

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

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

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: *Thalapaneni/Jackson Residence, Septic System, and Improved Driveway*, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN2020-00251

OWNER: Thalapaneni/Jackson

APPLICANT: Maurits de Gans, Senior Associate, M Designs Architects, 4131 El Camino Real, Suite 200, Palo Alto, CA 94306

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

ASSESSOR'S PARCEL NO.: APN 051-022-380

LOCATION: Development of vacant parcel located at Palomar Drive and Los Cerros Road (Subject Property), and minor associated work at 636 Palomar Drive and APN 051-022-250, located in the unincorporated Palomar Park area of San Mateo County.

PROJECT DESCRIPTION

The project requires a Design Review Permit and a Grading Permit for the construction of a new 3-story, 4,214 sq. ft. single-family residence plus a 566 sq. ft. attached garage, on a 18,122 sq. ft. legal parcel (Lot Line Adjustment recorded April 26, 1983). The project also includes a 315 sq. ft. covered terrace and a 324 sq. ft. deck. The property is at the intersection of Palomar Drive and Los Cerros Road and would be accessed from an improved existing gravel driveway located on 636 Palomar Drive and APN 051-022-250. The project includes earthwork of 880 cubic yards (c.y.) of cut and 90 c.y. of fill and the removal of 7 significant trees.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

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

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

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

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

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

Mitigation Measure 1: The applicant shall replace the 2 significant exotic trees and 5 significant indigenous trees proposed for removal with a total of 5 replacement trees, to include minimum of three (3), 24" box Oak trees, with the remaining trees to be a minimum of 15 gallon in size. Prior to the issuance of the building permit for the residence, the Planting Plan shall be reviewed and subject to the approval of the Project Arborist and project planner.

Mitigation Measure 2: Prior to any land disturbance and throughout the grading operation, the applicant shall implement the tree protection measures consistent with the County's Significant Tree Ordinance in addition to the construction procedures and tree protection measures provided by the Project Arborist.

Mitigation Measure 3: Upon the start of excavation activities and through to the completion of the project, the applicant shall be responsible for ensuring that the following dust control guidelines are implemented:

- 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, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. 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 California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action

within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

- i. Construction-related activities shall not involve simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously).

Mitigation Measure 4: Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) or similar material shall not be used. The applicant shall demonstrate compliance with this requirement in plans submitted at the time of building permit application.

Mitigation Measure 5: A pre-construction, migratory bird nesting survey shall be conducted prior to any proposed construction-related activities during the nesting bird season (February 1 to August 31). The survey shall be performed both in and within 250 feet of the proposed development area and the results reported to the County. If, for any reason, construction activities do not commence within 10 days of completion of the survey, the survey shall be repeated and results reported to the County. If active nests are discovered, no construction-related activities, including grading and tree removal, are allowed until birds have fledged from nests, as confirmed by a biologist.

Mitigation Measure 6: Although proposed project area itself has low possibility of containing unrecorded archaeological site(s), it is possible that subsurface deposits may yet exist or that evidence of such resources has been obscured by more recent natural or cultural factors such as downslope aggradation and alluviation and the presence of non-native trees and vegetation. Archaeological and historical resources and human remains are protected from unauthorized disturbance by State law, and supervisory and construction personnel therefore must notify the County and proper authorities if any possible archaeological or historic resources or human remains are encountered during construction activities and halt construction to allow qualified Archaeologists to identify, record, and evaluate such resources and recommend an appropriate course of action.

Mitigation Measure 7: 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 and the project sponsor shall immediately notify the Community Development Director of the discovery. The applicant shall be required to retain the services of a qualified archeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The cost of the qualified archeologist and any recording, protecting, or curating shall be borne solely by the project sponsor. The archeologist shall be required to submit to the Community Development Director for review and approval a report of the findings and methods of curation or protection of the resources. No further grading or site work within the area of discovery shall be allowed until the preceding has occurred. Disposition of Native American remains shall comply with CEQA Guidelines Section 15064.5(e).

Mitigation Measure 8: The applicants and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains, whether historic or prehistoric, during grading and construction. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the 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 9: Prior to the issuance of a building permit for site development, the applicant shall demonstrate compliance with the recommendations of the Project Geologist and Geotechnical Engineer, including but not limited to those pertaining to: 1) mitigation of undocumented fill in the proposed house development area, 2) treatment of fill along the proposed/improved driveway in accordance with the recommendations for grading and/or retaining wall construction presented in Appendix A of the 2020 Geotechnical Report Update and 3) supplemental recommendations to accommodate design and construction of the proposed swimming pool (Source: 2020 Atlas Geosphere Consultants, Inc., Geotechnical Report Update).

