

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**REVISED 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: Peter's Creek Bridges, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN2022-00068

OWNER: Save the Redwoods League

APPLICANT: Save the Redwoods League

NAME OF PERSON UNDERTAKING THE PROJECT OR RECEIVING THE PROJECT APPROVAL (IF DIFFERENT FROM APPLICANT): N/A

ASSESSOR'S PARCEL NO.: 085-070-070 and 085-070-050

LOCATION: Slate Creek Road (Peter's Creek), South Skyline area

**PROJECT DESCRIPTION**

*Changes from the original published Notice of Intent, dated October 24, 2022, are shown in double underline and overstrike.*

The applicant is seeking a Timberland Preserve Permit, a Resource Management Permit, and a Grading Permit to allow for the removal and reconstruction of an existing bridge (Bridge 1) and for the construction of a new bridge (Bridge 2) crossing Peter's Creek. The bridges will be clear span structures that are 50 feet by 11.5 feet (Bridge 1) and 100 feet by 8.7 feet (Bridge 2) in span. Replacement Bridge 1 will replace an existing old railroad flat car bridge and will be fire truck rated. New Bridge 2 will be located between two high banks about 800 feet upstream of Bridge 1. A short area of the roadway to the location of Bridge 2 will be temporarily expanded to provide a minimum width of 12 feet for equipment and material. Additionally, a large stump in the access road to Bridge 2 will be removed and the access way re-graded.

The project proposes a total of 1,563 cubic yards (c.y.) of grading (1,048 c.y. cut and 515 c.y. fill) and the removal of 14 ~~48~~ trees, including ~~16 trees~~ ranging in size from 5-inch diameter to 13.5 ~~40~~-inch diameter and of redwood, tan oak, California laurel, and big leaf maple species. ~~one 35-inch diameter Douglas fir and one 28-inch diameter Redwood.~~

The bridges will serve maintenance and recreation users. Footings/foundations for the bridges will be outward of top-of-bank and above the ordinary high-water line. However, temporary water diversions within the creek bed will be necessary for construction access and for equipment to work at the sites. Construction will occur during the dry season and is expected to take 2-3 months for each bridge, with the bridges to be constructed sequentially as improvement to Bridge 1 is needed in order for construction vehicles and equipment to access the site for Bridge 2. See the project plans and project description, Attachments B

and C for further details. Additionally, some minor realignment of trail segments around these bridges is proposed.

The California Department of Fish and Wildlife (CDFW) raised a number of concerns in their comment letter on the original Initial Study/Mitigated Negative Declaration (IS/MND) (dated October 24, 2022), included as Attachment F of the IS/MND. These concerns of CDFW relate to additional details on the proposed design of the bridges and potential impacts on the state-endangered and federally-threatened marbled murrelet (*Brachyramphus marmoratus*). In response to these concerns, County staff and the applicant's consulting team coordinated with CDFW representatives, including a conference call on March 6, 2023 and a site visit on June 14, 2023. Project plans were submitted to CDFW representatives for review, who determined that the proposed free-span design did not pose a concern for potential disruption of fish and aquatic life movement. Based on input from CDFW, several mitigation measures from the Biological Resource Assessment for the project (dated December 2021), which formed the basis for the mitigation measures in the original IS/MND, required revision to address concerns over temporary impacts to marbled murrelet (MAMU). A memo prepared by the applicant's consulting biologist (dated September 1, 2024) provided a detailed response to comments from CDFW and made recommended revisions to the project-related mitigation measures to address the concerns of CDFW and additional surveys of the site. The results of this additional review, evaluation of the concerns expressed by CDFW, and revisions to recommended mitigation measures have been incorporated into this revised IS/MND. A copy of this memo is contained in Attachment G of this revised IS/MND.

