

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: Semprevivo Single-Family Residence, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2020-00201

OWNER: Stephen and Rita Semprevivo

APPLICANT: Edward Love

NAME OF PERSON UNDERTAKING THE PROJECT OR RECEIVING THE PROJECT APPROVAL (IF DIFFERENT FROM APPLICANT): Stephen and Rita Semprevivo

ASSESSOR'S PARCEL NO.: 048-042-290

LOCATION: 3rd Avenue, Unincorporated Miramar area of San Mateo County

**PROJECT DESCRIPTION**

Coastal Development Permit and Design Review Permit to allow for the construction of a new 1,751 sq. ft. single-family residence, an attached 431 sq. ft. garage, and an attached 550 sq. ft. accessory dwelling unit on a 6,150 (gross) sq. ft. parcel. The project involves minor grading and the removal of three dead trees. This project is appealable to the California Coastal Commission.

**FINDINGS AND BASIS FOR A NEGATIVE DECLARATION**

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

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
  - a. Create impacts which have the potential to degrade the quality of the environment.

- b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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

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

**Mitigation Measure 1:** The applicant shall submit a plan to the Planning and Building Department prior to the issuance of any building permit that, at a minimum, includes the “Basic Construction Mitigations Measures” as listed in Table 8-2 of the BAAQMD CEQA Guidelines (May 2017). These measures shall be implemented prior to beginning any ground disturbance and shall be maintained for the duration of the project activities:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access road) shall be watered 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 paved 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 mph.
- e. Idling times shall be minimized either by shutting equipment or vehicles off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- f. 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.
- g. Post a publicly visible sign with the telephone number and person to contact at the County regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District’s phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 2:** Any proposed construction or project related activities shall occur outside of the 30-foot buffer zone setback as required by the Local Coastal Program (LCP). Prior to the issuance of a building permit, the edge of the 30-foot buffer zone shall be surveyed in consultation with the biologist and added to the project survey and site plan for submittal and review by the Current Planning Section. Exclusion construction fencing shall be installed under supervision of the biologist which matches the established buffer zone to ensure construction related activities occur outside of the established buffer zone.

**Mitigation Measure 3:** Any initiation of project grading or construction or proposed trimming or removal of trees or shrubs shall occur only during bird non-nesting season (September 1 - February 14), unless performed in compliance with Mitigation Measure 4.

**Mitigation Measure 4:** In the event of initiation of project grading or construction or trimming or removal of trees or shrubs during the nesting season (February 15 - August 31), the applicant shall submit a pre-construction nesting bird survey prepared by a biologist.

**Mitigation Measure 5:** In the event that active nests are observed within the project site, suitable buffers shall be established, as determined by a qualified biologist, depending on the types of species observed, location of nests, and project construction activities conducted and may range from 25 to 75-foot buffers for passerine birds and up to 250-foot buffers for raptors.

**Mitigation Measure 6:** If concentrations of prehistoric or historic-era materials are encountered during project activities, all work in the immediate vicinity shall cease until a qualified archaeologist can evaluate the finds and make recommendations.

**Mitigation Measure 7:** The project applicant or archaeologist shall immediately notify the Current Planning Section of any discoveries made and shall provide the Current Planning Section with a copy of the archaeologist's report and recommendations prior to any further grading or construction activity in the vicinity.

**Mitigation Measure 8:** In the event of a discovery of a paleontological specimen, during any phase of the project, all work associated with the project shall cease until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.

**Mitigation Measure 9:** In the event that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash, etc.) are encountered, all construction activities within a fifty-meter radius of the find shall be stopped, the County Planning Department notified, and an archaeologist retained to examine the find and make appropriate recommendations. All contractors and sub-contractors shall be made aware of these requirements and shall adhere to all applicable laws including State Cultural Preservation laws.

**Mitigation Measure 10:** The property owner, applicant, and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately, and the County coroner shall be notified immediately, along with a qualified archaeologist. If the remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC then shall notify the Most Likely Descendent, who has 48 hours to make recommendations to the landowner for the disposition of the remains.

**Mitigation Measure 11:** Prior to Planning approval of the building permit for the project, the applicant shall demonstrate compliance with the recommendations of the Geotechnical Study prepared by Sigma Prime Geosciences, Inc., dated April 21, 2010 (Geotechnical Study).

**Mitigation Measure 12:** Resistance to lateral loads may be provided by passive pressure acting against the sides of foundation, neglecting the upper 1-foot of the soil, and by base friction below the foundations. An equivalent fluid weight of 300 pcf shall be used in design to calculate the passive pressure. Although the upper 1 foot of soil should be neglected for passive resistance, the passive pressure should be calculated from the ground surface. A base friction coefficient of 0.30, multiplied by the vertical dead load shall be used to calculate the base friction lateral resistance. Compliance with this mitigation measure shall be demonstrated prior to building permit issuance.

**Mitigation Measure 13:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
- b. Minimize the area of bare soil exposed at one time (phased grading).
- c. Clear only areas essential for project activities.
- d. Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs, such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- e. Project site entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.

- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sandbags.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/ basins shall be cleaned out when 50 percent full (by volume).
- l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly, and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion resistant species.
- m. Utilize coir fabric/netting on sloped graded areas to provide a reduction in water velocity, erosive areas, habitat protection, and topsoil stabilization.
- n. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved Erosion Control Plan.

**Mitigation Measure 14:** The applicant shall implement the following basic construction measures at all times:

- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, 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 15:** The applicant shall implement erosion control measures prior to the beginning of grading or construction operations. Such activities shall not commence until the associated building permit for the project has been issued.

**Mitigation Measure 16:** The project shall include water runoff prevention measures for the operation and maintenance of the project for the review and approval by the Community Development Director. The project shall identify best management practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with stormwater runoff and other water runoff produced from the project.

RESPONSIBLE AGENCY CONSULTATION

None

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: February 9, 2022- March 1, 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., March 1, 2022.**

CONTACT PERSON

Angela Chavez  
Project Planner, 650/599-7217  
[achavez@smcgov.org](mailto:achavez@smcgov.org)



---

Angela Chavez, Project Planner

ACC:cmc – ACCFF0916\_WCH.DOCX