

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 1 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.¹ 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.

¹ 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 34), 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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Project Planner, 650/363-1815
sburlison@smcgov.org



Summer Burlison, Project Planner

County of San Mateo
Planning and Building Department

**REVISED INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

1. **Project Title:** Peter's Creek Bridges
2. **County File Number:** PLN2022-00068
3. **Lead Agency Name and Address:** County of San Mateo, Planning and Building Department, 455 County Center, 2nd Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Summer Burlison, Project Planner, 650/363-1815
5. **Project Location:** Slate Creek Road (Peter's Creek), South Skyline area
6. **Assessor's Parcel Number and Size of Parcel:** 085-070-070 and 085-070-050; 86 acres total
7. **Project Sponsor's Name and Address:** Save the Redwoods League, 111 Sutter Street, 11th Floor, San Francisco, CA 94104
8. **Name of Person Undertaking the Project or Receiving the Project Approval (if different from Project Sponsor):** N/A
9. **General Plan Designation:** Timber Production and Open Space, respectively
10. **Zoning:** Timberland Preserve Zone (TPZ) and Resource Management (RM), respectively
11. **Description of the Project:**

~~Changes from the original published Initial Study/Mitigated Negative Declaration (IS/MND), 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 IS/MND (dated October 24, 2022), included as Attachment F. 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.

12. **Surrounding Land Uses and Setting:** The project parcels are part of four parcels totaling approximately 162 acres of forestland supporting trails and access to adjacent state park lands and trails. Portola Redwoods State Park is located east, west and south of the project parcels. Privately owned and developed rural parcels are located to the adjacent north and south of the project parcels. The area is densely forested.
13. **Other Public Agencies Whose Approval is Required:** California Department of Fish and Wildlife, Regional Water Quality Control Board, US Army Corps of Engineers.
14. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** No California Native American tribes have requested consultation for the project pursuant to Public Resources Code Section 21080.3.1. Furthermore, the result of a Sacred Lands File check by the Native American Heritage Commission was negative.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Significant Unless Mitigated" as indicated by the checklist on the following pages.

	Aesthetics		Energy		Public Services
	Agricultural and Forest Resources		Hazards and Hazardous Materials		Recreation
X	Air Quality		Hydrology/Water Quality		Transportation
X	Biological Resources		Land Use/Planning	X	Tribal Cultural Resources
	Climate Change		Mineral Resources		Utilities/Service Systems
X	Cultural Resources		Noise		Wildfire
	Geology/Soils		Population/Housing		Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in 5. below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a. Have a substantial adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?				X
<p>Discussion: The project site consists of two locations along Peter's Creek, approximately 0.63 acres of disturbance proposed, surrounded by forestland owned and managed by Save the Redwoods League. The project parcels consist of heavily forested steep canyon terrain. The project includes reconstructing an existing bridge crossing (Bridge 1) and constructing a new bridge crossing (Bridge 2) approximately 800 feet upstream. Construction staging will be in the immediate vicinities of the bridge crossing sites. A number of <u>smaller trees in the immediate project area will be removed that range in size from 5 inches in diameter-at-standard (DSH) height to 13.5 inches DSH to accommodate construction access and staging; none of these trees are regulated by the County's protected tree ordinance as they are less than 55 inches in circumference and in the Timberland Preserve Zone, mostly of smaller size (less than 10 inches diameter at breast height) and not regulated by the County; however, two significant trees (greater than 17.5-inch diameter at breast height) will be removed to accommodate construction access and staging. The two significant trees are a Douglas fir (35-inch diameter) and a redwood tree (28-inch diameter).</u> Given the topography</p>				

of the project areas and dense forestland, the project will not have any substantial adverse impact on any views in the area.

Source: Project Location; Project Description; Biological Resource Assessment, Prepared By Environmental Collaborative, Dated December 2021; San Mateo County Protected Tree Ordinance, adopted October 22, 2024.

1.b. Substantially damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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Discussion: The project site is not within a state scenic highway area and would not damage or destroy any scenic resources.

Source: Project Location; Project Description.

1.c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings, such as significant change in topography or ground surface relief features, and/or development on a ridgeline? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
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Discussion: The project parcels consist of heavily forested steep canyon terrain. The project will have minimal adverse impacts to the visual character or quality of the area and does not propose significant changes to topographic or ground surface relief features.

Source: Project Location; Project Description.

1.d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?				X
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Discussion: The project consists of replacing an existing bridge crossing and constructing a new bridge crossing over Peter's Creek. No new permanent lighting is proposed. New light sources from construction vehicles and equipment may be introduced but only temporarily for the duration of construction which is expected to be 2-3 months for each bridge. Furthermore, construction will be completed prior to Oct 1, thus occurring while daylight hours are longer which will minimize contrast between construction light impacts and natural daylight in the immediate project areas. Therefore, no mitigation is necessary.

Source: Project Location; Project Description.

1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?				X
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Discussion: The project site is not comprised of a designated Scenic Highway or within a State or County Scenic Corridor.

Source: Project Location; County of San Mateo GIS, Scenic Corridors Map (accessed 2022).

1.f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
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Discussion: The project site is not in a Design Review District.

Source: Project Location; County of San Mateo GIS, Zoning Map (accessed 2022).

1.g. Visually intrude into an area having natural scenic qualities?				X
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Discussion: See staff's responses in Sections 1.a. – 1.d., above.