## 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 Measure 1:** The applicant shall include the following measures on building permit plans submitted to the Building Inspection Section:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) 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 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, driveways, or trails shall be completed as soon as possible.
- f. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- g. 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 Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
- h. Post a publicly visible sign with the appropriate telephone number and person to contact at the job site/representing the project applicant. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality District's phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 2 [BIO-1a]:** *Marbled Murrelet (MAMU) Nesting Habitat Avoidance.*

Appropriate measures shall be taken to mitigate potential adverse impacts on MAMU nesting in proximity to the Project improvements. This shall be accomplished through implementation of the following measures:

### Restrictions on Tree Removal:

1. Tree removal and trimming required by the Project shall occur outside of the MAMU breeding season (March 24 April 4 to September 15) to minimize disturbance to MAMU nesting.
2. Trees identified for removal under the Project shall first be assessed for suitability as MAMU nesting trees by a qualified wildlife biologist. Although none of these trees proposed for removal appear to be large enough to function as nesting habitat for MAMU, this will be confirmed in advance of any tree removal. Typical credentials for a qualified biologist include a minimum of four years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for MAMU.
3. Trees determined to have suitable elements for nesting by MAMU will be retained under the Project, if feasible. If a suitable nest tree(s) cannot be retained as part of the Project, the qualified biologist shall coordinate with the USFWS and CDFW regarding removal of a potential MAMU nest tree from occupied habitat and shall identify additional measures to address this loss. This may include follow-up monitoring of nest activity in the area to provide additional data on MAMU use of the Study Area, or other measures considered appropriate by the USFWS and CDFW.

### Preconstruction Surveys:

4. Prior to initiation of construction during the MAMU nesting season, the qualified biologist shall conduct a preconstruction survey to determine whether any active MAMU nests are located within line-of-sight of proposed Project construction activities. This preconstruction survey may be conducted as part of the larger preconstruction survey for active nests of other bird species called for in Mitigation Measure 4 [BIO-4].
5. If active MAMU nests are discovered where visual and noise disturbance from Project construction activities may result in harassment or take, the qualified biologist shall monitor the nest location and identify any additional construction control measures in consultation with the USFWS and CDFW as part of the MAMU Nest Avoidance Program called for below. These may include restrictions on the timing of disruptive construction activities within line-of-sight of the active nest until the nest is no longer in use as determined by the qualified biologist, at which time construction may proceed at this location without additional MAMU restrictions. Nest monitoring frequency shall be determined by the qualified biologist on a nest-by-nest basis considering the particular construction activity, duration, and proximity to the nest.
6. The qualified biologist may revise their construction-restriction determinations at any time during the nesting season, including applying additional restrictions if considered necessary to prevent harassment or take.

Project Construction Activities:

7. The qualified biologist shall evaluate the schedule of Project construction, identify any activities associated with the Project that could affect active MAMU nests, and develop a MAMU Nest Avoidance Program (NAP) in coordination ~~consultation~~ with the USFWS and CDFW that addresses any potential harassment or take.
8. Construction activities shall be restricted during the MAMU breeding season (March 24 to September 15) using the following minimum parameters and restrictions, together with the controls specified under the MAMU NAP.
  - a. Tree removal shall be restricted to outside the entire nesting season.
  - b. No construction shall be allowed from March 24 to July 31.
  - c. Any construction between August 1 and September 15 shall be performed in accordance with the MAMU NAP. This shall include a prohibition on all construction activities generating “High” (81-91 dB), “Very High” (91-100 dB) and “Extreme” (101-110) noise generating activities based on the 2020 USFWS Guidance.<sup>1</sup> Depending on the findings of the MAMU NAP, staging and other activities generating noise levels of less than 80 dB may be allowable outside the daily flight restrictions in #9 below.
  - d. The qualified biologist shall perform a worker training prior to the start of any construction to educate all workers on the sensitivity of the area, presence of MAMU, and importance of avoiding attracting predators as a result of construction activities. All garbage and food scraps shall be packed out and disposed of in animal-proof containers. Workers, when feasible, shall consume food inside their vehicles.

~~An artificial noise deterrent system shall be developed and implemented as appropriate to acclimate individual MAMU that could be establishing new nests in the Project vicinity to construction activities. The artificial noise deterrent system shall be operating starting one hour before sunset and continuing until one hour after sunset from March through May, or until Project construction activities generating high noise levels have been initiated, whichever is later in the year.~~

9. ~~Any construction activities between August 1, and September 15, including use of the access road, shall be prohibited within two hours of the official sunrise and within two hours of the official sunset to avoid visual and noise disturbance during peak hours of adult murrelet flights between the ocean and nests. Project activities which produce noise levels between 70 dB and 90 dB shall be restricted to between two hours after sunrise and two hours before sunset during the MAMU breeding season. Project activities which produce noise levels of 91 dB or greater shall be prohibited during MAMU breeding season.~~
10. Construction control measures determined necessary during the preconstruction surveys shall also be implemented as part of the MAMU NAP.

