4.4 BIOLOGICAL RESOURCES

4.4.1 INTRODUCTION

This section identifies existing biological resources on and surrounding the Hyatt Place Project (project) site and potential impacts to sensitive biological resources, outlines standard conditions of project approval, and proposes mitigation measures to reduce potentially significant impacts. Information for this section was obtained from the following sources:

- City of Half Moon Bay Local Costal Program & Land Use Plan, 2021 Half Moon Bay Hyatt Place Project
- Biological Resources Technical Report Peer Review (H.T. Harvey & Associates 2017) and Revised Half Moon Bay Hyatt House Hotel Project Biological Resources Technical Report Update (H.T. Harvey & Associates 2022). Included in this EIR as **Appendix D**
- James Ford Dealership Project, Biotic Assessment (Coast Range Biological LLC (CRB) and Biosearch Associates 2013)
- Jamison Hotel Project (Former James Ford Dealership Project) (California SWCA Environmental Consultants (SWCA) 2016)

Project consistency with the 2021 Local Coastal Land Use Plan (LCLUP) is analyzed and included below. The LCLUP was updated and adopted by City Council in October 2020 and certified by the California Coastal Commission (CCC) in April 2021. The updated LCLUP comprises the City's reexamined and updated policy approach for carrying out the Coastal Act in a manner that addresses changed conditions since certification of the 1996 LCLUP.

All documents referenced in the draft EIR are available via CD or weblink upon request. The location of the other reference materials is cited at the end of this section. Hard copies of the draft EIR are located at the Half Moon Bay, Planning Division, 501 Main St, Half Moon Bay, CA 94019.

Comments were submitted in response to the Notice of Preparation for this Environmental Impact Report (EIR), comments were submitted regarding biological resources. These comments are addressed in this section. Concerns addressed include:

- Concerns with impact on delineated wetlands and inundation

- Concerns with development impact on flora and fauna, including threatened or endangered species

Discussion of delineated wetlands, flora and fauna, threatened and endangered species is provided under **Section 4.4.2, Existing Conditions** and **Section 4.4.4 Impacts and Mitigation Measures** below. Discussion of inundation is provided in **Section 4.10, Hydrology and Water Quality**.

4.4.2 EXISTING CONDITIONS

The project site is a vacant, triangular parcel of approximately 5 acres located north of the intersection of State Route 1 (SR-1) and Main Street. The site is located 0.33 mile west of Arroyo Leon, the nearest blue line watercourse[1], and 0.75 mile from the shoreline of the Pacific Ocean. The project is situated on the southern edge of existing urban development, and is surrounded by residential neighborhoods, businesses, and agricultural land.

The project site is a relatively flat, alluvial floodplain with an elevation that ranges from 90 to 95 feet above sea level[2]. Botella clay loam is one type of soil mapped within the site. This soil type is well-drained and formed from material washed from sedimentary rocks. Soils within the Botella series are considered hydric when occurring in depressions[3]. However, they are not considered hydric when occurring on level terrain[4].

The site has not been used for agricultural practices since 2013[5] and the project site now supports three biotic habitats:

1. Landscaped/developed

[1] A blue line watercourse refers to a watercourse that appears as a broken or solid blue line on a 7.5 Minute Series quadrangle map prepared by the U.S. Department of the Interior Geological Survey (USGS). A blue line stream may be any creek, stream or other flowing water feature, perennial or ephemeral, indicated on USGS quadrangle maps, with the exception of man-made watercourses. The United States Army Corps of Engineers uses USGS blue line stream markings as a preliminary indicator of "Waters of the United States". Streams identified on USGS maps in such a manner are therefore generally subject to federal environmental regulations.

[2] Earth Gravitational Model of 1996 (EGM96) (Google Inc. 2018)

[3] Natural Resources Conservation Service. 2017a. State Soils Data Access: Hydric Soils List. Available: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcseprd1316619.html #reportref. Accessed: 6/20/19

[4] Natural Resources Conservation Service. 2017b. Custom Soil Resource Report for the San Mateo Area, California. Available: https://websoilsurvey.sc.egov.usda.gov/App/ WebSoilSurvey.aspx. Accessed: 6/20/19

[5] Google Inc. 20187. Google Earth (Version 7.1.8.3036) [software]. Available: https://www.google.com/earth. Accessed: 6/20/19

2. Ruderal grassland
3. Seasonal wetland

Plant Communities and Wildlife Habitat

The project site is currently vacant. On-site vegetation consists of ruderal grasslands throughout the majority of the site and are characterized by undeveloped land that is intermittently mowed, disced, and previously row-cropped. Active agricultural practices have not occurred at the site since 2013. The western portion of the ruderal grassland is dominated by Italian ryegrass (*Festuca perennis*) and bristly ox-tongue (*Helminthotheca echioides*). The eastern portion of the ruderal grassland is drier and dominated by wild radish (*Raphanus sativus*) and wild oats (*Avena sp.*). These ruderal grasslands are non-native grasses that are widely distributed statewide.

Four seasonal wetland features located on the western boundary of the project site were determined to meet the United States Army Corps of Engineers (USACE) three-parameter criteria for wetlands under Section 404 of the Clean Water Act. In addition to these four seasonal wetlands, two patches of willow dock (*Rumex transitorius*), a facultative-wetland species, were noted in the project site. In the southern portion of the site near the half-moon sculpture statue and trail, beach strawberry (*Fragaria chiloensis*) was mapped[6]. The California wild strawberry (*Fragaria californica*), a separate species to beach strawberry, was not observed on the project site. This species was not observed on the site during any of the site visits in 2017, and 2021. However, it should be noted that the area immediately surrounding the statue had been mowed during the spring of 2017. See **Figure 4.4-1** below for a habitat map.