Source: See Sources in Sections 1.a. – 1.d.

2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

Discussion: The project site is located outside of the Coastal Zone and designated as "Other Lands" on the State's Important Farmland Map. The project site consists of forestland and does not contain farmlands or agriculturally designated lands.

Source: Project Location; State of California, San Mateo County Important Farmland 2018, Published September 2019.

2.b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
<p>Discussion: The project site is zoned Resource Management and Timber Preserve Zone. There is no conflict with zoning for agricultural use and the project parcels are not encumbered by an open space easement or Williamson Act contract.</p> <p>Source: County of San Mateo GIS, Zoning Map (accessed 2025²); County of San Mateo GIS, Williamson Act Contract Map (accessed 2025²); County of San Mateo Accela Permit Tracking System (accessed 2025²).</p>				
2.c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
<p>Discussion: The project will not involve changes in the existing environment that could result in conversion of forestland to non-forest use. The project consists of replacing an existing bridge and building a new bridge crossing over Peter's Creek as part of an access improvement program throughout the property owned and managed by Save the Redwoods League.</p> <p>Source: Project Plans and Description.</p>				
2.d. For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
<p>Discussion: The project is not located within the Coastal Zone and does not contain Class I, Class II, or Class III prime soils.</p> <p>Source: Project Location; County of San Mateo GIS, Prime Agricultural Lands Map (accessed 2025²).</p>				
2.e. Result in damage to soil capability or loss of agricultural land?				X
<p>Discussion: The project includes limited grading within forestland area; therefore, will not result in damage to soil capability or loss of agricultural lands.</p> <p>Source: Project Location; Project Plans and Description.</p>				
2.f. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X

<p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				
<p>Discussion: The project consists of replacing an existing bridge crossing and constructing a new bridge crossing over Peter's Creek within forestland area zoned Resource Management and Timberland Preserve. The project parcels are owned by a non-profit organization who manages the land for forestland preservation and low-impact recreational use. The proposed project supports existing use of the land by improving access for land management and trail use purposes; both of which are compatible uses under the zoning.</p> <p>Source: Project Plans and Description; County of San Mateo Zoning Ordinance.</p>				

<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
	<p><i>Potentially Significant Impacts</i></p>	<p><i>Significant Unless Mitigated</i></p>	<p><i>Less Than Significant Impact</i></p>	<p><i>No Impact</i></p>
<p>3.a. Conflict with or obstruct implementation of the applicable air quality plan?</p>		<p>X</p>		
<p>Discussion: The Bay Area 2017 Clean Air Plan (CAP), developed by the Bay Area Air Quality Management District (BAAQMD), is the current regulating air quality plan for San Mateo County. The CAP was created to improve Bay Area air quality and to protect public health and the climate. The project would not conflict with or obstruct the implementation of the BAAQMD's 2017 Clean Air Plan. During project implementation, air emissions would be generated from site grading, equipment, and work vehicles; however, any such grading-related emissions would be temporary and localized. Once constructed, structures would not have any impacts to the air quality standards set forth for the region by the BAAQMD.</p> <p>The following construction best management practice is recommended to ensure any construction related emissions are appropriately managed and minimized:</p> <p>Mitigation Measure 1: The applicant shall include the following measures on building permit plans submitted to the Building Inspection Section:</p> <ul style="list-style-type: none"> 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 mph. 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.

Source: Project Plans; Bay Area Air Quality Management District, 2017 Clean Air Plan.

3.b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

X

Discussion: The Bay Area is in non-attainment for PM-2.5 and will continue to be designated a "non-attainment" area for the national 24-hour PM-2.5 standard until the Bay Area Air Quality Management District (BAAQMD) submits a redesignation request and a maintenance plan to the Environmental Protection Agency (EPA) and the redesignation is approved by the EPA. A temporary increase in PM-2.5 (particulate matter) in the project area is anticipated during construction since these PM-2.5 particles are typical of vehicle emission. The temporary nature of the proposed construction and California Air Resources Board vehicle regulations reduce the potential effects to a less than significant impact. Additionally, Mitigation Measure 1 in Section 3.a. would minimize increases in non-attainment criteria pollutants generated from project construction to a less than significant level.

Source: Project Plans; Bay Area Air Quality Management District, 2017 Clean Air Plan.

3.c. Expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District?

X

Discussion: Any pollutant emissions generated from the proposed project would primarily be temporary in nature. The project site is in a densely forested, rural area of the County with nearby sensitive receptors limited to low intensity recreational use of the trails by visitors. Additionally, implementation of Mitigation Measure 1 would help in minimizing any potentially significant exposure to sensitive receptors; therefore, no additional mitigation is recommended.

Source: Project Location; Project Plans.