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<sup>1</sup> USFWS, 2020, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, October 1.

11. Construction practices called for in Mitigation Measure 8 [BIO-5] *Construction Restrictions to Protect Wildlife* shall be implemented to minimize disturbance to MAMU habitat and avoid attracting additional predators.

Post Construction Monitoring and Management:

12. Appropriate management practices shall be implemented as part of future trail use to minimize any adverse effects on MAMU habitat in the Study Area. This shall include installation of interpretive signage defining restrictions on visitor behavior during the MAMU breeding season, packing out all trash to avoid attracting additional MAMU predators, and a prohibition of pets on the trail system. At minimum, permanent interpretive signage shall be installed at the staging area along Portola Redwoods State Park Road and at each of the new bridge crossings.
13. Conduct follow-up monitoring of MAMU nest activity in the Study Area by a qualified biologist for a minimum of five years to provide additional data on MAMU use.

**Mitigation Measure 3 [BIO-3]: Avoidance of Special-Status Species.** Appropriate measures shall be taken to prevent inadvertent take of California red-legged frog (CRLF), foothill yellow-legged frog (FYLF), California giant salamander (CGS), Santa Cruz black salamander (SCBS), western pond turtle (WPT), red-bellied newt (RBN), steelhead, nesting birds and other wildlife during construction. In addition to the avoidance of active nests called for in Mitigation Measure 4 [BIO 4], *Avoidance of Bird Nests in Active Use*, this shall include the following:

1. A qualified biologist shall be retained to oversee construction and ensure that no inadvertent take of special-status species occurs as a result of construction and other habitat modifications to the Study Area.
2. The qualified biologist shall oversee construction, conduct preconstruction clearance surveys for nesting birds and focused species, and train workers over the regulations related to wetlands and special-status species, and the possible risk of inadvertent take in advance of construction.
3. The worker training shall be conducted prior to starting work on the Project and upon the arrival of any new worker. The training program shall include a brief review of locations of sensitive areas, possible fines for violations, Project Controls to be implemented, and summary of environmental permits and regulatory compliance requirements. In addition, a record of all personnel trained during the project shall be maintained for compliance verification.
4. All construction workers shall be instructed that focal special-status are to be avoided, that the foreman must be notified if a suspected species of concern is seen, and that construction shall be halted until the qualified biologist arrives and makes a determination on possible presence. If any special-status species are encountered within the excluded work zone, construction shall be halted until the individual(s) disperse naturally for State and federally listed species unless explicitly authorized by the USFWS and CDFW through issuance of an Incidental Take Permit (ITP) or are relocated outside the construction zone for non-listed species. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into

the construction zone, as directed by the USFWS and CDFW. The specific methods for handling amphibians or reptiles and decontamination shall follow latest protocols from the USFWS. These protocols describe field equipment maintenance, disinfection, and field hygiene procedures designed to minimize potential spread of pathogens when handling amphibians or reptiles.

5. Once preconstruction surveys have been conducted, the qualified biologist shall train the on-site monitor (such as the construction foreman) in how to identify target special-status species and procedures to follow as part of construction monitoring for the duration of construction. The qualified biologist shall visit the site at least once a week during construction and confer with the trained on-site monitor.
6. Project work areas will be monitored by a qualified biologist during exclusion fence installation and ground disturbing activities to identify, capture, and relocate non-listed sensitive amphibians (CGS, SCBS, WPT, or RBN) if found, and halt or observe work in the vicinity of CRLF and FYLF if encountered onsite. The qualified biologist shall have the authority to stop construction activities and develop alternative work practices, in consultation with construction personnel and resource agencies (as appropriate), if construction activities are likely to affect special-status species or other sensitive biological resources.
7. Temporary exclusion fencing shall be installed around key project boundaries, including areas where ground disturbance will occur adjacent to Peters Creek, segments of the access road to be modified, and around all project staging and laydown areas. Fencing shall be installed immediately prior to the start of construction activities under the supervision of a qualified biologist who will perform monitoring on a daily basis for the first week of construction. After the first week of construction and following training by the qualified biologist, the on-site monitor shall ensure that the temporary exclusion fencing is continuously maintained until all construction activities are completed. The on-site monitor shall perform daily visual inspections of the fence for any amphibians or reptiles that may get stuck by the fence. The fencing shall be of a material that meets CDFW standards for species exclusion, a minimum height of 3 feet above ground surface, with an additional 4 to 6 inches of fence material buried such that species cannot crawl under the fence and shall include escape funnels to allow species to exit the work areas.
8. Dewatering of construction reaches within the Peters Creek channel shall be overseen by the qualified biologist and aquatic life within the dewatered areas shall be relocated to nearby suitable habitat. A second preconstruction survey shall be performed by the qualified biologist before construction equipment is allowed to enter the dewatered reaches of Peters Creek, to confirm absence of any special-status species of concern and other aquatic wildlife.
9. All excavations of a depth of 8 inches or greater shall be either backfilled at the end of each workday, covered with heavy metal plates, or escape ramps shall be installed at a 3:1 grade to allow wildlife that fall in a means to escape.
10. Use of monofilament plastic for erosion control or other practices shall be prohibited on the site to prevent possible entrainment.