Mitigation Measure 10: Prior to the issuance of a building permit for site development, the applicant shall demonstrate compliance with the recommendations of the County's Geologist and Geotechnical Engineer, including but not limited to those pertaining to: 1) Close coordination with the Project Geotechnical Consultant in design of proposed foundations, retaining walls, drainage improvements, and landscape irrigation which may benefit project performance; 2) Submittal of an updated geotechnical report with supplemental recommendations, design criteria, and supporting data, as appropriate; and 3) Project design and final plans should incorporate geotechnical recommendations and design criteria to mitigate site constraints as identified by the Project Geotechnical Consultant (Source: Craig Stewart, CSA, email to County, dated August 28, 2020).

Mitigation Measure 11: Prior to issuance of the grading permit hard card, the applicant shall demonstrate that all cut spoils will be hauled off-site to a County-approved location.

Mitigation Measure 12: Prior to the issuance of the building permit for the residence, the applicant shall revise the Erosion Control Plan to include the additional measure as follows, subject to the review and approval of the Community Development Director:
Construction Entrance: The Project Civil Engineer shall propose a method for stabilizing the area of the existing driveway (access easement) that will be re-graded on APN 051-022-250, while still allowing access over the driveway by the neighbors. The applicant shall move the temporary parking area, storage container, construction office, and sanitation unit to an area which does not block the construction entrance.

Mitigation Measure 13: The applicant shall adhere to the San Mateo County-wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including, but not limited to, the following:

- a. Delineation with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses within the vicinity of areas to be disturbed by construction and/or grading.
- b. Protection of adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- c. Performing clearing and earth moving activities only during dry weather.
- d. Stabilization of all denuded areas (on and off-site) and maintenance of erosion control measures continuously between October 1 and April 30. Stabilization shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as re-vegetating disturbed areas with plants propagated from seed collected in the immediate area.
- e. Storage, handling, and disposal of construction materials and wastes properly, so as to prevent their contact with stormwater.

- f. Control and prevention of the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- g. Use of sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
- h. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
- j. Limiting construction access routes and stabilization of designated access points.
- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
- l. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
- m. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving site shall be clear and running slowly at all times.

Mitigation Measure 14: Once approved, erosion and sediment control measures of the revised Erosion Control Plan shall be installed prior to beginning any site work and maintained throughout the term of grading and construction, until all disturbed areas are stabilized. Failure to install or maintain these measures will result in stoppage of construction until corrections have been made and fees paid for staff enforcement time. Revisions to the approved erosion control plan shall be prepared and signed by the engineer and submitted to the Building Inspection Section.

Mitigation Measure 15: It shall be the responsibility of the engineer of record to regularly inspect the erosion control measures for the duration of all grading remediation activities, especially after major storm events, and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected, as determined by and implemented under the observation of the engineer of record.

Mitigation Measure 16: At the time of building permit application, the applicant shall demonstrate compliance with the measures indicated on the applicant-completed EECAP Development Checklist (Attachment H) or equivalent measures, to the extent feasible. Such measures shall be shown on building plans.

Mitigation Measure 17: At the time of building permit application, the applicant shall demonstrate compliance with the following measures, to the extent feasible, where such measures shall be shown on building plans:

- a. BAAQMD BMP: Use alternative fueled (e.g., biodiesel, electric) construction vehicles/equipment of at least 15 percent of the fleet;
- b. BAAQMD BMP: Use local building materials of at least 10 percent;
- c. BAAQMD BMP: Recycle or reuse at least 50 percent of construction waste.

Mitigation Measure 18: Any and all project-related on-street construction parking is subject to review and approval by the Project Planner and the County Department of Public Works. Prior to issuance of the building permit, the applicant shall show location of all on-street construction parking on plans submitted for the building permit application.

Mitigation Measure 19: The project shall not use a pile-driven pier foundation.

Mitigation Measure 20: Should any traditionally or culturally affiliated Native American tribe respond to the County's issued notification for consultation, such process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

Mitigation Measure 21: Any 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.

Mitigation Measure 22: 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 archeologist for the purpose of recording, protecting, or curating the discovery as appropriate.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

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

REVIEW PERIOD: July 2, 2022 to July 22, 2022

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m.**, July 22, 2022.

CONTACT PERSON

Camille Leung, Project Planner
650/363-1826

cleung@smcgov.org (email is preferred method of communication)



Camille Leung, Project Planner