CALIFORNIA COASTAL COMMISSION CENTRAL COAST DISTRICT OFFICE 725 FRONT ST., SUITE 300 SANTA CRUZ, CA 95060-4508 (831) 427-4863 CENTRALCOAST@COASTAL.CA.GOV



APPEAL FORM

Appeal of Local Government Coastal Development Permit

Filing Information (STAFF ONLY)

District Office: Central Coast

Appeal Number: <u>A-2-SMC-24-0010</u>	
Date Filed: 4/2/24	
Appellant Name(s): Kathryn Slater - Carter	

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at https://coastal.ca.gov/contact/#/).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the Central Coast district office, the email address is <u>CentralCoast@coastal.ca.gov</u>. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's <u>contact page</u> at <u>https://</u>coastal.ca.gov/contact/#/).



CALIFORNIA COASTAL COMMISSION

1. Appella	nt infor	mation1 Kathryn Slater-Carter		
Name:		P.O. 370321, Montara, 94037		
Mailing address: Phone number: Email address:		650.346.5255		
		Kathryn.s.c@gmail.com		
How did you	u particip	ate in the local CDP application and decision-making process?		
		e Submitted comment I Testified at hearing Oth Eebruary 28, 2024 Planning Commission I testified	۱er	
about the loss of coastal access parking along SR-1 between				
Coronado St. and Capistrano Rd. due to the installation of bicycle lanes.				
	-			
please iden	tify why	pate in the local CDP application and decision-making process, you should be allowed to appeal anyway (e.g., if you did not you were not properly noticed).		
Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes). Describe:				

1 If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

2. Local CDP decision being appealed²

Local government name:	San Mateo County San Mateo County Planning Commission PLN2023-00390	
Local government approval body:		
Local government CDP application number:		
Local government CDP decision:	CDP approval	CDP denial3
Date of local government CDP decision:	February 28, 2024	

Please identify the location and description of the development that was approved or denied by the local government.

Unincorporated Mid-Coast area, San Mateo County,

Describe:

consideration of a Coastal Development Permit for Implementation

of the State Route 1 Multi-Asset Roadway Rehabilitation Project.

Note that the south-bound section of SR-1 may be within the

jurisdiction of Half Moon Bay, due to severe bluff erosion, it is unclear

where the City/County jurisdiction lies relative to the proposed projects

boundaries. On March 26, 2024 the Half Moon Bay Planning Commission

continued its consideration of the CDP for segments of the

Project within its jurisdiction.

Additional sheet to follow

² Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the <u>appeal information sheet</u> for more information.

3. Applicant information

Applicant name(s):

Applicant Address:

California Dept. of Transportation

111 Grand Ave, Oakland, CA 94612 P.O. Box 23660, Oakland, CA 94623-0660

4. Grounds for this appeal

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: Neither the Project description nor the analysis of the projects potential

impacts included the loss of an estimated (100+) parking spaces adjacent

to SR-! between Capistrano Rd and Coronado St in El Granada. No plans

are included for the replacement of this lost public access. The Calif. Coastal

Act, Chapter 3, Sections 30210, 30211, and 30212 are clear the public access

shall not be interfered with except for public safety concerns. Chapters 10 and

11of the San Mateo County Local Coastal Program Policies have requirements

for Public Access to the beaches. This area, adjacent to Surfers Beach, has been used

for beach and shoreline access for over 40 years. Intensity of use and increasing demand

from growing beach visitor traffic make mitigation of parking loss a critically important

part of the permit conditions and finished project.

