



Planning & Building Department Planning Commission

Laurie Simonson, 1st District
Frederick Hansson, 2nd District
Zoe Kersteen-Tucker, 3rd District
Manuel Ramirez, Jr., 4th District
Steve Dworetzky, 5th District

County Office Building
455 County Center
Redwood City, California 94063
(650) 363-1859

Action Minutes

MEETING NO. 1577

Wednesday, April 23, 2014

In the Board of Supervisors Chambers, Hall of Justice and Records, located at 400 County Center, Redwood City.

Chair Hansson called the meeting to order at 10:03 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Chair Hansson.

Roll Call: Commissioners Present: Dworetzky, Hansson, Kersteen-Tucker, Ramirez, Simonson
Commissioners Absent: None
Staff Present: Eggemeyer, Fox, Shu (arrived 11:00 a.m.)

Legal notice published in the San Mateo County Times on April 12, 2014 and in the Half Moon Bay Review on April 16, 2014.

Oral Communications to allow the public to address the Commission on any matter not on the agenda.

None.

Consideration of the Minutes of the Planning Commission meeting of April 9, 2014.

Commissioner Dworetzky moved, and Commissioner Kersteen-Tucker seconded, that the minutes be approved as submitted. Motion carried 5-0-0-0.

CONSENT AGENDA

Commissioner Dworetzky moved for approval of the Consent Agenda, and Commissioner Ramirez seconded the motion. Motion carried 5-0-0-0, approving items as follows:

1. **Owner:** County of San Mateo
Applicant: San Mateo County Department of Public Works
File No.: PLN2014-00080

Location: Adjacent to 1300 Lobitos Creek Cut-Off Road, San Gregorio
APN: Public R-O-W adjacent to 066-320-040

Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, for the repair of a damaged road and stabilization of the adjacent hillside within the road right-of-way, adjacent to 1300 Lobitos Creek Cut-Off, in the unincorporated San Gregorio area of San Mateo County. This project is appealable to the California Coastal Commission. Application filed March 12, 2014. Please direct any questions to Senior Planner Mike Schaller at 650-363-1849 or mschaller@smcgov.org.

FINDINGS:

Regarding the Environmental Review, Found:

1. That this project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act, consisting of the repair of existing public or private structures involving negligible or no expansion of use.

Regarding the Coastal Development Permit, Found:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as discussed in the staff report under Section A.2, including protection of biological resources.
3. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program. Specifically, the proposed repairs of the existing roadway are an allowed use within a sensitive habitat area, and that Best Management Practices (BMPs) for development within and adjacent to sensitive habitat areas will be implemented.

CONDITIONS OF APPROVAL:

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission at the April 23, 2014 meeting. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for one year. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees 60 days prior to expiration.
3. The applicant shall paint the proposed retaining wall an earth-tone color to match the surrounding vegetation and exposed soil.
4. The applicant shall time their project to occur during the dry season (June 15 to October 15). Work shall not occur unless a zero precipitation forecast is obtained for the planned workdays.

5. If work is scheduled to begin prior to August 30, a qualified biologist shall conduct a pre-construction nesting bird survey. If nesting birds are detected near the project site, a 250-foot exclusion zone (1,000-foot for raptors) will be established for protection. If the exclusion zone is located within the immediate work area, construction will be delayed until the young have fledged and left the nest. If a site cannot be adequately surveyed for nesting birds, work at the site will be scheduled between August 30 and October 15.
6. The applicant shall have a qualified biologist perform pre-construction surveys for special status semi-aquatic species and other wildlife at the project site and staging area each working day. If sensitive semi-aquatic species California Red Legged Frog (CRLF) or San Francisco Garter Snake (SFGS) are observed near the project site, the appropriate agencies, California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS), will be notified immediately.
7. The applicant shall have a qualified biologist perform pre-construction surveys for San Francisco dusky-footed woodrat (SFDW) nests. If SFDW nests are found in the project area, then they shall be clearly marked/flagged and a 10-foot buffer will be designated around them. If nests are located within 10 feet of the active work area, a qualified biologist will be present during construction activities to ensure no SFDW nest is impacted.
8. Openings shall be covered at the end of the work day so as to avoid inadvertently trapping wildlife. If openings cannot be covered, then appropriate exclusion fencing will be erected around the project site to prevent wildlife from accessing the immediate construction area or an adequate escape ramp will be constructed to allow for wildlife to leave the opening.
9. Construction equipment and machinery will be stored on Lobitos Creek Cut-Off and in a vehicle storage area on the Deeney property (APN 066-320-200) immediately south of the site. The section of Lobitos Creek Cut-Off will be closed off at the construction site. Road closure notices will be delivered and posted near the site.
10. The applicant shall have a qualified biologist perform additional special status plant species surveys during peak blooming periods, in order to maximize the likelihood of locating sensitive species in the immediate work area. If special status plants are identified, then they shall be clearly marked/flagged or temporary construction fencing shall be erected to designate the work area and delineate the areas to be avoided.
11. The applicant shall have a qualified biologist perform pre-construction briefings for all personnel involved in repair activities including sensitive species training and BMPs implementation.
12. Work shall not occur in any area in which CRLF or SFGS are present. If this species is detected within the active work area, repair activities shall stop until a permitted biologist relocates the animal or it leaves on its own.
13. All heavy equipment shall be operated from the roadway or roadside shoulders.
14. Fueling and maintenance of vehicles shall take place at least 65 feet away from all waterways.