11. The contractor shall provide wildlife-proof (closed) garbage containers for the disposal of all food-related trash items. All food waste shall be removed daily from the site to avoid attracting predators. Construction personnel shall not feed or otherwise attract fish or wildlife to the Study Area.
12. Subsequent recommendations made by the USFWS and CDFW shall be followed. Only an agency-approved biologist is allowed to handle or otherwise direct movement of listed special-status species, including CRLF, FYLF, and all others shall not handle or otherwise harass the animals. The qualified biologist and the on-site monitor shall be aware of all terms and conditions set by USFWS and CDFW for the Project.

**Mitigation Measure 4 [BIO-4]: Avoidance of Bird Nests in Active Use.** Adequate measures shall be taken to avoid inadvertent take of bird nests protected under the federal Migratory Bird Treaty Act and State Fish and Game Code when in active use. This shall be accomplished by taking the following steps.

1. If initial grubbing and tree removal is proposed during the nesting season and in advance of the MAMU construction restrictions (February 1 to ~~March 24~~ August 31), a focused survey for nesting raptors and other migratory birds shall be conducted by a qualified biologist within 7 days prior to the onset of construction in order to determine whether any active nests are present in the Study Area and surrounding area within 300 feet of proposed construction. The survey shall be reconducted any time construction has been delayed or curtailed for more than 7 days during the nesting season.
2. Typical credentials for a qualified biologist include a minimum of four years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for each species that may be present within the Study Area.
3. If no active nests are identified during the construction survey period, or construction is initiated during the non-breeding season (September 1 to January 31), then construction may proceed with no restrictions other than those related to MAMU as called for in **Mitigation Measure 2 [BIO-1a]: Marbled Murrelet (MAMU) Nesting Habitat Avoidance**.
4. If it is determined that construction may affect an active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all construction activities restricted within the buffer until a qualified biologist determines the nest is no longer in use. Required setback distances for the no-disturbance buffer zone shall be based on input received from the CDFW, and the setback may vary depending on species and sensitivity to disturbance. As necessary, the no-disturbance zone shall be fenced with temporary orange construction fencing if construction is to be initiated elsewhere in the Study Area. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted if topography or other obstructions block the line-of-sight between the nest and the construction area. For bird species that are federally and/or State-listed sensitive species (i.e., fully protected, endangered, threatened, species of special concern), the qualified biologist shall coordinate with CDFW (and USFWS for FESA-protected species nests such as marbled murrelet) regarding modifying nest buffers, prohibiting construction within the



buffer, and modifying construction activities.

5. Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests for non-listed species shall be done at the discretion of the qualified biologist. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to construction activities within the buffer are observed and could compromise the nest viability, work within the no-disturbance buffer(s) shall be modified as directed by the qualified biologist or halt until the nest occupants have fledged if monitoring indicates continued disturbance to the active nest.
6. With the exception of MAMU, any Any birds that begin nesting within the Project site and survey buffers amid construction activities shall be assumed to be habituated to construction-related or similar noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases; however, should birds nesting nearby begin to show signs of disturbance associated with construction activities, then no-disturbance buffers shall be established as determined by the qualified wildlife biologist.
7. A report of findings shall be prepared by the qualified biologist and submitted to the County for review and approval prior to initiation of construction during the nesting season and in advance of the MAMU construction restrictions (February 1 to March 24 August 31). The report shall either confirm absence of any active nests or should confirm that any young are located within a designated no-disturbance zone and construction can proceed. No report of findings is required if construction is initiated during the non-nesting season (September 1 to January 31) and continues uninterrupted according to the above criteria.