4 Attach additional sheets as necessary to fully describe the grounds for appeal.

5. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Kathryn Slater-Carter

Stater - Carton

Date of Signature 23/03/28

7. Representative authorization

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

⁵ If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

⁶ If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

FAX (415) 904-5400

CALIFORNIA COASTAL COMMISSION 455 MARKET STREET, SUITE 300 SAN FRANCISCO, CA 94105-2219 VOICE (415) 904-5200



DISCLOSURE OF REPRESENTATIVES

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name

CDP Application or Appeal Number

Name	
Title	
Street Address.	
City	
State, Zip	
Email Address	
Daytime Phone	

Your Signature

Date of Signature _____

Additional Representatives (as necessary)

Name Title	
Citv	
State, Zip	
Email Address	
Daytime Phone	
City	
State, Zip	
Email Address	
Daytime Phone	
Name	
Street Address.	
State Zin	
Email Address	
Daytime Phone	
Name	
Street Address.	
State Zin	
Email Address	
Davtime Phone	

Your Signature_____

Date of Signature

Appeal of Project PLN2023-003990 CDP Approval

Interested Parties:

Len Erickson lenericksonst@gmail.com 650.400.3175

Lennie Roberts lennie@greenfoothills.org 650-854-0449

Mark Massara 805.895.0963 mark@markmassara.com

Gregg Dieguez 650.544.0714 gadiequez@gmail.com

Dan Haggerty 650.726.7835 650danh@gmail.com

Additional Comments:

This is first area north of Highway 92 where visitors have nearby ocean and shoreline visibility. The beach is a popular surfing spot, and is also inviting for for people to spend time just relaxing.

The most recent significant loss of general purpose parking comes from the conditions imposed by the Half Moon Bay Planning Commission in the San Mateo County Harbor District Coastal Development Permit: It removes 21 general use parking spaces to be replacement by 8 ADA parking spaces.

In speaking to local folks about the loss of beach access parking in this project I have been told that if the loss of parking had been made known to the public they would have commented. The CalTrans proposal was made little comment about removing parking, nor present any alternatives, nor did the San Mateo County planning staff report/analysis.

On Easter Sunday, March 31,2024 I drove between Capistrano St. and Coronado Rd at 5:30 pm. There were approximately fifty parked cars parked on the highway shoulders on each side of SR-1.

The common question when I tell folks about this change is: Where can we park when these are gone?

(1) Planning Commission Resolution P-19-18, Resolution for Approval, PDP-18-006: Exhibit A, (1). Local Coastal Program, ComplianceAppeal of Project PLN2023-003990 CDP Approval

Public Photo Record

The best long term set of photos on the beach conditions over the decades can be found at:

midcoastcommunitycouncil.org

Click on this for direct link: Miramar

californiacoastline.org - Enter 'El Granada' for the time line photos of the site. These historic photos record the loss of the bluffs and parking areas to erosion.

Dear Kathryn,

In response to your query yesterday, I confirm that GCSD is developing plans for a new community park and recreation center on Obispo Road in El Granada. The number of parking spaces outlined in the current plan is to serve the park and is similar to the amount of parking that occurs in the informal dirt lot on GCSD's property between Obispo Road and the CalTrans right-of-way along the east side of Highway 1, near the intersection of Obispo Road and Coronado Street. There will also be parking available for the recreation center around the existing building that is currently leased to a preschool. The site of the park and recreation center cannot accommodate more parking due to riparian areas or would require the loss of land for park purposes. Hopefully CalTrans will provide an accommodation for lost street parking in their own right of way.

Sincerely Nancy Marsh Board President Granada Community Services District

Nancy Marsh

Board President

Granada Community Services District www.granada.ca.gov Parking in the vicinity of SR 1 Multi-Asset Capistrano Road and Coronado Street Roadway Rehabilitation Project between

Len Erickson – April 2, 2024 lenericksonst@gmail.com

Impact of Class II Bike Lanes Visitor Parking in the SR1 Multi-Asset Project

Date of Maximum Parking Demand – September 26, 2020 Capistrano Road and Coronado Street