3.d. Result in other emissions (such as those leading to odors) adversely

X

affecting a substantial number of people?				
<p>Discussion: The project proposes bridge construction and minor trail work in a densely forested, rural area. The project is not expected to generate odors that could affect a substantial number of people.</p> <p>Source: Project Location; Project Plans.</p>				

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.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 or U.S. Fish and Wildlife Service or National Marine Fisheries Service?		X		
<p>Discussion: The project has the potential to adversely affect a number of special-status species that are within the project area, in particular marbled murrelet as a 2021 survey report confirmed nests in the project's biological study area vicinity. Other special-status animal species that could be present within the construction zone and/or could be injured or inadvertently taken during project implementation, although having more of a remote potential for presence, include but are not limited to, California red-legged frog, foothill yellow-legged frog, California giant salamander, Santa Cruz black salamander, wester pond turtle, red-bellied newt, and steelhead.</p> <p><i>Marbled Murrelet:</i></p> <p>None of the trees <u>proposed for removal</u> are large enough in size to serve as important roosting or potential nesting locations for marbled murrelet, and due to the density and extent of redwood forest and old growth redwood forest stands in the study area vicinity, their removal would not substantially degrade the habitat value of the forest for murrelet. However, vegetation removal, grading equipment operation and increased human disturbance could contribute to visual or auditory harassment of occupied nests, which could have a significant impact on occupied murrelet nesting habitat <u>during construction</u>. Additionally, the project could generate indirect impacts on murrelet habitat in the study area <u>by attracting predatory species</u> unless carefully managed and controlled.</p> <p><i>Other Nesting Birds:</i></p> <p>Field reconnaissance surveys detected no signs of active nests; however, there is a possibility that nests of other native bird species protected under the Migratory Bird Treaty Act (MBTA) and State Fish and Game code could be established in advance of construction and therefore be inadvertently disturbed or lost while eggs or young are present.</p> <p><i>Special-status Plant Species:</i></p>				

There is a remote potential that several special-status plant species may be present in the study area and could be affected by vegetation removal, grading and other disturbance associated with the project, including minute pocket moss, Dudley's lousewort, and white-flowered rein orchid. No populations were observed within the limits of disturbance during late summer field reconnaissance in 2019 or detailed systematic surveys conducted during the flowering period in April and July of 2022. No special-status plant species were detected during the surveys and none are suspected to occur in the study area ~~however this field reconnaissance was conducted outside the flowering period for these species so they could have been undetectable.~~ Previously recommended ~~Therefore,~~ Mitigation Measure ~~6 3 (shown in overstrike below)~~ requires preconstruction surveys and appropriate avoidance or mitigation if these species are present in the project vicinity. However, the intent of this measure has been satisfied by the systematic surveys conducted in 2022, as summarized in the response memo contained in Attachment G.

The following mitigation measures are recommended to reduce any potentially significant project impacts on special-status species to less than significant levels. In response to comments from the CDFW, Mitigation Measure 2 [BIO-1a]: *Marbled Murrelet (MAMU) Nesting Habitat Avoidance*, and Mitigation Measure 4 [BIO-4]: *Avoidance of Bird Nests in Active Use* from the original IS/MND have been revised.

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.¹ 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.~~

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

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.
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 entrapment.

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.~~

~~Source: Project Plans; Project Location; Biological Resource Assessment Prepared by Environmental Collaborative, Dated December 2021 and response memo dated September 2024.~~

4.b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?		X		
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Discussion: See staff's discussion in Section 4.a. and 4.c. – e.

Source: Project Plans; Project Location; Biological Resource Assessment Prepared by Environmental Collaborative, Dated December 2021 and response memo dated September 2024.

4.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?		X		
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Discussion: The project involves the temporary installation of coffer dams and dewatering of the creek to allow equipment in the channel to construct the two new bridges and reinforce the bank in one location along the access road. The existing crossing of the ephemeral drainage would also be modified as part of the access road improvements to Bridge 2. Collectively, an estimated 3,000 sq. ft. of regulated waters below the Ordinary High-Water Mark (OHWM) would be temporarily disturbed to accommodate the access road, coffer dams, and construction activities within federally regulated waters. Both bridges will be constructed to avoid disrupting plant growth and aquatic habitat within the active channel; bridge abutments would be located above the OHWM. Thus, impacts to regulated waters would mostly be temporary and involve a relatively small area.

Appropriate measures will be implemented for the project to prevent erosion and sedimentation, degradation of downgradient waters as a result of construction activities, controls to minimize disturbance to regulated waters, and successful implementation of habitat enhancements. Nonetheless, authorizations would be necessary from the US Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW). The following mitigation measures are recommended to ensure impacts are reduced to less-than-significant levels:

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*.

Source: Project Plans; Project Location; Biological Resource Assessment Prepared by Environmental Collaborative, Dated December 2021 and response memo dated September 2024.

4.d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
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Discussion: The project is not expected to have any significant permanent adverse impacts on wildlife movement or native wildlife nursery sites. Wildlife in the vicinity is already acclimated to human activity along the existing trail and construction-related disturbance would not cause any significant impacts on the existing wildlife habitat values. Construction activities will occur during the dry season to minimize disturbance to the active creek channel when surface flows and water are present and provide seasonal habitat to amphibians and other aquatic-dependent species. The following mitigation measures are recommended to avoid the possibility of adverse effects of construction on wildlife, in addition to Mitigation Measure 4:

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.

Source: Project Plans; Project Location; Biological Resource Assessment Prepared by Environmental Collaborative, Dated December 2021.

4.e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?		X		
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Discussion: The project involves the removal of ~~14~~ 48 trees, including ~~16~~ trees (Tan oak, redwood, California laurel, Big leaf maple) ranging in size from 5-inch diameter to ~~13.5~~ 40-inch diameter and consisting of redwood, tan oak, California laurel, and big leaf maple species, ~~one 35-inch diameter Douglas fir and one 28-inch diameter redwood~~. None of the trees proposed for removal are regulated by the County due to their size and location, and none are considered heritage pursuant to the County's Heritage Protected Tree Ordinance.

