

January 11, 2024

California State Parks – Molly Kahn
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Subject: **LETTER OF DECISION**
File Number: PLN 2021-00453
APN: 089-230-470

On January 10, 2024, the San Mateo County Planning Commission considered a Coastal Development Permit for improvements to the Staging Area of the Año Nuevo State Park. Improvements include removal and replacement of an existing interpretative structure and restroom, installation of two benches, new underground propane line, and expansion of a fire truck turnaround, in reliance on the California State Parks' determination that the project is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15301, 15302, 15303, and 15304. This project is appealable to the California Coastal Commission.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the Coastal Development Permit, County File Number PLN 2021-00453 by making the required findings and adopting the conditions of approval in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right to appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at 5:00 p.m. on January 25, 2024.

Please direct any questions regarding this matter to the Project Planner, Luis Topete at ltopete@smcgov.org.

Sincerely,



Angela Montes
Planning Commission Secretary

cc: California Coastal Commission

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2021-00453 Hearing Date: January 10, 2024

Prepared By: Luis Topete, Project Planner For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That California State Parks, acting as Lead Agency, filed a notice of exemption on August 14, 2023, determining that all project activities proposed under this Coastal Development Permit are categorically exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15301, 15302, 15303, and 15304 (Class 1, 2, 3 and 4).

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program with regards to the Locating and Planning New Development, Agriculture, Sensitive Habitats, and Visual Resources Components. See Section A (2) of the staff report for the supporting analysis demonstrating conformance with the Local Coastal Program.
3. That the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project does not meet the definition of new development under Section 30212. The proposed project is designed to improve the existing facility that helps regulate low-intensity public access to the Año Nuevo Coast Natural Preserve and its shoreline in compliance with Section 30214.
4. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program as discussed in Section A (2) of this Staff Report. Protection measures will be implemented to prevent any impact to biological resources, including San Francisco garter snake and California red-legged frog.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on January 10, 2024. The Director of Planning and Building may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.
2. This CDP shall be valid for one (1) year from the date of final approval, in which time all work authorized under the permit must be completed. Any extension to this permit shall require submittal of a request for permit extension and payment of any applicable extension fees at least sixty (60) days before the expiration date.
3. The site and structures shall meet all requirements for accessibility and Americans with Disabilities Act (ADA) compliance, as applicable.
4. Prior to any construction or grading activities and continuously between October 1 and April 30, the applicant shall implement erosion and sedimentation control measures and best management practices (BMPs) to protect against detrimental discharge of sediment to natural habitats and resources. The applicant shall apply stabilizing measures to all denuded areas after the land is disturbed and provide all materials necessary to provide an effective means to stabilize soils and control erosion at the site, including but not limited to placement of wattles or straw bales; and minimizing vegetation removal. The applicant shall regularly inspect all erosion control measures and BMPs at the site to ensure they are properly installed and working effectively. Deficiencies shall be immediately corrected, as they occur. Best Management Practices shall be implemented through to project completion.
5. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 5:00 p.m. on Saturdays. Said activities are prohibited on Sundays, Thanksgiving, and Christmas (San Mateo County Ordinance Code Section 4.88.360).
6. The colors of exterior materials shall harmonize with the predominant earth and vegetative colors of the site. Materials and colors shall absorb light and minimize reflection.
7. Should any human remains be discovered during construction, 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 determine the origin and disposition of the remains pursuant to California Public Resources Code Section 5097.98. 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.

Avoidance Measures

8. Construction will follow all standard Best Management Practices to avoid impacts to water quality and biological resources.
9. Work will be scheduled to avoid the rainy season (October 1st through April 30th), and to avoid times when there is runoff or ponded water in the project vicinity.
10. Work will be scheduled outside of the bird nesting season. If it is not possible to avoid work during the nesting season, a qualified biologist will survey the area to make sure there are no impacts on nesting birds.
11. Before construction, a qualified biologist will survey the area to determine the potential for sensitive species. The biologist will determine the best location and design for wildlife fencing to be installed to keep sensitive wildlife species from entering the construction zone. The biologist will have the authority to halt construction and add additional impact avoidance measures.
12. All construction personnel will be trained by a qualified biologist to recognize sensitive species and habitats that might occur within or adjacent to the project area and to know how to implement measures to avoid impacts, if necessary. Training will include information about the speed limits enforced on the service road and the need to keep personnel and equipment within designated work and parking area.
13. Areas near the project site with sensitive wet meadow habitat will be marked by or under the supervision of a qualified biologist with signs and flagging prior to construction.
14. A qualified biologist will monitor vegetation removal. Removal of native vegetation will be kept to the minimum required to complete the project.
15. Areas disturbed by the project will be mulched to limit erosion and replanted with native species. Seeds and cuttings of plants to be used in revegetation will be gathered from the project vicinity.