**Mitigation Measure 5 [BIO-6]: Obtaining Agency Authorizations.** The applicant shall obtain required authorizations from the US Army Corps of Engineers, Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) for modifications to regulated waters associated with the Study Area. This includes a Section 404 Permit from the Corps, a Section 401 Certification from the RWQCB, and a Streambed Alteration Agreement from the CDFW. The applicant shall obtain all legally required permits or other authorizations from the US Fish and Wildlife Services (USFWS) and CDFW for the potential “take” of species protected under the Endangered Species Acts, if required. All conditions and measures contained in the regulatory agency authorizations shall be implemented as part of the Project.

~~**Mitigation Measure 6 [BIO-1b]: Rare Plant Avoidance Measures.** Appropriate measures shall be undertaken to ensure avoidance of any special status plant species or provide for mitigation where avoidance is not possible. A qualified botanist with a minimum of four years of academic training and professional experience in botanical sciences and a minimum of two years of experience conducting rare plant surveys shall conduct appropriately timed surveys for special status plant species with a moderate or high potential to occur in the Study Area (i.e., minute pocket moss, Dudley’s lousewort, and white flowered rein orchid) in all suitable habitat that would be potentially disturbed by the Project (i.e., where vegetation removal may occur). Surveys shall be conducted following the most recent CDFW guidelines for rare plant surveys. If no special status plants are~~

~~found during focused surveys, the botanist shall document the negative survey results in a report of findings and no further mitigation will be required. If special status plants are found during focused surveys, the following measures shall be implemented:~~

- ~~1. Information regarding the special status plant populations shall be reported to the CNDDDB, mapped, and documented in a technical memorandum provided to the County.~~
- ~~2. If any population can be avoided during project implementation, it shall be clearly marked in the field by a qualified botanist, workers shall be trained to avoid the area(s) and avoided during construction activities. Before vegetation removal, ground clearing or ground disturbance, all on-site construction personnel shall be instructed as to the presence of this special status species and the importance of avoiding impacts to this species and its habitat as part of the worker training called for in Mitigation Measure 3 [BIO-3] *Avoidance of Special-Status Species*.~~
- ~~3. If special status plant populations cannot be avoided, the qualified botanist shall coordinate with CDFW on relocation of special status plants or alternative measures. To the extent feasible, special status plants that would be impacted by the Project shall be relocated within local suitable habitat nearby. This can be done either through salvage and transplanting or by collection and propagation of seeds or other vegetative material. Any plant relocation shall be done under the supervision of a qualified botanist or restoration ecologist and shall include a monitoring and maintenance program to verify success.~~

**Mitigation Measure 6 7 [BIO-1]: Minimize Disturbance to Regulated Waters and Restore Areas Disturbed by the Project.** Appropriate measures shall be taken to minimize impacts on regulated waters and provide for restoration of disturbed areas as part of the Project. This shall include the following:

1. In-channel construction activities shall be scheduled to minimize disturbance to surface waters and seasonal aquatic habitat. No work shall be performed within 24 hours of projected rainfall events.
2. A worker training shall be conducted by a qualified biologist prior to starting work on the Project to explain the presence of regulated waters, the need to limit construction-related disturbance, and explain repercussions for violations. A record of all personnel trained during the project shall be maintained for compliance verification.
3. Once the preconstruction clearance surveys have been performed as called for in Mitigation Measure 3 [BIO-3] *Avoidance of Special-Status Species*, the qualified biologist shall train the on-site monitor (such as the construction foreman) in procedures to follow as part of construction monitoring, including supervising the construction crew to ensure compliance. The qualified biologist shall visit the site at least once a week during construction and confer with the trained on-site monitor that the project is in compliance.

4. Areas disturbed by construction access into the Peters Creek channel shall be restored to predisturbance conditions. All material used as part of the temporary coffer dam system for dewatering shall be removed, cobble reinstalled, and banks seeded with indigenous native grasses and forbs to the Study Area to control erosion.
5. The qualified biologist or other specialist shall provide post-construction monitoring to confirm that improvements have been successfully installed and maintained, consistent with any conditions specified in the regulatory agency authorizations described in Mitigation Measure 5 [BIO-6] *Obtaining Agency Authorizations*.