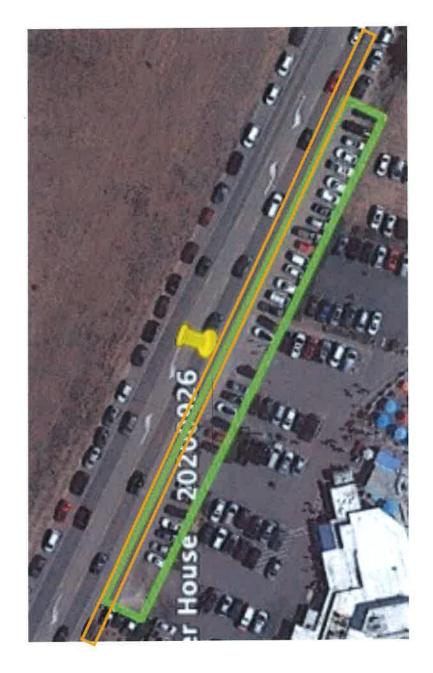
Parking in the Vicinity of Sam's Chowder House



Parking Areas for Sam's Chowder House



Concern: Head Out Parking at Sam's



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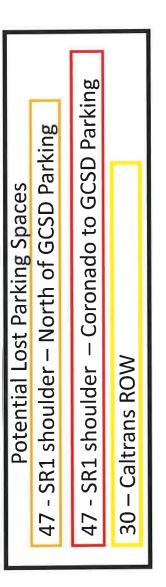
Parking in vicinity of Surfers Beach



Surfers Beach – Informal Car Count



Car Count Image from Google Earth 2020/09/26 Data Counts have not been vetted





18 – Parking on Obispo St.



Interested Party Testimony Re: Appeal A-2-SMC-24-0010 re: SR1 Multi-Asset Roadway Rehab Project SMC County Planning ref: PLN2023-00390

1 message

Thu, Apr 4, 2024 at 5:31 PM

Gregg Dieguez <gadieguez@gmail.com> To: Peter.Allen@coastal.ca.gov Cc: Isobel.cooper@coastal.ca.gov, Kathryn Slater-Carter <kathryn.s.c@gmail.com>, Len Erickson <lenericksonst@gmail.com> Bcc: "Gus (Chair) Mattammal" <midcoastgus@gmail.com>, Deborah Penrose <DPenrose@hmbcity.com>

I share the concerns about the decimation of visitor-serving traffic at Surfers' Beach raised by Ms. Slater-Carter and others in this Appeal. The confluence of multiple current transportation renovations and other projects in the area would seriously degrade the use of that vital recreational asset without the preservation of the current parking capacity (much of it ad hoc) in use for the past half century (or longer). Surfers come from all over the County and the Bay Area to learn and enjoy at that beach, and they cannot bike or carry those surf boards from Over The Hill. The cumulative impacts from the loss of parking for the RV lot, which was somehow allowed, and the loss of the Half Moon Bay Parking Lot due to beach erosion, have pushed parking conditions to the brink, and the current plans would push things beyond a Tipping Point, into isolation of that beach from a major desired recreational use.

I had previously submitted written comments, as an individual, to Caltrans with a map showing the unreasonable burden its plans placed on surfers by asking them to walk over 2,000 feet, carrying a surfboard, to cross the highway at the nearest light. Lack of parking is not the only flaw in current roadway plans in that area.

I am surprised to find that parking is an issue, as I do not recall it being disclosed when the Planning Department submitted PLN2023-00390 for MCC comment. In fact, the MCC comment email stated: "In the Midcoast, this project appears to consist mainly of resurfacing the roadway and replacing inadequate infrastructure, including poles, culverts and other things." The letter of decision the MCC received from Planning does not have the words "park" or "parking" anywhere in it.

Regardless of the prior communications on this matter, it appears that the project is under-planned because it does not take into account that parking is a vital component of public access to Surfers' Beach nor the cumulative impact of the erosion of this parking. The MCC had some public discussion, separately from PLN2023-00390, on the parking matter, most notably with former Councilmember Len Erickson, because Surfers' Beach has been flagged as an area of multiple concerns given Sea Level Rise, the GCSD plans in the Burnham Strip, the SAM Wet Weather Storage expansions therein, and of course Caltrans' PLN2023-00390 in San Mateo County. I urge the Commission to return PLN2023-00390 for re-planning by all parties until AT LEAST the current level of parking is preserved.