15. Erosion control and containment BMPs (e.g., installation of sandbags, silt fencing, and/or natural fiber tightly woven straw wattles, street sweeping, etc.) shall be installed to prevent delivery of pollutants into nearby waterways.
16. The removal of wetland and riparian vegetation shall be minimized. When possible, wetland and riparian vegetation shall be trimmed as opposed to removed.
17. Vegetation, sediment, debris, and trash will not be stockpiled on-site and shall be removed from the project site at the end of each workday.

END OF THE CONSENT AGENDA

REGULAR AGENDA 10:00 a.m.

2. **Owner: County of San Mateo**
Applicant: San Mateo County Department of Public Works
File No.: PLN2014-00068
Location: Public R-O-W on San Ramon Avenue, Del Mar Avenue, Madrone Avenue, and Carlos Street, Moss Beach and Seal Cove

Consideration of a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, and a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, for the San Mateo County Department of Public Works' Moss Beach/Seal Cove Area Roads Improvement Project, which includes improvements to approximately 1,500 linear ft. of existing dirt roads within the County's right-of-way and approximately 0.3 acres of bio-retention facilities and pervious paving for runoff pollution treatment. This project is appealable to the California Coastal Commission. Application filed February 25, 2014. Please direct any questions to Project Planner Steven Rosen at 650-363-1814 or srosen@smcgov.org.

SPEAKERS:

1. Carlisle Ann Young
2. Mary Hawkins
3. TJ Glauthier
4. Barry Lifland
5. Leslie OBrien
6. David Vespremi
7. Diane Brosin
8. Richard Tabor
9. Jim Porter
10. Ann Stillman

COMMISSION ACTION:

Commissioner Dworetzky moved and Commissioner Simonson seconded to close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Kersteen-Tucker moved to approve the project. Commissioner Dworetzky seconded the motion. **Motion carried 5-0-0-0.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the request, making the findings and adopting conditions of approval as follows:

FINDINGS:

Regarding the Environmental Review, Found:

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Mitigated Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.

Regarding the Coastal Development Permit, Found:

4. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San MatSeo County Local Coastal Program as discussed in the staff report under Section A.2.

CONDITIONS OF APPROVAL:

Current Planning Section

1. This approval applies only to the proposal as described in this report and plans as reviewed by the Planning Commission on April 23, 2014. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid for one year. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable permit extension fees 60 days prior to expiration.
3. Prior to the grading permit "hard card" issuance, the applicant must prepare a grading and construction schedule, including a schedule for the weekly construction inspections during the rainy season for sites within the Area of Special Biological Significance Watershed, as required by the Special Protections. The submitted schedule shall also include a schedule for

winterizing the site. If the schedule of grading operations calls for the grading to be completed in one grading season, then the winterizing plan shall be considered a contingent plan to be implemented if work falls behind schedule. All submitted schedules shall represent the work in detail and shall project the grading operations through to completion.