Many of the species that occur in grasslands on the site are primarily associated with adjacent urban areas, such as the car dealership directly north of the site, and use grasslands on the site for foraging. These include the house finch (*Haemorhous mexicanus*) and purple finch (*Haemorhous purpureus*), the black phoebe (*Sayornis nigricans*), and Mexican free-tailed bat (*Tadarida brasiliensis*). An active nest of native Anna's hummingbirds (*Calypte anna*) was observed in a Monterey cypress (*Cupressus macrocarpa*) tree on the site. Native Brewer's blackbirds (*Euphagus cyanocephalus*) and nonnative Eurasian collared-doves (*Streptopelia decaocto*) and house sparrows (*Passer domesticus*) were also observed on the site; these species

[6] H.T. Harvey & Associates. 2017. Half Moon Bay Hyatt Place Project Biological Resources Technical Report Peer Review. July 27, 2017.

will forage throughout developed and grassland areas, and some bird species may nest in bottlebrush (*Callistemon* sp.) trees along the eastern boundary of the site. There is an evenly spaced row of 34 bottlebrush trees, which serve as landscaping in the public right-of-way along Main Street on the eastern side of the project site. One Monterey cypress tree (*Cupressus macrocarpa*) is located along the northern boundary of the project site. A large Monterey cypress tree on the adjacent auto dealership property to the north of the site overhangs the property.

California ground squirrels (*Spermophilus beecheyi*) were not observed on the project site during the survey. However, numerous burrows of Botta's pocket gophers (*Thomomys bottae*) were present on the site, specifically along its eastern edge. Other rodent species that can potentially occur in the ruderal grassland habitat on the site include the California vole (*Microtus californicus*) and deer mouse (*Peromyscus maniculatus*). Diurnal raptors such as red-tailed hawks (*Buteo jamaicensis*) forage for these small mammals over grasslands during the day, and at night nocturnal raptors, such as barn owls (*Tyto alba*), will forage for nocturnal rodents, such as deer mice.

Mammals such as the native striped skunk (*Mephitis mephitis*) and raccoon (*Procyon lotor*) and nonnative Virginia opossum (*Didelphis virginiana*) and feral cat (*Felis catus*) use the project site for foraging. Reptiles such as western fence lizards (*Sceloporus occidentalis*), western skinks (*Plestiodon skiltonianus*), western terrestrial garter snakes (*Thamnophis elegans*), and southern alligator lizards (*Elgaria multicarinata*) frequent grassland habitats, and may occur in grassland habitats or adjacent developed habitats on the project site.

Water Features

Based on a preliminary wetland delineation conducted in August 2017 and additional field survey conducted in June 2021, there are four areas of seasonal freshwater wetland within the project site located between the project site and SR-1. Subject to concurrence from the California Coastal Commission (CCC), H.T. Harvey & Associates found that potential one-parameter wetland areas under the CCC definition do not act as actual one-parameter wetlands and should not be considered Environmentally Sensitive Habitat Areas (see **Appendix D**). The biological resource evaluation was submitted to the USACE in October 2017, and the USACE confirmed in a comment letter dated November 2017 that the project site and surrounding area supports wetlands under USACE jurisdiction and a permit may be required for the project. However, the project has been specifically designed to avoid the wetlands in this area.

Hyatt Place Half Moon Bay Project

Habitats Present within the Project Site Figure **4.4-1**

Source: H.T. Harvey & Associates Biological Resources Technical Report Peer Review, 2017.

Special-Status Biological Resources

Special-Status Wildlife Species

Special-status wildlife species are defined as those that are State or federally listed as Threatened or Endangered, proposed for listing as Threatened or Endangered, designated as state or federal candidates for listing, a federal Bird of Conservation Concern, a state Species of Special Concern, a state Fully Protected Animal, or that may otherwise be considered "rare" under Section 15380 of the *2019 CEQA Statutes and Guidelines*.

According to CRB and Biosearch Associates, the California red-legged frog (*Rana draytonii*), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), are known to exist in the area. The California red-legged frog is a federally threatened species and state species of special concern. While a suitable breeding habitat for California red-legged frogs is not known to occur on the project site, individuals could potentially occur as occasional transients, primarily at night during the rainy season. The San Francisco garter snake is federally listed as endangered, state listed as endangered, and a fully protected species under the California Fish and Game Code. Although the CRB and Biosearch Associates report concluded that this species had no potential for occurrence on the project site, the 2016 report prepared by SWCA concluded that San Francisco garter snakes can potentially disperse across the site on occasion, but the site does not provide high-quality habitat for this species[7].

All native bird species that nest on the project site are protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code. While several species of common nesting birds were observed and might nest on the site, no special-status bird species or raptors are expected to nest on the project site.

All bat species that could occur on the project site are protected under the California Fish and Game Code. Neither common species of bats or special-status bats are expected to roost on the site or close to the site; therefore bat species are not expected to be affected by the project.

Special-Status Plant Species

For the purposes of this analysis, special-status plants include those species that are state or federally listed as Rare, Threatened or Endangered; federal candidates for listing; proposed for state or federal listing; or included on Lists

[7] [CRB] Coast Range Biological LLC and Biosearch Associates. 2013. Biotic Assessment, James Ford Dealership Project, Half Moon Bay, California. November 2013.

1, 2, 3, or 4 of the CNPS Inventory of Rare and Endangered Plants of California.

The CRB and Biosearch Associates listed six rare plant species as having a potential to occur on the site. The rare plant species are as follows: marsh microseris (*Microseris paludosa*), Gairdner's yampah (*Perideridia gairdneri*), Hickman's cinquefoil (*Potentilla hickmannii*), Johnny-nip (*Castilleja ambigua*), Coast iris (*Iris longipetala*), Ornduff's meadowfoam (*Limnanthes douglasii*). None of the six species have been found on the site nor have they been identified in the past in the California Native Diversity Database (CNDDB) for the site. Therefore, no special-status plant species are expected to occur.

Local Coastal Land Use Plan Unique Species

Chapter 6 of the Half Moon Bay, LCLUP details the Environmentally Sensitive Habitat Areas and identifies Unique Species. These include: raptors, red-legged frog, sea mammals, Monterey pine (Pinus radiata), and California wild strawberry (*Fragaria californica*). Other species called out in the LCLUP are already covered under federal and State lists and other laws as are raptors and the red-legged frog. However, the Monterey pine and California wild strawberry are not covered on other lists. Neither the Monterey pine or the California wild strawberry have been observed on the project site.

Wildlife Movement

The project site provides limited habitat for wildlife movement. Due to the density of development in the project region and the presence of busy roadways surrounding the site, there are currently no well-defined movement corridors for terrestrial species, such as mammals and reptiles, within or through the project site. Wildlife species may move through the area using cover and refugia as they find them available. However, most dispersal by wildlife species likely occurs along higher-quality habitats to the east (along the coast) and west (within areas of open space).