I hope the city of Half Moon Bay will speak for itself on this matter, as I understand they own the coastline to the middle of Hwy 1 in this area.

Note also that the Harbor District has flagged the need to reconsider Highway 1 planning as part of the more general erosion problems on this coastline (next to last paragraph in attached letter).

The entire MCC will be unable to meet and vote on this matter by the deadline for submission of an Appeal, so I am taking this action as an involved individual.

Also, please note that my contact information on the Appeal has a slight typo, with a "q" instead of a "g" in my email address, which is: gadieguez@gmail.com The phone number is correct.

Most sincerely,

Gregg A. Dieguez Midcoast Community Council Vice Chair (writing as an individual) Founder: MIT Club of Northern Calif. Energy & Environment Program P.O. Box 370404

2024_04_17_SMC_Harbor_GM_Mirada Rd_Mueller_Meeting.pdf

Board of Harbor Commissioners



Tom Mattusch, President Kathryn Slater-Carter, Vice President Virginia Chang Kiraly, Treasurer George Domurat, Secretary William Zemke, Commissioner

James B. Pruett, General Manager Trisha Ortiz, District Counsel

April 2, 2024

Via email: rmueller@smcgov.org

Supervisor Ray Mueller District 3 Supervisor, County of San Mateo 400 County Center Redwood City, Ca 94063

Dear Supervisor Mueller:

The Harbor District recently learned that you will be hosting a Community Meeting on April 2, 2024, to discuss Mirada Road. As part of that discussion, the Harbor District believes it to be of importance to discuss the cause of the aggressive erosion at Mirada Rd and possible solutions to include Federal funding.

In studies conducted by the Army Corps of Engineers, the Corps has acknowledged and documented that the breakwater has changed the wave and current patterns in northern Half Moon Bay. This change has caused a significant increase in the coastal erosion rate. The expected erosion rate for this area is point two (0.2) feet per year. However, due to the breakwater, the erosion rate is one point six (1.6) feet per year. This increase in coastal erosion has and continues to:

- 1. Eliminate Surfers Beach, and the protection it provided against coastal erosion,
- 2. Severely compromised the Coastal Trail, a significant safety hazard for the public,
- 3. Eliminate the stair access to Surfers Beach, again creating a safety hazard to the public,
- 4. Place Highway 1, a vital transportation artery, at significant risk of damage by winter storms,
- 5. Reduce Mirada Surf West Park Bluffs at a rate of one point six (1.6) feet per year,
- 6. Threaten the infrastructure within the area of erosion, and
- 7. Threaten Miramar itself.

In addition to the State, County and City responsibilities for public safety, the U.S. Army Corps of Engineers (ACOE) under Section 111 of the River and Harbor Act of 1968, as amended, has the authority and responsible for the mitigation and prevention of shore damage attributable to Federal Navigation works. The outer breakwater, which created

Pillar Point Harbor, is a Federal Navigation Project, and as described above has caused damage to the coastline.

The Harbor District did approach the ACOE to investigate and mitigate the damage caused by the breakwater in 2015, but the 2015 ACOE Northern Half Moon Bay Economic Analysis¹ did not support Federal funding. In response , the Harbor District is funding the Surfers Beach Replenishment Pilot Project, which will take sand trapped within the harbor by the breakwater and move it to Surfers Beach to provide protection of the shoreline. If the pilot project proves successful in mitigating and preventing future damage, additional funding under Section 111 or the general authorities of the Army Corps of Engineers will be needed.

The breakwater has also caused damage to beaches within the harbor. The Harbor District has already submitted a request to the ACOE to study the damage caused to the shoreline at Princeton by the Sea under the ACOE Continuing Authorities Program Section 111. A response is expected soon.

Under a systems approach to mitigate and prevent all damage caused by the Federal navigation project, the Harbor District is working with Representative Anna Eshoo's office to request funding under Water Resources Development Act (WRDA) 2024 for an ACOE general investigation into all the damage caused by the Federal breakwater, this includes removal of the trapped sand inside of the breakwater and the replenishment of the beach at Surfers Beach.