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 topplers.
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 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.

Source: Project Plans; Project Location; Biological Resource Assessment Prepared by Environmental Collaborative, Dated December 2021; San Mateo County Protected Tree Ordinance, adopted October 22, 2024.

4.f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
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Discussion: The site is not located in an area with an adopted Habitat Conservation Plan or Natural Conservation Community Plan, or other known approved regional or State habitat conservation plan.

Source: Project Location; California Department of Fish and Wildlife, California Natural Communities Conservation Plan Map, April 2019.

4.g. Be located inside or within 200 feet of a marine or wildlife reserve?				X
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Discussion: The project site is not located inside or within 200 feet of a marine or wildlife reserve.				
Source: Project Location; U.S. Fish and Wildlife Services, National Wildlife Refuge System Locator (accessed 2022).				
4.h.	Result in loss of oak woodlands or other non-timber woodlands?			X
Discussion: The project does not result in the loss of oak woodlands or other non-timber woodlands.				
Source: Project Plans.				

5. CULTURAL RESOURCES. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a.	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?				X
Discussion: The project does not involve any identified historical resource.					
Source: Project Plans; Project Location; CEQA Guidelines Section 15064.5.					
5.b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?		X		
Discussion: The project proposes minimal construction impacts to already non-disturbed areas. Ground disturbance and grading is limited to access road improvements, excavation for bridge foundations, and trail leveling. Nonetheless, if archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation.					
Mitigation Measure 9 40: 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.					
Source: Project Plans; Project Location.					
5.c.	Disturb any human remains, including those interred outside of formal cemeteries?		X		
Discussion: The project parcels contain no known cemeteries. Nonetheless, the project may have the potential to disturb human remains interred outside of formal cemeteries. Therefore, the					

following mitigation measure is recommended to minimize any potential impact to unknown human remains within the project area during project grading and construction activities:

Mitigation Measure 10.44: 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.

Source: Project Location.

6. ENERGY. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6.a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
<p>Discussion: The project replaces one access bridge and constructs a new access bridge connecting existing trails and maintenance roads within the forestland area used for low-impact recreation. No utilities are proposed that would use or require energy resources post-construction. The construction of the project will require use of nonrenewable energy resources, primarily in the form of fossil fuels for construction vehicles and equipment. Portable generators will be used to supply electrical power on site during construction. Total construction duration is expected to be 2-3 months for each bridge; the two bridges will be constructed sequentially over a period of two construction seasons. Therefore, impacts will be local and limited for each bridge location, which will help to minimize any potentially significant impacts. No mitigation is necessary.</p> <p>Source: Project Plans and Description; Project Location.</p>				
6.b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				X
<p>Discussion: The project does conflict with or obstruct any plan for renewable energy or energy efficiency. See staff's response to Section 6.a.</p> <p>Source: Project Plans and Description; Project Location.</p>				

7. GEOLOGY AND SOILS. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
7.a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>			X	
<p>Discussion: According to the Geotechnical Report prepared by Questa Engineering Corporation, the project site does not lie within an Alquist-Priolo Earthquake Fault Zone Boundary. The nearest known active fault is the San Andreas fault, located approximately 3.4 miles to the northeast of the project site. Therefore, the potential for fault rupture at the project site is considered very low.</p> <p>Source: Project Location; Geotechnical Investigation Report, Prepared by Questa Engineering Corporation, Dated November 22, 2019.</p>				
ii. Strong seismic ground shaking?			X	
<p>Discussion: The Peak Ground Acceleration (PGA) that is expected at the site is 74.1% of the force of gravity; thus, violent ground shaking can be expected at the site if a major earthquake occurs on the San Andreas fault. Design recommendations from the Geotechnical Investigation will be adhered to for the project. Additionally, the project does not introduce any uses or structures that would pose a substantial risk to loss, injury or death.</p> <p>Source: Project Plans; Project Location; Geotechnical Investigation Report, Prepared by Questa Engineering Corporation, Dated November 22, 2019.</p>				
iii. Seismic-related ground failure, including liquefaction and differential settling?			X	
<p>Discussion: Seismic-related ground failure hazards include liquefaction and differential settlement and could result in landslide. No active landslides were noted at the project site but there is a possibility of larger deep seated or bedrock slides to impact the project site. Based on the potential for bank instability along Peter's Creek, the abutments for the bridges must be evaluated for active scour and shallow bank instabilities. Additionally, following removal of the existing bridge, the</p>				

disturbed stream banks shall be protected to prevent erosion and should be planted with appropriate native vegetation to provide long-term stability. The recommendations from the Geotechnical Investigation shall be adhered to for the project. No further mitigation is necessary.

Source: Project Plans; Project Location; Geotechnical Investigation Report, Prepared by Questa Engineering Corporation, Dated November 22, 2019.

iv. Landslides?			X	
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Discussion: See staff's discussion in Section 7.a.iii.

Source: Project Plans; Project Location; Geotechnical Investigation Report, Prepared by Questa Engineering Corporation, Dated November 22, 2019.

v. Coastal cliff/bluff instability or erosion? <i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).</i>				X
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Discussion: The project site is not located near a coastal cliff or bluff.