4. No grading activities shall commence until the applicant has been issued a grading permit (issued as the "hard card" with all necessary information filled out and signatures obtained) by the Current Planning Section.
5. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. An applicant-completed and County-issued grading permit "hard card" is required prior to the start of any land disturbance/grading operations. Along with the "hard card" application, the applicant shall submit a letter to the Current Planning Section, at least two (2) weeks prior to commencement of grading, stating the date when grading operations will begin, anticipated end date of grading operations, including dates of revegetation and estimated date of establishment of newly planted vegetation.
6. Prior to any land disturbance and throughout the grading operation, the Department of Public Works shall implement the erosion control plan, as prepared and signed by the engineer of record and approved by the decision maker. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Community Development Director for review and approval.
7. The Department of Public Works shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:
 - a. Delineation with field markers of clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
 - b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - c. Performing clearing and earth-moving activities only during dry weather.
 - d. Stabilization of all denuded areas and maintenance of erosion control measures continuously between October 1 and April 30.
 - e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.

- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilization of designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
 - m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
 - n. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
8. It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.
9. For the final approval of the grading permit, the applicant shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project site:
- The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Engineer.
10. The applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and locations of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if applicable; Natural Resources Conservation Service soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; a brief summary of how the project is complying with Provision C.3 of the Municipal Regional Permit; and detailed Maintenance Plan(s) for each site design, source control and treatment measure requiring maintenance.
11. Within one (1) week of the installation date of the approved facility, the project civil engineer shall notify Richard Lee, Associate Engineer, Department of Public Works, by email

ree@smcgov.org or fax at 650/363-4849. Notice shall include the installation date of the last component of the approved facility and the name of the project civil engineer. The County will perform a final inspection of the approved facility within 45 days of the date of installation.

12. The applicant shall comply with all mitigations as listed in the mitigation measures included in the Certified Mitigated Negative Declaration, as follows:

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

- a. Dust control watering shall be implemented, as necessary, for all exposed surfaces (e.g., parking areas, soil piles, graded areas, and unpaved access roads) up to two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. 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.
- d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- e. All roadways to be paved shall be completed as soon as possible following grading.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure 2: The project shall avoid implementation during the nesting bird season, if possible. The nesting bird season is generally described by CDFW as the period between February 1 and August 31. If seasonal avoidance is not feasible, then the following measures must be implemented:

- a. No more than two weeks prior to commencement of construction activities, including but not limited to surveying, grading, tree trimming, and tree felling, a biologist shall conduct a nesting bird survey to determine whether nesting birds occur within 250 feet of the project area or nesting raptors occur within 500 feet of the project area. If nesting birds and raptors do not occur within 250 and 500 feet of the project area, respectively, then no further action is required.

- b. Should any active nests be discovered in or near proposed construction zones, the surveying biologist shall, based upon site conditions and type of species, determine an appropriate construction buffer to be implemented. Buffers shall be 500 feet for raptors and 250 feet for non-raptors. However, these buffers may be decreased or increased, in consultation with CDFW and/or USFWS, based upon species-specific, site-specific, and activity-specific considerations, including the nesting species in question, baseline noise levels, type and decibel output of construction equipment to be used, and whether disturbance would occur within line of sight of the nest.

If the nest in question belongs to a species listed under Federal or State Endangered Species Acts, a California Species of Special Concern or a California Fully-Protected Species, then CDFW and/or USFWS, as appropriate, shall be consulted to establish nesting buffers and monitoring criteria.

If construction buffers are decreased to less than 500 feet for raptors or less than 250 feet for songbirds, a biologist familiar with the bird's nesting requirements and behavior shall monitor the nest full-time during construction activities until s/he determines that continued activities would not result in nest failure.

Mitigation Measure 3: Prior to the start of vegetation removal or any other construction activities that could impact coastal scrub habitat along San Ramon Avenue, a biologist familiar with the species and its habitat requirements shall survey for San Francisco dusky-footed woodrat nests within or immediately adjacent to the proposed disturbance area. If none are observed, then no further mitigation would be required. If nests are observed but would not be directly impacted by project activities, the biologist shall delineate the nests and establish a 10-foot buffer around the nests using exclusion fencing to ensure they are not accidentally destroyed by heavy equipment, worker vehicles, or construction foot traffic. The exclusion fencing shall remain in place for the duration of the project and fully removed from the project site upon project completion. If avoidance is not feasible because a nest is within the project footprint, a biologist shall disassemble the nest by hand and relocate/reconstruct it beyond the work area.