Due to its small size and the predominantly non-native vegetation that dominates the project site, the site does not provide high-quality habitat for migratory birds in comparison to more natural areas with native trees and vegetation to the east and west. Migratory birds flying over or along the coastline may use the site as a stopover site for refueling and deposition of fat reserves to continue migration, but they are expected to do so in small numbers due to the marginal habitat quality.

4.4.3 REGULATORY SETTING

Federal

Federal Endangered Species Act

The United States Fish and Wildlife Service (USFWS) has jurisdiction over federally listed Threatened and Endangered species under the Federal Endangered Species Act (FESA). Section 9 of FESA protects listed species from harm or “take,” which is broadly defined as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.” An activity can be defined as a “take” even if it is accidental or unintentional.

If it is determined that a project may result in the "take" of a federally listed species, a permit from the USFWS would be required under Section 7 or Section 10 of FESA. Section 7 applies if there is a federal nexus (e.g., the project is on federal land, the lead agency is a federal entity, a permit is required from a federal agency, or federal funds are being used). Section 10 applies if there is no federal nexus. USFWS also designates critical habitat for endangered or threatened species under the FESA. A critical habitat designation protects areas that are necessary for the conservation of the species.

Clean Water Act

The USACE has jurisdiction over “Waters of the United States.” Waters of the United States are classified as Wetlands, Navigable Water, or Other Waters and include marine waters, tidal areas, stream channels, and associated wetlands. Under federal regulations, wetlands are defined as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” Wetlands generally include swamps, marshes, bogs, and similar areas. The USACE does not consider “isolated” wetlands (i.e., waters not connected to navigable waters) to be “Waters of the United States.”

Section 404 of the Clean Water Act (CWA)

Section 404 jurisdiction in "other waters" such as lakes, ponds, and streams, extends to the upward limit of the ordinary high-water mark (OHWM) or the upward extent of any adjacent wetland. The OHWM on a non-tidal water is the "line on shore established by the fluctuations of water and indicated by physical characteristics such as a clear natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter or debris; or other appropriate means that consider the characteristics of the surrounding areas" (33 CFR Section 328.3[e]). Wetlands are defined as "...those areas that are inundated or saturated by surface or ground water at a frequency and duration to support a prevalence of vegetation adapted for life in saturated soil conditions" (33 CFR Section 328.8 [b]). Wetlands usually must possess hydrophytic vegetation (i.e., plants adapted to inundated or saturated conditions), wetland hydrology (e.g., topographic low areas, exposed water tables, stream channels), and hydric soils (i.e., soils that are periodically or permanently saturated, inundated or flooded) to be regulated by USACE pursuant to Section 404 of the CWA.

Section 401 of the CWA

The State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB) regulate activities in "waters of the State" (which includes wetlands) through Section 401 of the CWA. While USACE administers permitting programs that authorize impacts to waters of the U.S., including wetlands and other waters, any USACE permit authorized for a proposed project would be invalid unless it is a Nationwide Permit (NWP) that has been certified for use in California by the SWRCB, or if the RWQCB has issued a project specific certification or waiver of water quality. Certification of NWPs requires a finding by the SWRCB that the activities permitted by the NWP will not violate water quality standards individually or cumulatively over the term of the issued NWP (the term is typically for five years). Certification must be consistent with the requirements of the CWA, CEQA, the California Endangered Species Act (CESA), and the SWRCB's mandate to protect beneficial uses of waters of the State. Any denied (i.e., not certified) NWPs, and all Individual USACE permits, would require a project specific RWQCB certification or waiver of water quality.

Additionally, if a proposed project would impact waters of the State, including wetlands, and the project proponent cannot demonstrate that the project is unable to avoid these adverse impacts, water quality certification will most likely be denied. Section 401 Certification may also be denied based on significant adverse impacts to waters of the U.S., including wetlands. The RWQCB has also adopted USACE policy that there shall be "no net loss" of

wetlands. Thus, prior to certifying water quality, the RWQCB will impose avoidance mitigation requirements on project proponents that impact waters of the State.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) (16 USC, Section 703, Supplement, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. The MBTA encompasses whole birds, parts of birds, and bird nests and eggs.

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act, Water Code Section 13260, requires that "any person discharging waste, or proposing to discharge waste, that could affect the waters of the State to file a report of discharge" with the RWQCB through an application for waste discharge (Water Code Section 13260[a] [1]). The term "waters of the State" is defined as any surface water or groundwater, including saline waters, within the boundaries of the State (Water Code Section 13050[e]). It should be noted that pursuant to the Porter-Cologne Water Quality Control Act, the RWQCB also regulates "isolated wetlands," or those wetlands considered to be outside of USACE jurisdiction.

RWQCB generally considers filling in waters of the State to constitute "pollution." Pollution is defined as an alteration of the quality of the waters of the State by waste that unreasonably affects its beneficial uses (Water Code Section 13050[1]). The RWQCB litmus test for determining if a project should be regulated pursuant to the Porter-Cologne Water Quality Control Act is if the action could result in any "threat" to water quality.

The RWQCB requires complete pre- and post-development Best Management Practices (BMP) Plan of any portion of the project site that is developed. This means that a water quality treatment plan for the pre- and post-developed project site must be prepared and implemented. Preconstruction requirements must be consistent with the requirements of the National Pollutant Discharge Elimination System (NPDES), including preparation of a Stormwater Pollution Prevention Plan prior to site grading.[8]

[8] Refer to **Section 4.10, Hydrology and Water Quality**, for a summary of the NPDES.

In addition, a post-construction BMP Plan, or a Stormwater Management Plan, must be developed and incorporated into any site development plan.

California Endangered Species Act

Under the California Endangered Species Act (CESA), the CDFW has the responsibility for maintaining a list of threatened and endangered species (Fish and Game Code Section 2070). The CDFW also maintains a list of "candidate species," which are species formally under review for addition to either the list of endangered species or the list of threatened species. Pursuant to the requirements of the CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species could be present on the project site and determine whether the proposed project could have a potentially significant impact on such species.