Source: Project Location.

7.b. Result in substantial soil erosion or the loss of topsoil?			X	
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Discussion: The project involves 1,563 cubic yards (c.y.) of grading (1,048 c.y. cut and 515 c.y. fill) and the removal of ~~14~~ 48 smaller trees, including ~~16~~ ranging in size from 5-inch diameter to ~~13.5~~ 40-inch diameter, ~~one 35-inch diameter Douglas fir and one 28-inch diameter redwood.~~ Erosion and sediment control measures are proposed to minimize soil erosion and sedimentation impacts to the area. No further mitigation is necessary.

Source: Project Plans.

7.c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?			X	
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Discussion: See staff's responses to Section 7.a., 7.b., and 7.d.

Source: Project Plans; Project Location; Geotechnical Investigation Report, Prepared by Questa Engineering Corporation, Dated November 22, 2019.

7.d. Be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code, creating substantial direct or indirect risks to life or property?			X	
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Discussion: The site is generally susceptible to low to moderate soil expansion due to soil moisture fluctuations. Within the redwood forest environment, seasonal moisture fluctuations are not as extreme as in open, non-coastal areas. Improvements should be designed to resist the effects of soil heave and settlement in response to seasonal moisture fluctuations in underlying soils, in areas where moisture fluctuations are expected. Design recommendations from the Geotechnical Investigation will be adhered to for the project. No further mitigation is necessary.

Source: Project Plans; Project Location; Geotechnical Investigation Report, Prepared by Questa Engineering Corporation, Dated November 22, 2019.

7.e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

X

Discussion: N/A; the project does not involve use of a septic tank or alternative wastewater disposal system.

Source: Project Plans and Description.

7.f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

X

Discussion: Based on the project parcel's existing surrounding environment and topography, it is not likely that the project parcel would host any paleontological resource or site or unique geologic feature. However, Mitigation Measure 10 is provided to minimize impacts to a less than significant level if any resources are encountered.

Source: Project Location; Project Plans.

8. CLIMATE CHANGE. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	

Discussion: Project related grading and construction activities may result in the temporary generation of GHG emissions along travel routes and at the project site. In general, construction involves GHG emissions mainly from exhaust from vehicles (e.g., construction equipment and vehicles). Due to the site's rural location, temporary nature of construction, and no emissions generated by the bridges themselves once in operation, the potential project GHG emission levels from construction are limited, localizes and temporary. Furthermore, Mitigation Measure 1 includes

<p>Best Management Practices for reducing construction vehicle and equipment emissions. No further mitigation is necessary.</p> <p>Source: Project Plans and Description.</p>				
8.b.	Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X	
<p>Discussion: The San Mateo County Energy Efficiency Climate Action Plan (EECAP) identifies implementation measures for the reduction of GHG emissions resulting from development consistent with state legislation, including construction idling. GHG emissions resulting from the project are expected to occur during the construction phase, primarily from vehicle exhaust. Although the emissions are temporary in nature, Mitigation Measure 1 (f-g) in Section 3.a. will help ensure any such temporary emissions are minimized.</p> <p>Source: San Mateo County Energy Efficiency Climate Action Plan (EECAP); Project Plans and Description.</p>				
8.c.	Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?		X	
<p>Discussion: The project will not result in the loss of forestland or conversion of forestland. The project consists of constructing two bridges for crossing of Peter's Creek. The project proposes the removal of a number of <u>14</u> smaller trees and two larger regulated significant trees; however, the project site is located on forestland properties (under common ownership) that total over 160 acres. Furthermore, the two regulated trees proposed for removal will be required to be replaced.</p> <p>Source: Project Plans; Project Location.</p>				
8.d.	Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?			X
<p>Discussion: The project is located in the rural South Skyline area of the County and not near any coastal cliffs or bluffs.</p> <p>Source: Project Location.</p>				
8.e.	Expose people or structures to a significant risk of loss, injury or death involving sea level rise?			X
<p>Discussion: The project is located in the rural South Skyline area of the County and not near any coastal cliffs or bluffs.</p> <p>Source: Project Location.</p>				

8.f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: The project site is not located in a 100-year flood hazard area.</p> <p>Source: Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel 06081C0415E, Effective October 16, 2012.</p>				
8.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: The project site is not located in a 100-year flood hazard area.</p> <p>Source: Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel 06081C0415E, Effective October 16, 2012.</p>				

9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
<p>Discussion: The project involves typical construction activities and does not involve the use, transport, or disposal of hazardous materials.</p> <p>Source: Project Plans and Description.</p>				
9.b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<p>Discussion: The project involves typical construction activities and is not expected to cause release of any hazardous materials into the environment.</p> <p>Source: Project Plans and Description.</p>				

9.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
<p>Discussion: The project does not involve the emittance or handling of hazardous emissions or material. Furthermore, the project site is not within one-quarter mile of any schools.</p> <p>Source: Project Plans and Description; Project Location.</p>				
9.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
<p>Discussion: The project site is not listed on a hazardous materials site list.</p> <p>Source: California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (accessed 2022).</p>				
9.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?				X
<p>Discussion: The project site is not located within an airport land use plan or within 2 miles of a public airport.</p> <p>Source: Project Location.</p>				
9.f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: The project will not impair or interfere with an emergency response plan or evacuation plan as the project includes the replacement and construction of bridges within forestland area used for low-impact recreation as part of an access improvement program to provide safe and low-impact access throughout forestland trails managed by a non-profit organization as well as adjacent forestland recreation areas such as Portola Redwoods State Park. The replacement bridge will be upgraded to be fire truck rated.</p> <p>Source: Project Plans and Description.</p>				
9.g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

