

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

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

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: CSA-11 Water Service Extension and Pescadero Fire Station (Station 59) Project, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2021-00059

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

APPLICANT: County of San Mateo

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

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

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

PROJECT DESCRIPTION

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

FINDINGS AND BASIS FOR A MITIGATED NEGATIVE DECLARATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### RESPONSIBLE AGENCY CONSULTATION

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

#### INITIAL STUDY

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

REVIEW PERIOD: June 8, 2022 – July 7, 2022

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., July 7, 2022.**

#### CONTACT PERSON

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