California Rare Plant Ranking System

The California Native Plant Society (CNPS) has developed and maintains the California Rare Plant Ranking System, lists of plant species that it considers to be rare, threatened, or endangered in California. Although CNPS is a private conservation group, the species with a California Rare Plant Rank (Rank) of 1B (plant species considered endangered in California and elsewhere) and a Rank of 2 (plant species considered rare, threatened, or endangered in California, but common elsewhere) warrant analysis in CEQA documents, because they meet the definition of threatened or endangered under the California Native Plant Protection Act (NPPA) and Sections 2062 and 2067 of the California Fish and Game Code. List 1A plants are considered extinct by CNPS because they have not been observed in the wild for many years despite focused searches. The CDFW does not consider the CNPS Rank 3 and Rank 4 plant species to require CEQA analysis, although CNPS does recommended that these species be considered in CEQA documents. Rank 3 plants are those about which more information is needed (a review list), and Rank 4 plants are those plants with limited distribution (a watch list).

Creeks and Wetlands

The CDFW also exercises jurisdiction over the bed and banks of watercourses according to the provisions of Section 1601 to 1603 of the Fish and Game Code. They typically require a Streambed Alteration Agreement for the fill or removal of any material from any natural drainage. The jurisdiction of the CDFW extends to the top of a bank and includes the outer edge of riparian canopy cover.

Nesting Birds

Section 3503 of the Fish and Game Code protects most breeding native bird species in California by prohibiting the take, possession, or needless destruction of nests and eggs of any bird, with the exception of non-native English sparrows and European starlings (Section 3801).

Local

Table 4.4-1 below lists the Local Coastal Program and Municipal Code policies and regulations related to biological resources and evaluates the project site's consistency with each policy/regulation.

Table 4.4-1 Project Consistency with Relevant General Plan Policies and other Regulations

General Plan Policy Number	General Plan Policy	Project Consistency
Coastal Act Policies		
Section 30240a	Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.	Site development would require the construction of roads, driveways, building pads, and associated facilities. Although construction activities would not occur within wetland areas, grading that leaves the soil in construction zones barren of vegetation and vulnerable to erosion will be required. In addition to construction-related impacts, urban runoff may be polluted with grease, oil, residues of pesticides and herbicides, and heavy metals. These pollutants may be carried to sensitive habitats in downstream locations. As such, mitigation measures described below in **Section 4.4.4**, **Impacts and Mitigation Measures**, include preconstruction surveys for special-status species and mitigation for habitat loss to ensure the avoidance and minimization of impacts to environmentally sensitive habitat areas.
Section 30231	The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human	During construction, erosion control and stormwater pollution prevention plans would prevent construction-related pollution from substantially affecting the biological productivity and quality of coastal waters, streams, wetlands,

General Plan Policy Number	General Plan Policy	Project Consistency
	health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.	estuaries, and lakes. Runoff from the project site would reach seasonal wetlands in the drainage channel on site. The project applicant would file a Report of Waste Discharge with the San Francisco Bay RWQCB. The project would include landscape that promotes surface infiltration where possible and would include a drainage system to return the flow of stormwater across the site to natural conditions. Additionally, the project is not located in a riparian corridor. Please see **Section 4.10, Hydrology and Water Quality** for further discussion.
City of Half Moon Bay Municipal Code		
Section 7.40	A permit is required prior to removal of a heritage tree, or prior to pruning more than one-third of a heritage tree's branches or roots within a twelve-month period. A "heritage tree" includes all of the following: A. A tree located on public or private property, exclusive of eucalyptus, with a trunk diameter of twelve inches or more, or a circumference of at least thirty-eight inches measured at forty-eight inches above ground level. B. A tree or stand of trees so designated by resolution of the city council based on its finding of special historical, environmental or aesthetic value. C. A tree located within the public right-of-way along the entire length of Main Street or along Kelly Avenue between San Benito Street and Highway 1.	The project will obtain a tree removal permit prior to construction.

General Plan Policy Number	General Plan Policy	Project Consistency
LCLUP Chapter 6 Natural Resources		
6-8: Biological Study	For development proposed in and adjacent to ESHA and projects for which the preliminary biological inventory indicates the presence or potential for sensitive species or habitat, require the preparation of a detailed biological study by a City-approved, qualified professional to be submitted prior to development review and prior to any ground disturbance. The report shall assess site conditions typically within 200 feet of the proposed development; identify if site conditions meet the LCP's definition of ESHA; determine if significant direct or cumulative impacts to the ESHA, to the special status species supported by the ESHA, or to on- or off-site biological productivity and ecosystem functionality may occur from the proposed development; and recommend the most feasible avoidance and/or mitigation measures if impacts may occur. At minimum, the study shall also provide and discuss the following if ESHA is present and if applicable to site conditions: a. For animals and avian species: Requirements for food, water, nesting or denning sites and requirements for reproduction, predation, dispersal, refugia, and migration; b. For plants: Life histories, and requirements for soils, climate, and geography; c. A map depicting the locations of plants or animals and/or their habitats;	**Consistent.** A biological resource evaluation was prepared in 2013 by a City-approved, qualified professional and circulated for review by resource agencies. A follow up study was conducted to confirm site conditions in 2017. The report complied with all the requirements of policy 6-8. To note, no buffer reductions are proposed. In addition, the design of the proposed project avoids the wetlands on site by the incorporation of a 1.95-acre wetland and associated buffer along the western side of the site plan, as discussed in **Chapter 3.0 Project Description**.

General Plan Policy Number	General Plan Policy	Project Consistency
	d. Recorded observations of special status species from reputable databases such as the California Natural Diversity Database; e. Site topography, drainage patterns, soil permeability, and depth to water table; f. Unique site conditions, such as vegetation, natural topography, or built features (e.g. roads, structures) that provide a physical barrier between the proposed development and the ESHA; g. The likelihood of increased human activity and disturbance resulting from the project relative to existing development; h. An evaluation by a qualified professional of the ESHA's vulnerability to sea level rise impacts (e.g. sensitivity to inundation and seawater intrusion) and ability for adaptation (e.g. inland migration) for projects located within 300 feet of the beach or bluff edge, or where otherwise appropriate based on based available science for inundation projections; i. A recommendation of the need to conduct a wetland delineation if site conditions indicate the presence or potential for wetland species or indicators;	

General Plan Policy Number	General Plan Policy	Project Consistency
	j. Recommended avoidance and/or mitigation measures if the proposed development has potential to impact any on- or off-site sensitive habitat areas or special status species during or post-construction; and k. Recommended buffer widths based on the applicable buffer policies in this chapter, site-specific conditions, and sensitivity and resilience of the ESHA to disturbance from the proposed development and from anticipated sea level rise impacts, where applicable. Where a reduced buffer zone is proposed, a recommendation of whether the reduced buffer zone would provide equivalent protection of the biological integrity of the site's sensitive habitats and special status species given the site-specific characteristics of the resource(s) and of the type and intensity of proposed development. Studies shall be made public and subject to review and comments by jurisdictional agencies and the public concurrently.	
6-40: Permitted Uses in Wetlands	Permit the diking, filling, or dredging of wetlands only where there is no feasible, less environmentally damaging alternative and where feasible mitigation measures will be implemented to minimize adverse environmental effects, and only for the following uses: a. Education and research activities; b. Public trails;	**Consistent.** Habitat restoration is proposed for the wetlands located on the western side of the project site. There will not be diking, filling, or dredging of wetlands.