If funding is not provided under WRDA 2024 for the general investigation, the San Mateo County Harbor District is also considering a request to the Army Corps of Engineers to reconsider the 2015 Economic Analysis. The assumptions on which the findings were based have significantly changed. Updating the assumptions and considering the value of habitat restoration, it is the belief of the Harbor District that an investigation would be supported by the cost benefit analysis.

The proposal by OneShoreline to address the movement of sand along the coast, which was briefed to the San Mateo County Harbor District, included adding artificial offshore reefs to protect the shoreline. The reefs would prevent or divert the full force of the waves and currents that strip the beach of sand. This initiative should also be part of the discussion.

Caltrans is currently working on emergency repair plans to address the riprap at Surfers Beach which was damaged during 2023. This project, as well as the Caltrans Highway 1 Improvement Project currently undergoing review should again, be part of the discussion.

¹ 2015 Northern Half Moon Bay Section 111 CAP Study Economic Analysis, Army Corps of Engineers, San Francisco District.

To discuss this matter further, the Harbor District recommends and would be available to host a joint meeting between yourself, the County, City of Half Moon Bay, Caltrans, OneShoreline, and Army Corps of Engineers.

Sincerely,

James B. Pruett General Manager

Copy: 1. Michael Callagy, County Executive Officer (mcallagy@smcgov.org)

- 2. Matt Chidester, City of Half Moon Bay (mchidester@hmbcity.com)
- 3. Len Materman, OneShoreline (len@oneshoreline.org)
- 4. Len Erickson lenericksonst@gmail.com
- 5.Tom Kendall, USACOE (<u>Thomas.r.kendall@usace.army.mil</u>)
- 6. Fructuoso (Junie) Planas, Caltrans (Fructuoso.Planas@dot.ca.gov)
- 7. Kelly Ma, Caltrans (Kelly.ma@dot.ca.gov)

COUNTY OF SAN MATEO PLANNING AND BUILDING

March 4, 2024

State of California Department of Transportation, District 4 P.O. Box 23660 MS: 8B Oakland, CA 94623 <u>zachary.gifford@dot.ca.gov</u>

Subject:LETTER OF DECISIONFile Number:PLN 2023-00390Location:SR-1 between post mile (PM) 27.5 (SR-1 at Marine Boulevard in Moss
Beach) and PM 34.8 (SR-1 at Wavecrest Road in the City of Half Moon
Bay) within the unincorporated area of San Mateo County

On February 28, 2024, the San Mateo County Planning Commission considered a Coastal Development Permit for the implementation of the State Route 1 Multi-Asset Roadway Rehabilitation Project in unincorporated San Mateo County. The project is appealable to the California Coastal Commission.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit, County File Number PLN 2023-00390, by making the required findings and adopting the conditions of approval in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right to appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at 5:00 p.m. on March 13, 2024.

Please direct any questions regarding this matter to Project Planner, Luis Topete at ltopete@smcgov.org.

Sincerely,

, Angelania

Angela Montes Planning Commission Secretary

cc: California Coastal Commission Midcoast Community Council

County of San Mateo Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN2023-00390 Hearing Date: February 28, 2024

Prepared By: Luis Topete, Project Planner III For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Commission, acting as a Responsible Agency, has reviewed and considered the Initial Study and Negative Declaration prepared by the Lead Agency, the California Department of Transportation, and has considered the environmental effects of the project as shown in the Negative Declaration.