Mitigation Measure 4: The following measures shall be implemented to avoid or reduce impacts on California red-legged frog, San Francisco garter snake, and western (=Pacific) pond turtle:

- a. Prior to project construction, the County shall seek technical guidance from the USFWS regarding the measures required to ensure take of California red-legged frog and San Francisco garter snake is avoided and to determine whether any further consultation would be required. The request for technical guidance shall be accompanied by a copy of the Initial Study / Mitigated Negative Declaration (IS/MND) and any maps, photographs, and habitat descriptions that may facilitate the USFWS analysis and guidance. The County shall incorporate into project plans and implement prior to, during, and following construction, as appropriate, any additional guidance provided by USFWS.
- b. Immediately prior to vegetation removal or other construction activities, a biologist familiar with the habitat requirements of California red-legged frog, San Francisco garter snake, and western pond turtle shall conduct a pre-construction survey to determine whether any of these species is within the project area. If California red-legged frog or

San Francisco garter snake is identified in the work area during pre-construction surveys or at any subsequent time during construction, construction activities in the immediate area shall halt until the species has left the area OR, if permitted, a USFWS-approved biologist shall relocate the species outside of the work area. Western pond turtle may be relocated without agency approval.

- c. Ground disturbance and construction footprints shall be minimized to the greatest degree feasible.
- d. Work activities within or adjacent to suitable habitat shall be completed between June 15 and October 31, when possible. Suitable habitat shall be separated from the active work area with amphibian exclusion fencing, unless otherwise directed by the USFWS and CDFW. The fence shall be installed under the direct supervision of a biologist. One-way exclusion doors may be installed at the direction of USFWS or CDFW.
- e. A biological resource monitor shall conduct worker awareness training for construction personnel, addressing California red-legged frog, San Francisco garter snake, and western pond turtle basic biology and identifying characteristics, legal status, job-specific protection measures, and penalties for non-compliance.
- f. A biologist shall act as a regular (i.e., weekly, unless otherwise instructed by USFWS and CDFW) construction monitor. If a full-time monitor is not required by the USFWS and CDFW, then an appropriate person (i.e., construction management team supervisor) shall be designated as the on-site biological monitor and shall be trained by the biologist to identify special-status species.
- g. A pre-construction survey for California red-legged frog, San Francisco garter snake, and western (=Pacific) pond turtle shall be conducted each day by the on-site monitor immediately preceding construction activity that occurs within or adjacent to suitable habitat.
- h. Suitable habitat for California red-legged frog or San Francisco garter snake that is temporarily impacted by project-related activities shall be restored to pre-project conditions.
- i. Vegetated areas beyond the project site disturbed in the course of project construction shall be revegetated with native plant species suitable to coyote brush scrub habitats upon completion of construction.

Mitigation Measure 5: Prior to ground disturbance and with the guidance of survey markers to delineate the project footprint, a biologist familiar with the species and its habitat requirements shall identify and mark (e.g., with flagging or orange plastic fencing) California strawberry plants to establish an exclusionary zone. If any protected plant cannot be excluded from the area of impact, it shall be transplanted to a suitable location within the project site under the supervision of a biologist familiar with the habitat requirements of wild strawberry.

Mitigation Measure 6: Prior to authorization to proceed, or issuance of grading permits, the applicant shall prepare and submit a cultural resources monitoring plan to the County Planning and Building Department for review and approval. Monitoring shall be required for all

subsurface excavation work. A Secretary of the Interior qualified archaeologist shall prepare the plan. The plan shall include (but not be limited to) the following issues:

- a. Training program for all construction and field workers involved in site disturbance.
- b. Person(s) responsible for conducting monitoring activities, including Native American monitor(s).
- c. Person(s) responsible for overseeing and directing the monitors.
- d. How the monitoring shall be conducted and the required format and content of monitoring reports.
- e. Schedule for submittal of monitoring reports and person(s) responsible for review and approval of monitoring reports.
- f. Protocol for notifications in case of encountering cultural resources, as well as methods for evaluating significance, developing and implementing plan to avoid or mitigate significant resource impacts, Native American participation and consultation, collection and curation plan, and consistency with applicable laws including Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code (PRC).
- g. Methods to ensure security of cultural resources sites.
- h. Protocol for notifying the County, Native Americans, and local authorities (i.e., Sheriff, Police) should site looting and other illegal activities occur during construction with reference to PRC 5097.99.