General Plan Policy Number	General Plan Policy	Project Consistency
	c. Habitat restoration and fish and wildlife management activities; and d. Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers, maintenance of existing intake and outfall lines, and emergency repairs. Other uses specified in Section 30233 of the Coastal Act may only be allowed pursuant to an LCP amendment.	
6-41: Wetland Buffer Zones	Wetland buffer zones for proposed development shall extend a minimum of 100 feet landward from the edge of the delineated wetland. A larger buffer may be required based on site-specific evidence that a larger buffer is necessary to protect the functional capacity of the wetland ecosystem or to protect any sensitive species from the impacts of proposed development. A wetland buffer may be reduced to less than 100 feet only where the following can be demonstrated through evidence provided by site-specific evaluation pursuant to Policy 6-8, and only as specified below: a. Where the only building site is located entirely within the required buffer; no alternative development site, size, or design is feasible; and the proposed development is compatible with the continued viability of the adjacent wetland, including protection of any sensitive species: the buffer may be reduced to no less than 20 feet provided that design alternatives that	**Consistent.** The project includes a 100 foot wetland buffer between the edge of the delineated wetland and the hotel. Project alternatives including subdivision of land on Seymour Street for future residential development will comply with this policy, subject to mitigation.

General Plan Policy Number	General Plan Policy	Project Consistency
	maximize the buffer width are utilized; or b. Where the only building site is not located entirely within the required buffer; no alternative development site, size, or design is feasible to accommodate the development entirely outside the required buffer; no new adverse impacts to the wetland will occur; and the reduced buffer would provide equivalent protection of wetland resources, as conclusively demonstrated by a professional biologist to the satisfaction of the City and all jurisdictional regulatory agencies: the buffer may be reduced to no less than 50 feet.	
6-42: Permitted Uses within Wetland Buffer Zones	Within wetland buffer zones, permit only the following uses: a. Uses allowed within wetlands pursuant to Policy 6-40; b. Public scenic overlooks; c. Existing agricultural uses; d. New agricultural uses, provided that they prevent impacts on the adjacent wetlands and protect the function of the buffer; e. Temporary disruption (e.g. less than six months) for the construction, alteration, repair and maintenance of existing or newly permitted facilities or structures if there are no feasible alternatives and the disruption is repaired and restored to at least an equivalent condition; and Native landscaping.	**Consistent.** All uses proposed within the wetland buffers are permitted uses. The uses include public trails, restoration, and native landscaping.

General Plan Policy Number	General Plan Policy	Project Consistency
6-43: Standards in Wetlands and Wetland Buffer Zones	Require that development permitted in wetlands and wetland buffer zones minimizes adverse impacts during and after construction. Specifically, require that: a. All construction which alters wetland vegetation is required to replace the vegetation including "no action" in order to allow for natural reestablishment and pursuant to applicable mitigation requirements; b. All construction takes place during daylight hours; c. All paths are elevated (e.g. boardwalks) so as not to impede movement of water, not to compact soil, and otherwise not to disturb wetland plants and animals; d. All outdoor lighting is prohibited within wetlands, minimized in the wetland buffer zone, and down-cast and directed away from any wetland so as to not affect wildlife; e. Noise from motorized machinery is kept to less than 45-dBA at the wetland boundary, except for farm machinery; f. No herbicides are used in wetlands and wetland buffer zones unless there are no feasible alternatives and as specifically approved by the County Agricultural Commissioner and all jurisdictional regulatory agencies; and	**Consistent.** The project construction and design will be subject to conditions of approval requiring compliance with wetland buffer standards.

General Plan Policy Number	General Plan Policy	Project Consistency
	Any permit for development includes necessary mitigation, monitoring, reporting and maintenance programs.	
6-92: Landscaping and Revegetation	Require cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) to be landscaped or revegetated according to site-specific conditions at the completion of grading. Landscape plans shall provide that: a. a. Plantings shall be native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below. b. b. Invasive plant species that tend to supplant native species and natural habitats shall be prohibited. c. c. Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures. d. d. Any landscaping or revegetation shall be monitored and reported for a period of at least five years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings, including a desired percent coverage of native species within a specified timeframe. Mid-course corrections shall be	**Consistent.** Project grading will be designed to benefit ESHA and buffer areas and to prepare them for restoration. Conditions of approval will require monitoring to ensure adherence to the biologist's specified performance standards.

General Plan Policy Number	General Plan Policy	Project Consistency
	implemented if necessary. If performance standards are not met by the end of the designated monitoring period, the monitoring period shall be extended until the standards are met.	

Source: Half Moon Bay Local Coastal Program, 2021.

4.4.4 IMPACTS AND MITIGATION MEASURES

Thresholds of Significance

The following thresholds of significance for biological resources were derived from the Environmental Checklist in the *California Environmental Quality Act (CEQA) Guidelines Appendix G*. These thresholds of significance have been amended or supplemented, as appropriate, to address lead agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following thresholds of significance:

Bio a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife and or U.S. Fish and Wildlife Service;

Bio b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;

Bio c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

Bio d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;

Bio e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

Bio f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Methodology

A biotic resources technical study and report was prepared by CRB and Biosearch Associates in November 2013 for a different proposed project at the same location entitled *Biotic Assessment: James Ford Dealership Project, Half Moon Bay, California*, and a subsequent follow-up study was conducted in June 2016 by SWCA entitled *Jamison Hotel Project (Former James Ford Dealership Project), Half Moon Bay, California*.

