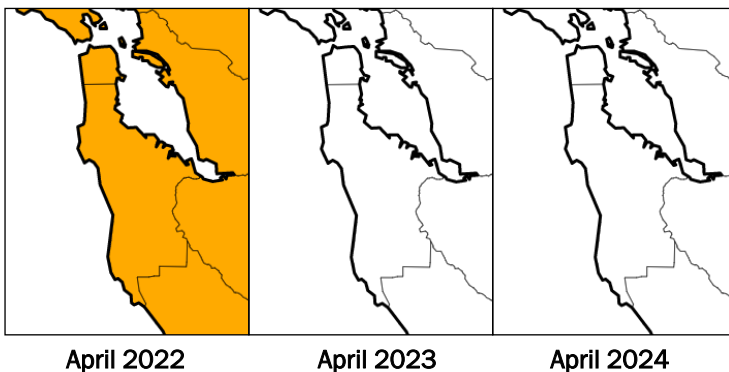
Source: CA Department of Fish and Wildlife Poundage Value of Landings. Princeton-Half Moon Bay. Informational only, value not included in annual report.

WATER RESOURCES



Rainfall data taken from the Western Regional Climate Center for Half Moon Bay shows totals in the 2022/2023 water year were up 68% as compared with the last 20 years. The months of December through March in particular were characterized by a significantly increased amount of rainfall compared to the 20-year average. Fortunately, the rainfall events during the 2022/2023 water year were spread out more evenly throughout each month, rather than focused on a few singular storm events as in the 2021/2022 water year. This helped to prevent flooding conditions that could be detrimental to agriculture.

DROUGHT CONDITIONS



Drought conditions have markedly improved between April 2022 and April 2024, as shown by the U.S. Drought Monitor. Although drought conditions were characterized by the D2 severe drought condition in 2022, increased rainfall events in 2023 aided in transitioning towards no drought condition by April 2023. This trend continued into the next year, with no drought designated into April 2024 in San Mateo County.

Intensity

☐ None
 ☐ Abnormally Dry (D0)
 ☐ Moderate Drought (D1)
 ☐ Severe Drought (D2)
 ☐ Extreme Drought (D3)
 ☐ Exceptional Drought (D4)

The U.S. Drought Monitor is jointly produced by the National Drought Mitigation Center at the University of Nebraska-Lincoln, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration. Map courtesy of NDMC, droughtmonitor.unl.edu.

SUSTAINABLE AGRICULTURE REPORT

Sustainable agriculture utilizes farming practices that conserve resources and plant health, and ensures the economic vitality of the farm. Activities carried out through programs such as Pest Detection, Pest Exclusion, and Weed Management provide safeguards to maintain livestock and crop health. Early pest detection and proactive management of invasive pests using integrated pest management (IPM) strategies help protect California's agricultural industry and reduces environmental stressors.

PEST DETECTION

Pest Detection staff place and monitor insect traps in San Mateo County to find pests before infestations can take hold and cause major damage. Examples of these traps include: yellow panel traps, Jackson traps, spongy moth delta traps, and Japanese beetle traps. In 2023, 4,243 traps were placed in host plants and serviced 54,137 times by pest detection staff. None of the insect pests listed on the right were detected in San Mateo County during this time.

Asian Citrus Psyllid	European Corn Borer
European Grape Vine Moth	European Pine Shoot Moth
Fruit Fly species of <i>Bactrocera</i> , <i>Dacus</i> , <i>Ceratitis</i> , and <i>Anastrepha</i>	Glassy-Winged Sharpshooter
Japanese Beetle	Spongy Moth

PEST EXCLUSION



Pest Exclusion inspections of imported agricultural shipments prevent the introduction and establishment of damaging pests. Exotic pests are regularly intercepted by staff biologists at parcel facilities, San Francisco International Airport, nurseries, and other entry points during daily inspections. Origin certification of shipments are also verified for compliance with plant quarantines, regulations, and entry requirements. When an infested or noncompliant shipment is found, it may be destroyed, reconditioned and released, or returned to the shipper.