<p>Discussion: The project site is in a High Fire Hazard Severity Zone (State Responsibility Area). The project is part of an access improvement program to provide safe and low-impact access throughout the forestland trails. The bridges will help to facilitate improved access for recreational users and property management.</p> <p>Source: Project Plans and Description; County of San Mateo GIS, California State Fire Severity Zones Maps.</p>					
9.h.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: The project does not involve housing. Furthermore, the site is not located in a 100-year flood hazard area.</p> <p>Source: Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel 06081C0415E, Effective October 16, 2012.</p>					
9.i.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: The project site is not located in a 100-year flood hazard area. Furthermore, the project will locate the bridge structures approximately 10 feet above the 100-year flood elevation.</p> <p>Source: Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel 06081C0415E, Effective October 16, 2012.</p>					
9.j.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
<p>Discussion: The project involves up to three temporary coffer dam creek diversions to accommodate construction, including two for the Bridge 2 area (i.e., bridge abutment location and temporarily widened access) and one for the Bridge 1 area. The coffer dams will channel summer low flows into a diversion pipe that would be laid on the bed of the creek. Construction would be limited to the summer construction (dry) season. The project area is used for low-intensity recreation. Therefore, the project is not expected to expose people or structures to any significant impacts resulting from flooding.</p> <p>Source: Project Location; County of San Mateo General Plan Hazards Map.</p>					
9.k.	Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: The project site is not located within a San Mateo County General Plan mapped tsunami and seiche inundation area.</p> <p>Source: Project Location; County of San Mateo General Plan Hazards Map.</p>					

10. HYDROLOGY AND WATER QUALITY. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?			X	
<p>Discussion: The project requires temporary flow diversion and flow isolation to provide necessary access to the creek channel for equipment crossing and construction. Therefore, several temporary coffer dams are proposed. The coffer dams will be constructed of sandbags filled with clean rock placed over plastic sheeting for water resistance and to facilitate clean, easy removal. Construction will occur during the dry season and will last approximately 2-3 months for each bridge. Additionally, erosion control will be installed around staging areas to avoid construction pollutants into the creek. The project must obtain all required authorizations for work in the creek channel, including but not limited to the Regional Water Quality Control Board and California Department of Fish and Wildlife.</p> <p>Source: Project Plans and Description; Biological Resource Assessment, Prepared by Environmental Collaborative, Dated December 2021.</p>				
10.b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
<p>Discussion: The project requires temporary surface flow diversion and flow isolation for the approximate 2-3-month (per bridge) construction duration. The project will occur during the dry season, when flows are lower. Aside from temporary diversion, the bridges will span the creek bed such that the footings will be outside of the creek channel. The project will not substantially impact groundwater supplies.</p> <p>Source: Project Plans and Description.</p>				

10.c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
i. Result in substantial erosion or siltation on- or off-site;			X	
<p>Discussion: The bridges will be constructed above the ordinary high-water line of Peter's Creek. Erosion and sediment control measures, including silt fencing, and construction best management practices will be implemented throughout the duration of grading and construction activities to minimize erosion and sedimentation. The creek channel is dominated by bedrock which helps protect against scour.</p> <p>Source: Project Plans and Description; Hydrology and Hydraulics Report, Prepared by Questa Engineering Corporation, Dated December 2019.</p>				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			X	
<p>Discussion: The project will add approximately 1,260 sq. ft. of new impervious surface to the site. Given the majority of the surrounding area is pervious surface and the bridges will span the creek channel to not result in any permanent alteration to the creek, the increase in impervious surface is not expected to result in flooding.</p> <p>Source: Project Plans and Description; Hydrology and Hydraulics Report, Prepared by Questa Engineering Corporation, Dated December 2019.</p>				
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				X
<p>Discussion: The project site is located in a rural forested area with minimal development that supports recreational trail use. There are no existing or planned stormwater systems at the project site or in the area. The project has been conditionally approved by the County's Drainage Section to require drainage details be provided with the building permit application to ensure compliance with the County's drainage requirements. There is no evidence that the project, once implemented, will result in substantial additional polluted runoff.</p> <p>Source: Project Plans and Description; Project Location; County of San Mateo Drainage Section.</p>				
iv. Impede or redirect flood flows?			X	
<p>Discussion: See staff's response in Section 10.a.</p> <p>Source: See Sources in Section 10.a.</p>				

10.d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
<p>Discussion: The project site is not located in a flood hazard, tsunami, or seiche zone.</p> <p>Source: Project Location; County of San Mateo General Plan, Hazards Map.</p>				
10.e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X
<p>Discussion: The project has been conditionally approved by the County's Drainage Section. Additionally, the project must be permitted by the Regional Water Quality Control Board. At present, there is no evidence to suggest the project is in conflict with any water quality control plan. The County does not have a groundwater management plan for this area.</p> <p>Source: Project Location; Project Plans.</p>				
10.f. Significantly degrade surface or groundwater quality?			X	
<p>Discussion: See staff's responses in Sections 10.a. – 10.c.</p> <p>Source: See Sources in Sections 10.a. – 10.c.</p>				
10.g. Result in increased impervious surfaces and associated increased runoff?			X	
<p>Discussion: See staff's response to Section 10.c.ii. and 10.c.iii.</p> <p>Source: See Sources in Section 10.c.ii. and 10.c.iii.</p>				

11. LAND USE AND PLANNING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a. Physically divide an established community?				X
<p>Discussion: The project does not physically divide an established community.</p> <p>Source: Project Location; Project Plans.</p>				
11.b. Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion: The project does not conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Source: Project Plans and Description.