In addition to peer-review of these earlier studies, H.T. Harvey & Associates plant ecologists conducted field surveys on May 30, 2017 and a senior wildlife ecologist visited the site on May 31, 2017.[9] The purpose of these surveys was to: (1) obtain an overview of the habitat conditions on the project site in order to allow for a peer review of the reports by CRB and Biosearch Associates and SWCA; (2) assess existing biotic habitats and general wildlife communities in the study area; (3) assess the potential for the project to impact special-status species and/or their habitats; and (4) identify potential jurisdictional habitats, such as waters of the U.S./state defined by USACE and one-parameter wetlands as defined by the CCC; and (4) search for potential rare plants including Choris' popcorn flower (*Plagiobothrys chorisianus* var. *chorisianus*, CRPR 1B.2) and Kellogg's horkelia (*Horkelia cuneata spp. sericea*, CRPR 1B.1). Focused surveys for rare plants and wetland delineation occurred on June 13, 2017 and June 28, 2017.

An additional site visit was completed in 2021, to supplement the findings from the 2017 visit, for a more thorough analysis. This included analyzing the parcel north of Seymour Street for the purposes of an alternative project design. For further discussion of the additional alternatives proposed, see **Chapter 5.0**, **Alternatives.**

Discussion of Impacts

Bio a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife and or U.S. Fish and Wildlife Service?

[9] The winter of 2016/2017 had unusually high precipitation and the site was not mowed or disturbed. Therefore, the May 2017 survey would have had optimal conditions for species identification and observation.

Impact BIO-1: Construction of the project would adversely impact species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife and or U.S. Fish and Wildlife Service.

Less than Significant with Mitigation. No direct impact or take of special-status species is expected as a result of the proposed project due to the lack of habitat suitable onsite to support those species with a potential to occur or known to occur in the project vicinity. However, there is at least a low potential for two special-status species to occur as occasional transients within the project site, including:

- California red-legged frog
- San Francisco garter snake

Removal of existing structures, vegetation, wood piles and other habitat features and earthwork required for construction of the proposed project could result in a take of special-status animals or active nests of birds afforded protection under the MBTA, California Fish and Game Code, or Bald and Golden Eagle Protection Act, if present at the time of construction.

The project would have a less-than-significant impact on candidate, sensitive, or special-status species with mitigation. Implementation of the following mitigation measures would reduce the potential impacts described above to a less-than-significant level:

Mitigation Measure BIO-1a. Preconstruction Survey

A qualified biologist shall conduct a preconstruction survey of the work area within 48 hours of the initiation of project activities. If a California red-legged frog of any life stage or San Francisco garter snake is found, the animal shall not be handled and will instead be allowed to leave the site on its own. If needed, the USFWS (and CDFW, if a San Francisco garter snake is found) will be contacted to request permission to relocate the individual or additional guidance on the disposition of the individual. The results of the pre-construction survey shall be provided to the City Manager or his/her designee one day prior to the commencement of construction activities.

In addition, the biologist shall review plans and installation for a wildlife exclusionary fence (WEF) and make any recommendations for improvements and/or changes to location and installation processes. Following the completion of the installation of the WEF, the biologist will train a dedicated member of the construction crew in the identification of the California red-legged frog and San Francisco garter snake, as well as appropriate protocols to follow if either of these species (or animals that

may be one of these species) are detected on the site. This dedicated crew member will be responsible for checking the work area for these species prior to the start of construction each day, for inspecting any steep-walled holes or trenches for any animals that may inadvertently become trapped and/or injured, and for inspecting the integrity of the WEF each day and ensuring that any needed repairs are completed within 24 hours. The construction manager shall provide a weekly summary of each inspection to the City Manager or his/her designee for the duration of the exterior construction phase.

Mitigation Measure BIO-1b. Worker Environmental Awareness Program

Before any construction activities begin, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the California red-legged frog and San Francisco garter snake and their habitats, the importance of these species, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project may be accomplished.

Mitigation Measure BIO-1c: Exclusion Barrier

A WEF shall be installed prior to the initiation of construction activities to exclude California red-legged frogs and San Francisco garter snakes from the construction area. Prior to the WEF installation a wildlife biologist shall inspect the site and WEF specifications and make final adjustments to the location of the WEF and how it is installed. The WEF shall consist of silt fencing, plywood, ERTEC fencing, or suitable material at least 36 inches in height that is buried 6 inches deep in the ground, or similar method, to prevent access under the fencing. The location and fence type shall be indicated on plans and subject to review and approval of City Plan Check.

Mitigation Measure BIO-1d. Biological Monitoring

A qualified biologist shall remain on-site to monitor the installation of the WEF to ensure that no San Francisco garter snakes or California red-legged frogs are trapped within the construction area or harmed during installation. If an individual of these species is detected, any project activities that could result in harm to the individual shall cease until the individual has moved out of the project site on its own. The USFWS shall be contacted immediately if a California red-legged frog or San Francisco garter snake is found, and the CDFW shall be contacted immediately if a San Francisco garter snake is found. If any individuals are killed or injured

during project activities, the USFWS and/or CDFW, as appropriate, shall be notified within 24 hours. Proof of notification shall be provided by the contractor to the City Manager or his/her designee.

Mitigation Measure BIO-1e. Prevention of Entrapment

To prevent the inadvertent entrapment of San Francisco garter snakes and California red-legged frogs, all excavated, steep-walled holes or trenches shall be completely covered at the end of each work day with plywood or similar materials. If this is not possible, one or more escape ramps constructed of earth fill or wooden planks will be placed in the excavation. Before such holes or trenches are filled, they shall be thoroughly inspected for any animals by the on-site biological monitor. If at any time a California red-legged frog or San Francisco garter snake is found trapped or injured in one of these holes, any project activities that could result in harm to the individual shall cease until the individual has moved out of the project site on its own (a ramp allowing the individual to leave may need to be provided).

Bird Species

The project site does not provide suitable nesting habitat for any of the special-status bird species with the potential to occur or known to occur in the vicinity of the project site. While no nests were observed on the site during the surveys conducted by the project applicant's biologist, there is a potential for new nests to be established prior to project implementation, or during later phases of construction. Tree removal, vegetation clearing, or disturbance in the immediate vicinity of a nest in active use could result in abandonment of the nest or loss of eggs and young, which would be a violation of the Migratory Bird Treaty Act. Preconstruction surveys would be necessary in advance of construction during the nesting season (February through August) to confirm presence or absence of any new nests. This is considered a potentially significant impact.