PEST EXCLUSION INSPECTIONS

Type of Shipment	Inspected	Rejected	Pests Intercepted
Parcel Carriers	27,389	98	10
Truck	494	10	5
Air	3,114	4	8
Sea Containers	1	0	0
Household Goods (Spongy Moth and Spotted Lanternfly)	11	0	0
Nursery Stock (Glassy-Winged Sharpshooter)	2,840	0	0

In 2023, department biologists intercepted many A-rated and Q-rated insects, weed pests, and plant diseases as confirmed by the California Department of Food and Agriculture (CDFA) Plant Pest Diagnostics Center. Based on a review of each pest's biology, A-rated pests and diseases are deemed to have serious economic and environmental impacts if established within the State. Q-rated pests are also suspected to cause harm to agriculture or the environment, though their biology is less fully understood. To prevent these pests from spreading within the agricultural industry and environment, both A-rated and Q-rated pest finds result in regulatory actions of shipment rejection, containment, or destruction.

A-Rated Pests (Number of times intercepted)

<i>Bactrocera dorsalis</i> Oriental Fruit Fly (1)
<i>Candidatus Liberibacter asiaticus</i> Citrus Greening/Huanglongbing (8)
<i>Kallitaxila granulata</i> Planthopper (1)
<i>Pinnaspis strachani</i> Lesser Snow Scale (2)



Oriental Fruit Fly



Planthopper



Armored Scale

Q-Rated Pests (Number of times intercepted)

<i>Aphididae</i> Aphids (3)	<i>Gastropoda</i> Slugs & Snails (6)
<i>Cercopidae</i> Spittlebugs (1)	<i>Gracillariidae</i> Leaf Blotch Miner Moths (1)
<i>Coccidae</i> Soft Scales (1)	<i>Miridae</i> Plant Bugs (2)
<i>Delphacidae</i> Planthoppers (1)	<i>Pseudococcidae</i> Mealybugs (3)
<i>Diaspididae</i> Armored Scales (2)	<i>Tortricidae</i> Tortrix Moths (2)
<i>Formicidae</i> Ants (9)	<i>Unknown</i> Egg Masses (3)

WEED MANAGEMENT

Weed management projects on fertile capeweed, skeletonweed, jubata grass, and purple loosestrife continued through 2023. The department surveyed populations of noxious weeds throughout the county and mapped them on Calflora to track progress on eradication efforts. Surveying and mapping also included tree of heaven (*Ailanthus altissima*), an aggressive invasive tree and preferred host for the spotted lanternfly (*Lycorma delicatula*), an invasive planthopper that threatens to cause significant economic damage to many of California's important crops. The department continued to host bimonthly meetings for the San Mateo County Weed Management Area Group, which serves as a networking tool for local weed managers to share successes and losses in control efforts.