During the course of the monitoring, the archaeologist may adjust the frequency—from continuous to intermittent—of the monitoring based on the conditions and professional judgment regarding the potential to impact resources.

If archaeological materials are encountered, all soil-disturbing activities within 100 feet of the find shall cease until the resource is evaluated. The monitor(s) shall immediately notify the County of the encountered archaeological resource. The monitor(s) shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological resource, present the findings of this assessment to the County. In the event archaeological resources qualifying as either historical resources pursuant to CEQA Section 15064.5 or as unique archaeological resources as defined by Public Resources Code 21083.2 are encountered, preservation in place shall be the preferred manner of mitigation.

If preservation in place is not feasible, the applicant shall implement an Archaeological Research Design and Treatment Plan (ARDTP). The project archaeologist, Native American representatives, and the County shall meet to determine the scope of the ARDTP. The ARDTP shall identify how the proposed data recovery program would preserve the significant information the archaeological resource contains. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The results of the investigation shall be documented in a

technical report that provides a full artifact catalog, analysis of items collected, results of any special studies conducted, and interpretations of the resource within a regional and local context. All technical documents are to be placed on file at the Northwest Information Center of the California Historical Resources Information System.

Mitigation Measure 7: If prehistoric or historic-period archaeological resources are encountered, all construction activities within 100 feet shall halt and the County shall be notified. A Secretary of the Interior qualified archaeologist shall inspect the findings within 24 hours of discovery. If it is determined that the project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with Public Resources Code (PRC) Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), preservation in place may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan in consultation with the County and the affiliated Native American tribe(s), if applicable. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.

Mitigation Measure 8: If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions, are discovered during ground-disturbing activities, all ground-disturbing activities within 100 feet of the find shall be halted until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate salvage measures in conformance with Society of Vertebrate Paleontology Guidelines (SVP, 1995; SVP, 1996).

Mitigation Measure 9: If human remains are encountered during ground-disturbing activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission would then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who shall make recommendations for the treatment of any human remains.

Mitigation Measure 10: The San Mateo County Department of Public Works shall require the construction contractor to use the following best management practices (BMPs) to minimize potential adverse effects of the project to groundwater and soils from chemicals used during construction activities:

- a. Follow manufacturer's recommendations on use, storage and disposal of chemical products used in construction;

- b. Avoid overtopping construction equipment fuel gas tanks;
- c. Provide secondary containment for any hazardous materials temporarily stored on-site;
- d. During routine maintenance of construction equipment, properly contain and remove grease and oils; and
- e. Perform regular inspections of construction equipment and materials storage areas for leaks and maintain records documenting compliance.

Mitigation Measure 11: Within three months prior to construction, a qualified environmental professional shall be retained to conduct a regulatory agency database review to update and identify hazardous materials sites within 1/4 mile of the project sites and to review appropriate standard information sources to determine the potential for soil or groundwater contamination at the project sites. Should this review indicate a high likelihood of encountering contamination at the project sites, follow-up sampling shall be conducted to characterize soil and groundwater quality prior to construction to provide necessary data for the site health and safety plan (Mitigation Measure 12) and hazardous materials management plan (Mitigation Measure 13). If needed, site investigations or remedial activities shall be performed at the project site in accordance with applicable laws.

Mitigation Measure 12: The construction contractor shall, prior to construction, prepare a site-specific health and safety plan in accordance with Federal OSHA Regulations (29 CFR 1910.120) and Cal-OSHA Regulations (8 CCR Title 8, Section 5192) to address worker health and safety issues during construction. The health and safety plan shall identify the potentially present chemicals, health and safety hazards associated with those chemicals, all required measures to protect construction workers and the general public from exposure to harmful levels of any chemicals identified at the site (including engineering controls, monitoring, and security measures to prevent unauthorized entry to the work area), appropriate personal protective equipment, and emergency response procedures. The health and safety plan shall designate qualified individuals responsible for implementing the plan and for directing subsequent procedures in the event that unanticipated contamination is encountered.

Mitigation Measure 13: The contractor shall, prior to construction, prepare a hazardous materials management plan that specifies the method for handling and disposal of contaminated soil and building debris, should any be encountered during construction. Contract specifications shall mandate full compliance with all applicable local, State, and Federal regulations related to identifying, transporting, and disposing of hazardous materials, including those encountered in excavated soil, and demolition debris. The contractor shall provide San Mateo County Department of Public Works with copies of hazardous waste manifests documenting that disposal of all hazardous materials has been performed in accordance with the law.