Regarding the Coastal Development Permit, Find:

- 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 with regards to the Public Works, Sensitive Habitats and Visual Resources Components of the Local Coastal Program. See Section A (2) of the staff report for the supporting analysis demonstrating conformance with the Local Coastal Program.
- 3. That the project is not subject to the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code) since the project is not located between the nearest public road and the sea.
- That the project conforms to specific findings required by policies of the San Mateo County LCP as detailed in Section A (2) of this staff report. See Section A (2) for the supporting analysis.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

- 1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on February 28, 2024. The Director of Planning and Building may approve minor revisions or modifications to the project if they are found to be consistent with the intent of, and in substantial conformance with this approval.
- 2. All temporarily disturbed previously vegetated areas will be contoured to preconstruction grades, where appropriate, and replanted with appropriate native vegetation.
- 3. Graded areas shall be protected from erosion using a combination of silt fences, fiber rolls, and erosion control netting (jute or coir) as appropriate.
- 4. Dust control measures shall include use of water trucks and dust palliatives to control dust in excavation areas and covering temporary stockpiles when weather conditions require.
- 5. Coir rolls or straw wattles that do not contain plastic or synthetic monofilament netting shall be installed along or at the base of slopes during construction to capture sediment.
- 6. Construction activities shall limit all construction lighting to within the area of work and use directional lighting, shielding, and other measures as needed to avoid light trespass in residential areas.
- 7. Should any human remains be discovered during site preparation, excavation, or other ground disturbance associated with the proposed project, all ground disturbing work shall cease, and the County Coroner shall be immediately notified, pursuant to Section 7050.5 of the State of California Health and Safety Code. Work must stop until the County Coroner can determine the origin and disposition of the remains pursuant to California Public Resources Code Section 5097.98. If the County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

Lighting Districts

8. The Montara and Granada Lighting Districts have lighting facilities along State Route1. Care must be taken to protect the existing light poles and any wiring associated with them during construction. Any damage to the Lighting District facilities during construction shall be repaired by Caltrans per the Lighting District standard details and at Caltrans' expense. The Lighting Districts must be notified of any damage to their lighting facilities and any repairs must be inspected by Lighting District representatives.

Caltrans Avoidance and Minimization Measures

- 9. **Riparian Vegetation Protection**. All riparian habitat in the Project area will be delineated as an environmentally sensitive area (ESA), and no construction activities will occur outside of the immediate work area in riparian habitat environmentally sensitive areas. At the roadway crossings of Denniston, Frenchman's, and Pilarcitos Creeks, the California Department of Transportation (Caltrans) will limit riparian vegetation removal to the immediate work area. Trees or shrub trimming at those locations will be limited to removing only branches that overhang the roadway.
- 10. **Seasonal Avoidance**. Construction activities of paved surfaces in areas of potential California red-legged frog habitat (ESAs) will be performed between June 15 and October 15 to minimize impacts on this species. Designated staging areas may be used outside of this work window once cleared by a USFWS-approved biologist or their designee and fenced, as appropriate.
- 11. **Proper Use of Erosion Control Devices**. To avoid entanglement or injury of California red-legged frog or San Francisco garter snake, erosion control materials that use plastic or synthetic monofilament netting will not be used.
- 12. **Avoidance of Entrapment**. To prevent inadvertent entrapment of animals during construction, all excavated, steep-walled holes or trenches more than 1-foot deep will be covered at the close of each working day with plywood or similar materials or provided with one or more escape ramps constructed of earth fill or wooden planks at an angle no greater than 30 degrees. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. All replacement pipes, hoses, culverts, or similar structures less than 12 inches in diameter will be closed, capped, or covered upon entry to the Project site. All similar structures greater than 12 inches must be inspected before they are subsequently moved, capped, and/or buried.
- 13. Biological Monitor. The names and qualifications of proposed biological monitor(s) will be submitted to the USFWS for approval prior to the start of construction. The USFWS-approved biological monitor(s) will keep a copy of the USFWS biological opinion in their possession when on site. Through

communication with the resident engineer, the USFWS approved biological monitor(s) will be on site during all work that could reasonably result in take of California red-legged frog or other special-status species. The USFWS-approved biological monitor(s) will have the authority to stop work that may result in the unauthorized take of special-status species. If the USFWS-approved biological monitor exercises this authority, the USFWS will be notified by telephone and e-mail message within one working day.