Fertile Capeweed



Jubata Grass



Purple Loosestrife



Skeletonweed

INDUSTRIAL HEMP AND COMMERCIAL CANNABIS

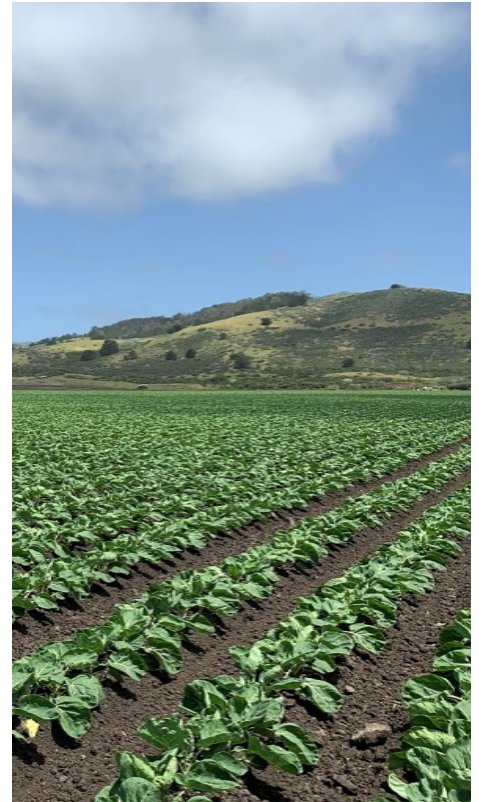


Two hemp registrations were active in 2023, with a total registered square footage of 476,000 for cultivation and storage. Department biologists performed 4 site visits over the year and took samples to ensure hemp plants were within the allowed THC tolerance of $\leq 0.3\%$ prior to harvest.

Cannabis licenses issued in San Mateo County include: five for small mixed-light, three for medium mixed-light, and three for nursery. Total registered area for commercial cannabis was 231,000 sq ft in 2023.

INTEGRATED PEST MANAGEMENT

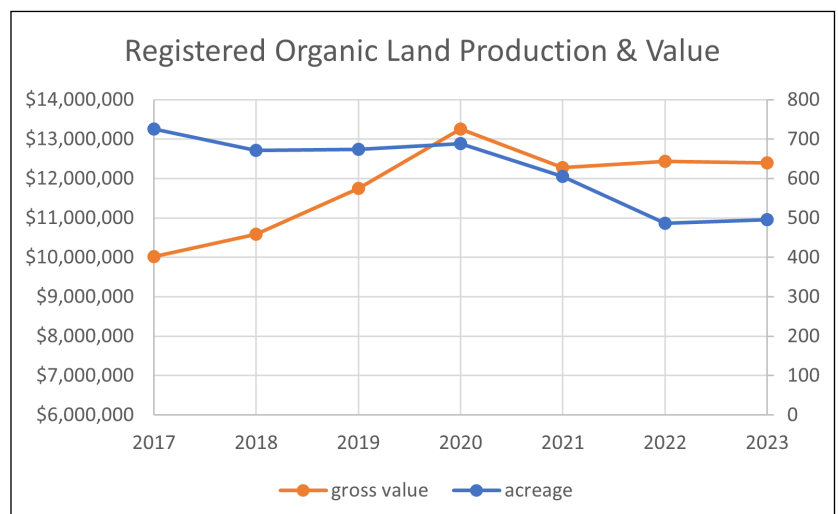
Integrated Pest Management (IPM) is a systematic approach to managing destructive pests and keeping them below economic thresholds. IPM begins with identification and monitoring of target pests and uses interactive control strategies including: natural enemies, biological controls, sanitation, less toxic pesticides, traps, and pheromones to disrupt reproduction. Applying certain IPM practices not only controls pests, but also benefits biodiversity in both the soil and surrounding environment. Crop and grazing rotations, cover crops, and mulching are just a few techniques implemented by agricultural producers that help capture and sequester carbon dioxide. This helps to create healthier soils to support production as well as combat weather impacts of climate change such as extreme fluctuations in soil moisture. San Mateo County growers have received funding for various IPM projects related to techniques such as these in past years.



For information on agricultural financial resources, please visit:
<https://www.smcgov.org/agwm/financial-resources>

ORGANIC FARMING

Organic farming utilizes approved methods of cultural, biological, and mechanical control to produce a variety of agricultural products without the usage of synthetic substances. San Mateo County agricultural land registered with the California Department of Food and Agriculture (CDFA) as organic production was an estimated 496 acres (excluding rangeland), totaling an estimated gross production value of \$12,392,000 from 21 registered organic producers in 2023.



DIRECT MARKETING



Direct sales from producers to consumers provide greater profits for farmers, reduce packaging and transportation, promote the local agricultural economy, and increase access to the freshest produce, flowers, and meat. These avenues include: Certified Farmers' Markets (CFMs), Community Supported Agriculture (CSA), Farm Stands, and U-pick. In 2023, a total of 42 Certified producer's certificates were issued in San Mateo County for producers to sell their agricultural products at CFMs. There were also 23 active CFMs that were inspected 60 times throughout the year to ensure compliance with direct marketing laws and regulations.