**Mitigation Measure 7 & [BIO-5]: Construction Restrictions to Protect Wildlife.** The following restrictions shall be implemented to avoid adversely affecting sensitive habitats and harm or harassment to wildlife during construction:

1. A speed limit of 5 miles per hour (mph) in the Study Area shall be followed by all construction equipment and vehicles.
2. Access routes and the number and size of staging and work areas shall be limited to the minimum necessary to construct the proposed project. Routes and boundaries of staging areas and access shall be clearly marked prior to initiating construction or installation.
3. All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the Study Area at the end of each day.
4. No pets from project personnel shall be allowed anywhere in the Study Area during construction.
5. All equipment shall be maintained such that there will be no leaks of automotive fluids such as gasoline, oils or solvents and a Spill Response Plan shall be prepared. Hazardous materials such as fuels, oils, solvents, etc. shall be stored in sealable containers in a designated location that is at least 100 feet from wetlands and aquatic habitats.
6. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance shall occur at designated locations away from regulated waters and other sensitive habitats. Staging areas may occur closer to the project activities as required.
7. The spread of invasive non-native plant species and plant pathogens shall be avoided or minimized. Construction equipment shall arrive at the Project site clean and free of soil, seed, and plant parts to reduce the likelihood of introducing new weed species. Any imported fill material, soil amendments, gravel, or other materials required for construction and/or restoration activities that will be placed within the upper 12 inches of the ground surface shall be free of vegetation and plant material. Certified weed-free imported erosion control materials (or rice straw in upland areas) shall be used exclusively, if possible.

**Mitigation Measure 8 9 [BIO-2]: *Minimize Damage and Loss to Trees.*** Appropriate measures shall be taken to minimize tree removal, protect trees to be retained from construction-related damage, and provide for replacement where avoidance is not feasible. This shall include the following:

1. A certified arborist shall determine appropriate protective measures to be implemented during construction. This shall include accurately mapping root protection zones and identifying other specific measures that would limit potential indirect impacts on trees to be retained such as installation of protective fencing consistent with the County's tree protection measures. Tree protection measures shall be maintained throughout the duration of Project construction.
2. Construction drawings shall depict areas to be avoided such as tree trunks and root protection zones and shall indicate the location of protective fencing recommended by the certified arborist.
3. If any large roots or large masses of roots need to be cut, the roots shall be inspected by the certified arborist or forester prior to cutting. Any root cutting shall be undertaken by the arborist or forester and documented. Roots to be cut shall be severed cleanly with a saw or toppers.
4. If pruning is necessary, pruning should be overseen by the certified arborist or forester to clean and raise the canopy per International Society of Arboriculture pruning standards.
5. If trimming or removal of any protected significant or heritage trees cannot be avoided, a permit shall be secured from the County to trim or remove qualifying trees that are not approved as part of this project. The permit application process requires an Existing Tree Plan be prepared and an Arborists Report that assesses tree health and provides tree protection measures which may be incorporated into a Tree Protection Plan for trees that could be indirectly affected by work in their immediate vicinity.
6. Any trees authorized for ~~Trees identified for~~ removal measuring 17.5 inches DSH DBH or greater shall be replaced at a 1:1 ratio (replacement trees to removed trees) with the same species removed within the immediate vicinity of the removal location using at least a 15-gallon stock. Replacement trees shall be monitored at least once a year for at least five years or longer, concurrent with restored areas of riparian habitat or wetlands, if applicable.

**Mitigation Measure 9 10:** In the event that cultural, paleontological, or archeological resources are encountered during site grading or other site work, such work shall immediately be halted in the area of discovery, County staff shall be notified, and the applicant shall be required to retain the services of a qualified professional for the purpose of recording, protecting, or curating the discovery as appropriate.

**Mitigation Measure 10 11:** Should any human remains be discovered during construction activities, 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 make a determination of origin and disposition of the remains. 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.

**Mitigation Measure 11 12:** In the event that unknown tribal cultural resources are ~~inadvertently~~ discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

**Mitigation Measure 12 13:** Any unexpected ~~inadvertently~~ discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

#### RESPONSIBLE AGENCY CONSULTATION

California Department of Fish and Wildlife  
Regional Water Quality Control Board  
US Army Corps of Engineers

#### 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 revised initial study is attached.

REVIEW PERIOD: February 25, 2025 to March 26, 2025

All comments regarding the correctness, completeness, or adequacy of this Revised Mitigated 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 26, 2025.**

#### CONTACT PERSON

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Summer Burlison, Project Planner