The following mitigation measures would reduce the impact described above to a less-than-significant level:

Mitigation Measure BIO-1f. Pre-Construction Bird Nesting Survey

If construction-related site disturbance commences between February 1 and August 15, a qualified biologist shall conduct a pre-construction bird nesting survey within 7 days of the start of construction activities and within 300 feet of the site. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer shall be established in consultation with the CDFW. The size of the no-disturbance buffer shall be determined by a qualified biologist, and shall

take into account local site features and existing sources of potential disturbance. If more than 7 days elapse between the survey and the start of construction, the survey shall be repeated. If vegetation removal, building demolition, or earthwork stages are phased over multiple years, the pre-construction survey and nest-avoidance measures described above would need to be repeated. The results of the nest survey shall be provided to the City Manager or his/her designee prior to the commencement of construction.

Mitigation Measure BIO-1g. Special-Status Species Agency Coordination

Proposed project construction activities shall not result in impacts to project site wetlands and/or habitat for special-status species known to occur in the vicinity of the site.

Prior to commencement of construction activities, the project applicant's biologist shall obtain a verified wetland delineation and obtain concurrence with the regulatory agencies regarding special-status species. The project applicant shall continue to coordinate all project activities potentially regulated by State, Federal, and local agencies and shall obtain all necessary permits from CDFG, USACE, USFWS, and the RWQCB as required by federal and State law to avoid, minimize or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law.

Evidence that the project applicant has secured any required authorization from these agencies shall be submitted to Half Moon Bay prior to issuance of any grading or building permits for the project.

Significance after Mitigation. With the implementation of **Mitigation Measures BIO-1a through BIO-1g**, impacts to candidate, special-status, or sensitive species would be reduced to a less-than-significant level.

Bio b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

And

Bio c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact BIO-2: Implementation of the project would have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

And

Impact BIO-3: Implementation of the project would have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means.

Less than Significant with Mitigation. The project site does not support sensitive habitats. However, wetlands found to be jurisdictional by either the USACE or CCC may be present. During the 2017 field surveys, four seasonal wetlands meeting the USACE criteria for Section 404 wetlands were found along the western boundary of the study area. Although these may be old agricultural ditches constructed in uplands, they have persisted for some years and have become wetlands likely to be considered jurisdictional by the USACE and CCC. Each feature exhibits wetland vegetation and wetland hydrology indicators that meet the USACE criteria for wetlands and would also be considered an ESHA by the Local Coastal Program. Soils were problematic due to past agricultural activities, but as previously mentioned, the study area is underlain by Botella clay loam, 0 to 2 percent slopes, nearly level. This soil type is considered hydric when in occurs in depressions. As such, the geomorphic position of areas colonized by hydrophytic vegetation is an important indicator of wetland hydrology used to determine the presence of these four seasonal wetlands. In addition to these four seasonal wetlands, there are some areas in the ruderal grasslands (upland) that support hydrophytic vegetation. However, based on field evidence, it was determined that these areas are not acting as true “one parameter wetlands” or environmentally sensitive habitat areas. The project would have a less than significant impact on protected wetlands with mitigation.

In addition, the design of the project avoids the wetlands on site by the incorporation of a 1.95-acre buffer along the western side of the site plan, as discussed in **Chapter 3.0, Project Description** and shown on **Figure 3-3**.

The following measures will reduce potential project impacts on wetlands under CEQA to less than significant, if features claimed by either the USACE or CCC will be impacted:

Mitigation Measure BIO-2a. Avoid All Wetlands to The Extent Feasible.

All jurisdictional wetlands and ESHAs claimed by the CCC shall be avoided to the extent feasible. This includes direct loss and indirect water quality impacts that could occur due to adjacent development.

During construction, suitable erosion control, sediment control, source control, treatment control, material management, and stormwater management measures would be used in conformance with the NPDES Statewide Construction General Permit (Order No. 2009-0009-DWQ). Additionally, the project shall be designed to comply with the *California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit* (MRP) (Water Board Order No. R2-2009-0074). This will require that the project implement BMPs into the design that prevents stormwater runoff pollution, promotes infiltration, and holds/slows down the volume of water coming from a site. In order to meet these permit and policy requirements, projects must incorporate the use of tree planters, grassy swales, bioretention and/or detention basins, among other factors. The project is already largely designed to preserve existing drainage characteristics, as seen by the placement of stormwater treatment basins near the area of the site where the seasonal wetlands occur. These basins shall be designed to drain to the avoided wetland area to preserve hydrological inputs from the site. An explanation of compliance with this measure (including drainage design and maintenance program) shall be provided to the City Manager or his/her designee and included in the project file. Compliance checking by the City shall be incorporated into the Wetland Restoration and Monitoring Plan specified in **Mitigation Measure BIO-2b**.

Mitigation Measure BIO-2b. Compensate for Lost Wetlands by Restoring Avoided Wetlands.

Most components of the project will be 100 feet away from identified jurisdictional wetland areas (as determined by site verification). Portions of the project that will be located within the buffer include the class 1 multi-use bicycle and pedestrian trail, a pedestrian path, wetlands restoration, green infrastructure, and emergency fire stands. Activities associated with these features are potentially allowed within buffers without mitigation (e.g., some trails and restoration); however, maintenance and the unlikely event of firefighting would need to be considered for mitigation. For development and uses such as these, which cannot be avoided by the project, the project shall restore avoided wetlands on-site at 4:1 by implementing a weed removal program in the

avoided wetlands, which are dominated by weedy, non-native species such as pennyroyal (*Mentha pulegium).* It should be noted that the wetlands identified on this site were not found to be Environmentally Sensitive Habitat Areas (ESHAs). In addition to the required Section 404 permit (Nationwide), a qualified restoration ecologist will develop a Wetland Restoration and Monitoring Plan, which will contain the following components (or as otherwise modified by regulatory agency permitting conditions):

1. Goal of the restoration (to increase wetland habitat functions and values by removing invasive species);
2. Restoration design:
   - Weed removal, control, and monitoring plan
   - Soil amendments and other site preparation elements as appropriate
   - Planting plan (to replace non-natives with native wetland species)
   - Maintenance plan
   - Remedial measures/adaptive management
3. Monitoring plan, including final and performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.); at a minimum, success criteria will include restoration of native wetland vegetation and no more than 5 percent cover of non-native species, and provision of ecological functions and values equal to or exceeding those in the habitat that was impacted; and
4. Contingency plan for mitigation elements that do not meet performance or final success criteria.