To find up-to-date locations of Certified Farmers' Markets in San Mateo County, please visit:

<https://www.smcgov.org/agwm/find-certified-farmers-market>

AS FRESH AS IT GETS

For locals, the knowledge that “local produce” does not just come from California, but also comes directly grown from San Mateo County, can be a strong motivating factor for deciding what to purchase. Keep an eye out for the “As Fresh as it Gets” (AFAIG) logo when visiting local farmers' markets, restaurants, hotels, and farm stands. That logo indicates that the produce or products sold in those establishments are San Mateo County grown. The AFAIG Program connects residents and visitors to San Mateo County's farmers, and fishermen, and the restaurants and hotels that serve fresh and local products. The program's goals are to get the word out about the San Mateo County's delicious and nutritious fresh products and where to get them, to promote the county as a world-class destination for culinary tourism, and to support the farmers, fishermen, vintners, and brewers who make it all possible.

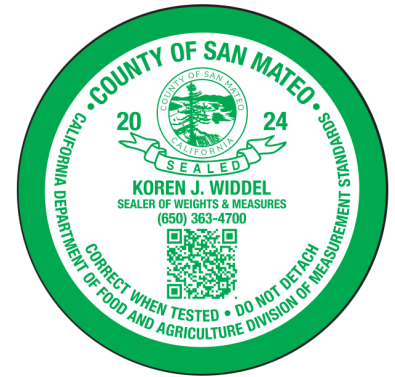


For more information on the AFAIG Program, please visit:

<https://www.thesanfranciscopeninsula.com/fresh-as-it-gets/>

WEIGHTS AND MEASURES

The other half of the Department's namesake, Weights and Measures, is responsible for the preservation, maintenance, and enforcement of measurement standards (weight, volume, time, distance) necessary for value comparison by consumers and essential for fair competition within industry. This is accomplished by comparing the performance of weighing and measuring devices against certified standards, inspecting prepackaged products to verify label statements, and verifying petroleum products meet the product label standards.



Devices	Inspected	Passed	Failed	Compliance
Gas Station Pumps	4,378	4,282	96	98%
Water, Gas, Electric Submeters	6,679	6,142	536	92%
Small Capacity Scales	1,572	1,554	18	99%
Propane Dispensers	29	29	0	100%

Weights and Measures officials conduct inspections at businesses within San Mateo County that use commercial weighing and measuring devices such as gas station pumps, water, gas, and electric submeters, scales, and propane dispensers. When these commercial weighing and measuring devices comply with all the state laws and regulations, each device is sealed by applying an official San Mateo County seal (see top-right). Each business that uses commercial point-of-sale systems to charge consumers for commodities is also required to be registered and inspected for pricing accuracy. Each of these businesses are required to post a notice (see bottom-right) to consumers at each point-of-sale checkout register stating consumers are entitled to the lowest advertised price by the store.

Price Verification	Total
Locations Inspected for Price Accuracy	416
Locations Inspected with Overcharges	67
Packages Scanned	13,795
Package Overcharges	208

ATTENTION CONSUMERS
ATENCIÓN CONSUMIDOR

You are entitled to the lowest advertised or posted price offered by this store. For information or complaints, you may contact the San Mateo County Sealer of Weights and Measures. **(650) 599-SCAN**

Tiene derecho al precio más bajo ofrecido por esta tienda. Para obtener información o quejas, puede comunicarse con el Departamento de Pesas y Medidas del Condado de San Mateo. **(650) 599-7483**

Koren J. Widdel, Sealer
smcgov.org/agvm | (650) 363-4700

COUNTY OF SAN MATEO
DEPARTMENT of
AGRICULTURE/WEIGHTS & MEASURES
728 Heller Street • P.O. Box 999
Redwood City, California 94064-0999



Anja Voss