- 14. Pre-Construction/Daily Surveys. Pre-construction surveys for special-status species will be conducted by the USFWS-approved biological monitor no more than 14 calendar days prior to any initial ground disturbance and immediately prior to ground-disturbing activities (including vegetation removal and fence installation) in the Project footprint. These efforts will consist of walking surveys of the Project limits and, if possible, accessible adjacent areas within at least 50 feet of the Project limits. The USFWS-approved biological monitor will investigate potential cover sites when it is feasible and safe to do so. This includes thorough investigation of mammal burrows, rocky outcrops, appropriately sized soil cracks, tree cavities, and debris. Native vertebrates found in the cover sites within the Project limits will be documented and relocated to an adequate cover site in the vicinity, with the exception of fully protected species. Safety permitting, the USFWS-approved biological monitor will also survey areas of disturbed soil for signs of California red-legged frog or San Francisco garter snake within 30 minutes following initial disturbance of the given area. The need for further pre-construction surveys will be determined by the biologist based on site conditions and realized construction timelines.
- 15. **Protocol for Species Observation.** The USFWS-approved biological monitor(s) will have the authority to halt work through coordination with the resident engineer if California red-legged frog or San Francisco garter snake are observed in the Project footprint. The resident engineer will keep construction activities suspended in a 50-foot radius of the California red-legged frog or San Francisco garter snake in any construction area where the biologist has determined that a potential take of the species could occur. Work will resume after observed listed individuals leave the site voluntarily, the biologist determines that no wildlife is being harassed or harmed by construction activities, or the wildlife is relocated by the biologist to a release site using USFWS-approved handling techniques.
- 16. **Handling of California Red-Legged Frog**. If a California red-legged frog is discovered, the resident engineer and USFWS-approved biological monitor will be immediately informed.
 - a. If a California red-legged frog gains access to a construction zone, work will be halted immediately within 50 feet until the animal leaves the site or is captured and relocated by the USFWS-approved biological monitor.

- b. The USFWS will be notified within one working day if a California red-legged frog or San Francisco garter snake is discovered in the construction site.
- c. The captured California red-legged frog will be released in appropriate habitat outside of the construction area but near the capture location. The release habitat will be determined by the USFWS-approved biological monitor.
- d. The USFWS-approved biological monitor will take precautions to prevent introduction of amphibian diseases in accordance with the Revised Guidance on Site Assessments and Field Surveys for the California red-legged frog (USFWS 2005).
- 17. **Rare Plant Survey**. Caltrans will conduct a rare plant survey in the Biological Study Area (BSA) to determine the presence or absence of special-status plant species. To ensure that surveys are conducted at an appropriate time to identify all the target species, as many as three survey replicates will be performed. The survey replicates will be timed based on target species blooming periods and rainfall levels. All plants will be identified to a level needed to verify protected status. Any listed plants discovered in the field will be mapped and included as ESAs in the final plans and specifications. Caltrans will consult with the appropriate wildlife agency with jurisdiction and will obtain necessary permits or authorizations if unavoidable take of a listed plant species incidental to the proposed work would occur.
- 18. **Pre-Construction Plant Survey**. A Project biologist with appropriate botany experience will perform a site survey in ESAs where construction disturbance could occur before start of work. Special-status plants will be flagged and avoided where possible. Caltrans will coordinate with appropriate wildlife agencies with jurisdiction prior to construction if incidental take of a listed plant species is unavoidable and will obtain any necessary permits or authorizations for direct impacts. Caltrans will adhere to the requirements of all permits and authorizations issued for the Project.
- 19. **Drainage Work Exclusion for Ornduff's Meadowfoam**. Caltrans will avoid drainage system rehabilitation or other work in unpaved areas that could affect soil hydrology within 3,000 feet of where Ornduff's meadowfoam is known to occur. If Caltrans later determines that rehabilitating the drainage system at this location is necessary, it will complete a soil hydrology study, drainage system design, and mitigation plan in coordination with the California Department of Fish and Wildlife that result in no net loss of this species or its habitat.
- 20. Wetlands and Waters Construction Work Windows. Work in wetlands, waters, and riparian habitat will be limited to June 15 through October 15 to avoid or minimize impacts to waters of the United States, waters of the state, riparian habitat, and special-status species habitat.

