

CALIFORNIA COASTAL COMMISSION

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May 24, 2016

Dennis Aguirre
San Mateo County
Planning and Building Department
455 County Center
Redwood City, CA 94063

RE: Notice of Intent to Adopt a Negative Declaration; and PLN2015-00152 (Love) –3rd Avenue, Miramar, San Mateo County

Dear Mr. Aguirre,

We received the County staff report for certification of a Mitigated Negative Declaration (MND) and consideration of a Coastal Development Permit and Design Review to allow construction of a new 1,724 sq.-ft., two-story, single-family residence, plus a 400-sq.-ft. attached two-car garage, and a 551-sq.-ft. second unit on an existing 6,150-sq.-ft. legal, parcel in Miramar. One dead Monterey pine tree would also be removed as part of the proposed project. The subject parcel is undeveloped and located on 3rd Avenue in Miramar, San Mateo County.

The Notice of Intent (NOI) to adopt an MND, Attachment E of the staff report, indicates that public comments are due May 24, 2016, as the public review period for the environmental document is May 4 –May 24, 2016 (20 days). Please note that Commission staff did not receive the NOI to Adopt the MND until May 20, 2016, as part of the County staff report and as such had only five calendar days (including Saturday and Sunday) to review the document and submit comments. We respectfully request that Coastal Commission staff be included on the County's circulation list for review of future CEQA documents (including NOIs), as applicable, for development projects under the County's review. We appreciate the opportunity to provide you with our comments below and ask that you share them with the Planning Commission.

The staff report (on page 10) states that Commission staff did not forward a response to County staff's referral for this project. Please note that we received the County project referral on June 11, 2015 and provided comments to the County in our letter dated June 17, 2015, which was the specified deadline to submit comments.

Aesthetics

The discussion on page 4 of the MND states that with mitigation the project would protect the creek and associated vegetation. This discussion should specifically address how the project will protect visual resources in the area consistent with LCP requirements.

Biological Resources

Section 4.a., Mitigation Measures 2 and 3 appear to contradict each other. Measure 2 requires that the project shall be initiated only during the non-nesting season. Mitigation Measure 3

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requires the applicant submit a pre-construction nesting survey if the project is initiated during the nesting season. These mitigation measures should be modified by either including a qualifier in Measure 2 that requires the applicant submit a written request and obtain approval if for some unforeseen reason it is necessary to initiate the project during the nesting season; or completely eliminate Measure 3.

The proposed project site is in proximity to Arroyo de en Medio Creek. Although Section 4.f. of the MND states that the project does not involve vegetation removal and will be located a minimum of 30 feet from the riparian vegetation as required by the LCP, the discussion does not fully respond to the question posed in the MND. Please provide information regarding whether or not the proposed project would conflict with the provisions of an adopted Habitat Conservation Plan, or Natural Conservation Community Plan for this area. Please provide this information.

The Landscape Plan includes *Thunbergia gregorii*, *Vinca major*, and *Agapanthus orientalis* which are non-native species. We recommend the County require the applicant use only native plant species for the Landscape Plan plant species palette.

Geologic Hazard

The geotechnical study (Attachment C) was prepared by Sigma Prime over six years ago (in April 2010). The analysis, conclusions, and recommendations provided in the report were based on site conditions at that time. We suggest that the applicant confirm that this report is still applicable and that geotechnical engineering principals and recommendations that were acceptable in 2010 are still currently accepted.

The issue of the Arroyo de en Medio Creek channel potentially re-aligning itself should be discussed with respect to how and where the structure is sited on the parcel.

Please feel free to contact me regarding these comments. You can reach me by telephone at 415-904-5260; in writing at the address listed in the letter head; or via e-mail at rananda@coastal.ca.gov.

Sincerely,



Renée T. Ananda

Coastal Program Analyst

CC: Camille Leung, San Mateo County Planning and Building Department
Lisa Ketcham, Mid-Coast Community Council
Lennie Roberts, Committee for Green Foothills