Mitigation Measure 14: The San Mateo County Department of Public Works (DPW), or its construction contractor, shall prepare and implement comprehensive stormwater pollution and erosion control best management practices (BMPs) to keep sediment or any other pollutants from moving off-site and into receiving waters. The County DPW or its contractor shall ensure the BMPs are in place prior to the start of construction-related activities and remain in place throughout all phases of project construction. A BMPs monitoring and maintenance schedule with clearly identified parties responsible for monitoring and maintenance of BMPs shall also

be in place prior to the start of construction or decommissioning activities and remain in place throughout all phases of project construction. Stormwater pollution and erosion control BMPs at a minimum shall include, but not be limited to, the following:

- a. Ensure that all stormwater, erosion, and sediment control BMPs utilized are consistent with measures approved by the California Stormwater Quality Association (CASQA).
- b. Provide adequate erosion control training to all equipment operators, site superintendents, and managers to ensure that stormwater and erosion controls are maintained and remain effective.
- c. Employ temporary erosion control measures (such as silt fences and staked straw wattles) for disturbed areas. No disturbed surfaces shall be left without erosion control measures in place so as to limit on-site and off-site erosion and to retain sediment on-site.
- d. Stabilize inactive areas, such as temporary stockpiles, using an appropriate combination of BMPs to cover the exposed material, intercept runoff, and provide a sediment control mechanism (such as silt fencing surrounding the stockpile perimeter or fiber rolls at the base and on side slopes).
- e. Limit vegetation disturbance/removal to the maximum extent practicable and retain existing vegetation where possible.
- f. Temporarily stabilize active, disturbed areas undergoing fill placement before and during rain events expected to produce site runoff. Stabilization methods include combined BMPs that protect materials from rain, manage runoff, and reduce erosion.
- g. Restrict construction activities involving grading, hauling, and placement of backfill materials from occurring during periods of rain.
- h. Inspect all stormwater and erosion controls regularly, especially before and following significant runoff-producing rain events and make any necessary correction before the next rain event, but no longer than ten (10) business days. During the rainy season (October 1 to April 30), stormwater and erosion controls shall be inspected weekly.
- i. Develop a spill prevention and countermeasure plan that identifies proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. The plan shall also require the proper storage, handling, use, and disposal of petroleum products.
- j. Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.
- k. Manage waste and aggressively control litter.
- l. Outside of the wet weather season (October 1 to April 30), limit street sweeping to dry sweeping only.

Mitigation Measure 15: Construction contractors are prohibited from using vibratory rollers within 25 feet from residences during project construction. Where construction work would occur within 25 feet from residences, the County shall require the contractors to use a static roller when operating in close proximity to these homes.

Mitigation Measure 16: Prior to construction activities, the San Mateo County Department of Public Works or its contractor(s) shall determine the locations of overhead and underground utility lines, such as natural gas, electricity, sewer, telephone, cable, fuel, and water that may be encountered during construction work. Pursuant to State law, the San Mateo County Department of Public Works or its contractor(s) shall notify Underground Service Alert of Northern California and Nevada (USA North) so that utility companies may be advised of the work and may field mark or otherwise protect and warn the contractor of their existing utility lines. Information regarding the location of existing utilities shall be reviewed before construction activities begin. Utilities may be located by customary techniques such as geophysical methods and hand excavation. The San Mateo County Department of Public Works or its contractor(s) shall notify all affected utility service providers in advance of the project construction plans and schedule. The San Mateo County Department of Public Works or its contractor(s) shall make arrangements with these entities regarding the protection, relocation, or temporary disconnection of services prior to the start of construction, and prompt reconnection of services, as required.

3. **Correspondence and Other Matters**

None

4. **Consideration of Study Session for Next Meeting**

The next meeting is scheduled for May 14. An informational presentation regarding the proposed Ascension Heights subdivision is scheduled.

5. **Director's Report**

None

6. **Resolution Commending Gail Slocum, Former Planning Commissioner**

7. **Adjournment**

The meeting adjourned at 1:30 p.m. following a luncheon at Mandaloun Restaurant.