Significance after Mitigation. With the implementation of **Mitigation Measures BIO-2a and BIO-2b**, impacts to candidate, special-status, or sensitive species would be reduced to a less-than-significant level.

Bio d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant. The project site provides limited habitat for wildlife movement. Due to the density of development in the project region and the presence of busy roadways, such as Main Street and SR-1, which surround the site, there are currently no well-defined movement corridors for terrestrial species, such as mammals and reptiles, within or through the project site. Wildlife species may move through the area using cover and refugia as they

find them available. However, most dispersal by wildlife species likely occurs along higher-quality habitats to the west (along the coast) and within areas of open space.

Due to its small size and the predominantly non-native vegetation that dominates the project site, the site does not provide high-quality habitat for migratory birds in comparison to more natural areas with native trees and vegetation to the east and west. Migratory birds flying over or along the coastline may use the site as a stopover site for refueling and deposition of fat reserves to continue migration, but they are expected to do so in small numbers due to the marginal habitat quality.

In summary, the project site is not an important area for movement by wildlife, and it does not contain any high-quality corridors allowing dispersal of such animals through Half Moon Bay. Thus, the site does not provide a valuable movement corridor for wildlife and impacts are less than significant.

Bio e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact BIO-4: The project would conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Less than Significant with Standard Condition. The existing Monterey cypress tree would be preserved, along with the majority of the bottlebrush trees. Some bottlebrush trees would be removed to allow for new vehicular access to the site. Based on preliminary plans, it is estimated that four bottlebrush trees would be removed. These trees meet the City's definition of heritage trees due to their location along Main Street. The removal or major pruning of a heritage tree requires a permit from Half Moon Bay and requires replacement trees as specified in the Tree Ordinance. Pruning more than one-third of the branches or roots of a heritage tree within a twelve-month period is considered major pruning. Heritage trees that are permitted for removal or pruning must be replaced on a one-for-one basis with a minimum 24-inch box specimen tree that is approved by the Community Development Department. Therefore, impacts are less than significant with implementation of the following Standard Condition:

> **Standard Condition BIO-3: Permit Required for Major Pruning or Removal of a Heritage Tree**
>
> Prior to the removal of any heritage trees the project applicant shall obtain a major tree pruning or removal permit and the appropriate replacement

species will be replanted as determined by the tree permit conditions as required by the City's Tree Ordinance.

In addition to **Standard Condition BIO-3**, the LCLUP requires project grading to be designed to benefit ESHA and buffer areas in preparation for landscaping and revegetation. **Standard Condition BIO-4** will be required to ensure adherence to the biologist's specific performance standards. Therefore, impacts are less than significant with implementation of the following Standard Condition:

Standard Condition BIO-4: Landscaping and Revegetation

The percent cover of non-native species, and invasive plant species with a Cal-IPC Inventory rating of High will not exceed 5 percent at any time during the 5-year monitoring period, respectively. Additionally, the percent cover of planted (i.e., not seeded) native species within mitigation areas will equal or exceed 50 percent by the end of the 5-year monitoring period. Bare ground/mulch and non-native drought tolerant species can comprise the remaining cover.

Significance with Standard Condition. With the implementation of **Standard Condition BIO-3** and **Standard Condition BIO-4**, impacts to candidate, special-status, or sensitive species would be less than significant.

Bio f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. Implementation of the proposed project will not conflict with Habitat Conservation Plans or Natural Community Conservation Plans. No local, regional, or statewide habitat conservation plans have been adopted for the area in which the project is located. Therefore, no impact would occur, and no mitigation would be required.

4.4.5 CUMULATIVE IMPACTS

The cumulative setting for biological resources comprises the project and the following proposed development near the project site (see **Chapter 4.0, Setting, Impacts, and Mitigation Measures**):

- SR-1 South, from Seymour Street to Wavecrest Road
- Highway 1 Improvements from Part 1 - Main to Kehoe, and Part 2 - South Main/SR-1/Higgins Canyon Road to Wavecrest.

- Highway 1 South Signalization Project at South Main and Higgins Canyon Road
- Entry Feature Improvements

This development considered for cumulative impacts is a highway improvement project and will mostly occur within Half Moon Bay and Caltrans right-of-way. As such, the highway has a relatively low potential for sensitive plant or animal species impacts due to its developed condition. In addition, the Gateway project involves improvements abutting the south end of the site included construction of signage, walking path and new signal; therefore, the area adjacent to the south of the project site is further developed. These are the projects that are close enough to contribute to cumulative biological resources impacts together with the project site. All the other projects listed in **Table 4.0-1** (**Chapter 4.0, Setting, Impacts, and Mitigation Measures**) are too distant and separated, or too small in scale to contribute to cumulative impacts when considered with the proposed project. Therefore, the project in conjunction with past, present, and foreseeable projects, would not result in a cumulative impact.

4.4.6 REFERENCES

City of Half Moon Bay. 2021. Local Coastal Program Land Use Plan. Accessed in June 2021 from https://www.half-moon-bay.ca.us/154/Local-Coastal-Program-Land-Use-Plan

[CRB] Coast Range Biological LLC and Biosearch Associates. 2013. Biotic Assessment, James Ford Dealership Project, Half Moon Bay, California. November 2013.

Google Inc. 2018. Google Earth (Version 7.1.8.3036) [software]. Available: https://www.google.com/earth. Accessed: June 2021.

H.T. Harvey & Associates. 2017. Half Moon Bay Hyatt Place Project Biological Resources Technical Report Peer Review. July 27, 2017.

H.T. Harvey & Associates. 2022. Half Moon Bay Hyatt Place Project Biological Resources Technical Report Update Memorandum. January 7, 2022.

Natural Resources Conservation Service. 2017a. State Soils Data Access: Hydric Soils List. Available: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcseprd1316619.html#reportref. Accessed: June 2021.

Natural Resources Conservation Service. 2017b. Custom Soil Resource Report for the San Mateo Area, California. Available:

https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx Accessed: January 2022.

[CRB] Coast Range Biological LLC and Biosearch Associates. 2013. Biotic Assessment, James Ford Dealership Project, Half Moon Bay, California. November 2013.