- 21. **ESAs**. Wetlands, waters, riparian habitat, designated critical habitat, and specialstatus species habitat—including that of Ornduff's meadowfoam—will be delineated as ESAs on contract plans and defined in contract specifications. Environmentally sensitive areas outside of the proposed work areas will be specifically identified to avoid during construction. Where work must occur in or adjacent to an ESA, an approved biologist with stop-work authority will be present.
- 22. **ESA Fencing**. Caltrans will install fencing to outline and protect ESAs prior to the start of construction. Environmentally sensitive area provisions will be implemented as a first order of work and will remain in place until all construction activities are completed in the work area.

23. ESA Action Plan.

- a. An ESA Action Plan will be developed for the Project to protect the two archaeological resources in the APE in their entirety. Before construction, the ESA Action Plan will be reviewed and approved by the Cultural Studies Office (CSO) at Caltrans' headquarters. The Caltrans archaeologist will ensure that the ESAs are included and described clearly in the environmental document. The ESAs will be included in the Project's Environmental Commitment Record.
- b. The Caltrans archaeologist will work in coordination with the other responsible parties to ensure that the ESA is represented and depicted in the plans, specifications, and estimates package. The package and plans will be reviewed throughout the design process, so that the ESAs are accurately represented and depicted. The Caltrans archaeologist will ensure that the ESA Action Plan is included in the resident engineer's pending file.
- c. All responsible parties will ensure that the ESAs are discussed during the preconstruction meeting, led by a qualified archaeologist and Native American tribes who may want to administer the training as well. The importance of the ESAs will be discussed with construction personnel, stressing that no construction activity (including storage of equipment or materials) may occur in the ESAs, and that workers must remain outside of the ESAs at all times. In addition, historic preservation laws that protect archaeological sites and artifacts against any disturbance or removal will be discussed.
- d. The resident engineer will notify the Caltrans Office of Cultural Resource Studies staff (Caltrans project archaeologist) at least 2 weeks in advance of the start of construction. A field review of the ESA locations will be conducted. The Caltrans project archaeologist will mark the ESA locations with the contractor.

24. Construction Activities for ESA Protection.

- a. Temporary, high-visibility fencing will be installed by the contractor at least 1 week before beginning any ground disturbance. The Caltrans archaeologist will coordinate this activity with the resident engineer. The Caltrans archaeologist will be present to supervise and monitor this activity.
- b. The Caltrans archaeologist will conduct spot inspections and site visits to ensure the integrity of the environmentally sensitive areas. The Caltrans archaeologist will notify the State Historic Preservation Officer, CSO, and consulting Native American parties within 48 hours of any ESA, post-review discovery, or inadvertent effect, to immediately determine how the breach or discovery will be addressed.
- 25. **Post-Construction Activities**. The resident engineer will inform the Caltrans archaeologist when construction is completed. The contractor, in coordination with the resident engineer and the Caltrans archaeologist, will remove the ESA fencing at the completion of construction.
- 26. **Guard Rail Finish**. Caltrans will include a matte finish on guard rail exposed metal surfaces to reduce glare.
- 27. **Development of Transportation Management Plan**. Caltrans will develop a Project-specific traffic management plan (TMP) during the final design phase of the Project. The TMP will be prepared in accordance with Caltrans requirements and guidelines to minimize construction related delays and impacts on emergency vehicles and the traveling public. The TMP will include the following provisions:
 - a. Coordination with San Mateo County, the City of Half Moon Bay, and any other applicable local jurisdictions for notification of closures and detours.
 - b. Coordination with California Highway Patrol (CHP) and other local law enforcement.
 - c. Use of portable changeable message signs, the CHP construction zone enhanced enforcement program, one way traffic controls, and flaggers.
 - d. Continued access for emergency services.
 - e. Continued access to any residential driveways.

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