11.c. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X
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Discussion: The project does not introduce any new or expanded public utilities or development that would encourage off-site development of presently undeveloped areas or result in increased development intensity of already developed areas.

Source: Project Plans.

12. MINERAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: The project site is not in any mapped mineral resources area.</p> <p>Source: County of San Mateo General Plan, Mineral Resources Map.</p>				
12.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>Discussion: See staff's response in Section 12.a. above.</p> <p>Source: San Mateo County General Plan, Mineral Resources Map.</p>				

13. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
<p>Discussion: The project will generate short-term noise associated with grading and construction activities. However, such noises will be temporary and localized, where volume and hours are regulated by Section 4.88.360 (<i>Exemptions</i>) of the County Ordinance Code for Noise Control. Otherwise, the project will not generate any long-term noise impacts to the area.</p> <p>Source: Project Plans and Description; County of San Mateo Ordinance Code, Section 4.88.360 for Noise Control.</p>				
13.b. Generation of excessive ground-borne vibration or ground-borne noise levels?			X	
<p>Discussion: Some ground-borne vibration is expected during grading and construction; however, the vibration will be minimal and temporary. The project will not generate any long-term vibration or noise levels.</p> <p>Source: Project Plans and Description.</p>				
13.c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
<p>Discussion: The project site is not located within the vicinity of any identified public airports or within an airport land use plan area.</p> <p>Source: Project Location.</p>				

14. POPULATION AND HOUSING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
<p>Discussion: The project will not induce population growth in the area as the project is limited to constructing two bridges (<u>one replacement and one new</u>) within forestland property owned and managed for preservation and low-impact recreational use.</p> <p>Source: Project Location; Project Description.</p>				
14.b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
<p>Discussion: The project does not propose to displace people or housing.</p> <p>Source: Project Plans and Description.</p>				

15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Fire protection?				X
15.b. Police protection?				X
15.c. Schools?				X
15.d. Parks?				X
15.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X

Discussion: The project will not introduce uses that would adversely impact public services. The bridges will provide will help to facilitate safe access within the property.

Source: Project Plans and Description.

16. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
<p>Discussion: The project includes replacing a bridge and constructing a new bridge crossing over Peter's Creek. The project site is located within over 160 acres of forestland owned by a non-profit organization and managed for preservation and low-impact recreational use. Minor trail work for leveling and realignment will be completed in support of the bridges. The project would not increase use of the lands for recreation such that substantial physical deterioration would occur or be accelerated.</p> <p>Source: Project Plans; Project Location.</p>				
16.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p>Discussion: The project includes replacing an existing bridge and constructing a new bridge crossing over Peter's Creek. The project will help to facilitate safe access for recreation and management users through improvements that consider environmental effects.</p> <p>Source: Project Plans and Description.</p>				

17. TRANSPORTATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and parking?				X

Discussion: The project will not conflict with a program plan, ordinance or policy addressing circulation systems. The project involves the construction of two bridges to improve safe access for recreation and management users of the land.

Source: Project Plans and Description.

<p>17.b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) <i>Criteria for Analyzing Transportation Impacts</i>?</p> <p><i>Note to reader: Section 15064.3 refers to land use and transportation projects, qualitative analysis, and methodology.</i></p>				X
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Discussion: CEQA Guidelines Section 15064.3, Subdivision (b) Criteria for Analyzing Transportation Impacts, describes specific considerations for evaluating a project's transportation impacts. It states that, generally, vehicle miles traveled is the most appropriate measure of transportation impacts. "Vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. The project involves the construction of access improvements through publicly owned land for management and recreation use. The magnitude of the project is relatively small and while it would result in a temporary increase in traffic levels during construction, there would be a negligible permanent increase in traffic levels after construction. Therefore, the project does not conflict with CEQA Guidelines Section 15064.3

Source: Project Plans and Description; Project Location; CEQA Guidelines Section 15064.3.

<p>17.c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>				X
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Discussion: The project will not alter any roadway design features or create an impediment/hazard. The project will improve access within the forested properties.

Source: Project Plans and Description; Project Location.

<p>17.d. Result in inadequate emergency access?</p>				X
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Discussion: The project will improve access within the project parcels by replacing and improving vehicle and recreation accessibility over Peter's Creek in two locations.

Source: Project Plans; Project Location.

18. TRIBAL CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)				X
<p>Discussion: The project site is not listed or eligible for listing in the California Register of Historical Resources. Furthermore, the project is not listed in a local register of historical resources, pursuant to any local ordinance or resolution as defined in Public Resources Code Section 5020.1(k).</p> <p>Source: Project Location; County GIS Maps; California Register of Historical Resources; County General Plan.</p>				
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of Public Resources Code Section 5024.1. (In applying the criteria set forth in Subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)		X		
<p>Discussion: In compliance with Assembly Bill 52 for California Native American Tribal Consultation requirements, staff provided 30-day noticing to the Tamien Nation for consultation. No request for consultation was received by staff. Additionally, staff requested a Sacred Lands file search of the project vicinity, which was conducted by the Native American Heritage Council (NAHC) and resulted in no found records.</p> <p>The following mitigation measures are recommended to minimize any potential significant impacts to unknown tribal cultural resources:</p>				

Mitigation Measure 11 42: 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 43: Any unexpectedly 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.

Source: Project Location; County GIS Maps; Native American Heritage Commission; State Assembly Bill 52.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
19.a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X
<p>Discussion: The project does not involve new or expanded utilities that could cause significant environmental effects.</p> <p>Source: Project Plans and Description.</p>				
19.b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
<p>Discussion: The project consists of the construction of two bridges over Peter's Creek, within forestland owned by a non-profit organization that manages the land for preservation and low-impact recreational use; therefore, the project does not require a water supply.</p> <p>Source: Project Plans.</p>				
19.c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X

Discussion: The project does not require a wastewater treatment system.				
Source: Project Plans.				
19.d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
Discussion: The permanent project will not generate solid waste. Demolition debris from the existing bridge will be required to be transported to appropriate off-site recycle/disposal facilities that are adequate to accept such materials. The project will be required to meet applicable waste recycling requirements set forth by the County of San Mateo Ordinance No. 04099 for salvage, reuse, or recycling of a minimum of 50% of construction and demolition debris.				
Source: Project Plans; County of San Mateo Waste Management Plan Permit.				
19.e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				X
Discussion: It is not expected that that solid waste materials resulting from demolition of the existing bridge would result in compliance issues with any Federal, State, or local statutes or regulations.				
Source: Project Plans.				

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
20.a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
Discussion: The project would not impair any emergency response plan or emergency evacuation plan. The project will provide safer, improved access at two locations within the forest land properties.				
Source: Project Plans and Description.				
20.b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X

Discussion: The project will not exacerbate wildfire risks. The bridges will be primarily constructed of precast material.

Source: Project Plans and Description.

20.c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
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Discussion: The project does not require the installation or maintenance of associated infrastructure that could exacerbate fire risk or result in environmental impacts.

Source: Project Plans and Description.

20.d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X
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Discussion: The project will not increase runoff, slope instability or drainage alterations in a manner that would expose people or structures to significant risks from flooding or landslide.

Source: Project Plans and Description; Project Location.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
21.a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		

Discussion: Yes, as discussed in this document, the project has the potential to result in environmental impacts as discussed in this report. Implementation of mitigation measures included in this document would adequately reduce project impacts to a less than significant level.

Source: Subject Document.				
21.b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
<p>Discussion: The project involves the construction of two bridges and minor access and trail work within 162 acres of forestland supporting trails and access to adjacent state park lands and trails. The project is not likely to result in a cumulatively considerable impact when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects in the area.</p> <p>Source: Subject Document.</p>				
21.c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		
<p>Discussion: The project could result in environmental impacts that could either directly or indirectly cause impacts on human beings. However, implementation of mitigation measures included in this document would adequately reduce project impacts to less than significant levels.</p> <p>Source: Subject Document.</p>				

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
Bay Area Air Quality Management District		X	
Caltrans		X	
City		X	
California Coastal Commission		X	
California Department of Food and Agriculture		X	
County Airport Land Use Commission (ALUC)		X	
Other: _____		X	
National Marine Fisheries Service		X	
Regional Water Quality Control Board	X		Section 401 Water Quality Certification

AGENCY	YES	NO	TYPE OF APPROVAL
San Francisco Bay Conservation and Development Commission (BCDC)		X	
Sewer/Water District:		X	
State Department of Fish and Wildlife	X		Lake and Streambed Alteration Agreement
State Department of Public Health		X	
State Water Resources Control Board		X	
U.S. Army Corps of Engineers (CE)	X		Section 404 Permit
U.S. Environmental Protection Agency (EPA)		X	
U.S. Fish and Wildlife Service		X	

MITIGATION MEASURES		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	
Other mitigation measures are needed.	X	
<p>The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:</p> <p>Mitigation Measure 1: The applicant shall include the following measures on building permit plans submitted to the Building Inspection Section:</p> <ol style="list-style-type: none"> All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 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. All vehicle speeds on unpaved roads shall be limited to 15 mph. All roadways, driveways, or trails shall be completed as soon as possible. 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. 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.² 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.

² 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 entrapment.
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 8 [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 topers.
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 44: 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 42: 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 43: Any unexpectedly 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.

DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

_____ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

X _____ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

_____ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Annun Bunkin

(Signature)

February 25, 2025

Senior Planner

Date

(Title)

ATTACHMENTS

- A. Project Location Map
- B. Project Description, dated June 1, 2022
- C. Project Plans
- D. Biological Resource Assessment, prepared by Environmental Collaborative, dated December 2021
- E. Geotechnical Investigation, prepared by Questa Engineering Corporation, dated November 22, 2019
- F. California Department of Fish and Wildlife IS/MND Comment Letter, dated November 22, 2022
- G. Biological Memo, prepared by Environmental Collaborative, dated September 1, 2024

Attachments are available online:

<https://www.smcgov.org/planning/revised-mitigated-negative-declaration-peters-creek-bridges>