

ATTACHMENT 1
CONDITIONS OF APPROVAL
PDP-23-090
ISSUANCE DATE: December 11, 2023

A. The following Conditions apply to this project:

1. CONFORMANCE WITH THE APPROVED PLANS. All plans shall substantially conform to the project plan set dated November 28, 2023, submitted with the application, as may be modified by the conditions of approval. The Community Development Director and the City Engineer shall review and may approve any deviations from the approved plans that are determined minor. Any other proposed change shall be processed as part of the Follow-Up Coastal Development Permit and shall be subject to Planning Commission Review as required by Title 18. (Engineering and Planning)
2. CONFORMANCE WITH CONDITIONS OF APPROVAL. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor. Any other change shall be included in the Follow-Up Coastal Development Permit and shall be subject to Planning Commission Review. (Planning)
3. CONFORMANCE WITH THE MUNICIPAL CODE. No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Engineering and Planning)
4. FOLLOW-UP COASTAL DEVELOPMENT PERMIT. The permittee shall submit a Coastal Development Permit application within 60 calendar days of the issuance date of the Emergency Coastal Development Permit. (Planning)
5. ON-SITE MANAGEMENT. The permittee shall obtain a qualified management company and provide on-site management in perpetuity for this community. The on-site management company shall be responsible for administering community policies and rules and for at least an annual inspection of each home to ensure safety and property maintenance. Inspections shall also be conducted following environmental occurrences such as earthquakes and extreme weather events to ensure structural integrity and safety. (Planning)
6. AFFORDABILITY. The project is subject to approval of an affordable housing agreement between the City and San Mateo County. (CMO)
7. FUTURE MODIFICATIONS TO HOMES. The manufactured homes must be maintained in accordance with original specifications. Routine maintenance is allowed but must be compliant with applicable codes. Additions are not permitted. Detached structures, such as arbors or sheds, may be permitted according to the community policies. (Planning)

8. CONSERVATION CORRIDOR. To comply with Mitigation Measure BIO-2.f. from the Corporation Yard Initial Study/Mitigated Negative Declaration, the conservation corridor established for the Corporation Yard improvement project (PDP 21-053) shall be maintained by the City of Half Moon Bay. The wildlife tunnels and exclusionary fencing shall be inspected at least annually to ensure that the tunnels maintain open passage and the fencing maintains a complete barrier for passage of special status species including the California red-legged frog and the San Francisco garter snake. (Public Works)
9. LIGHTING. All exterior lighting shall be fully shielded so that no light source is visible from outside the property, except as otherwise expressly approved. The permittee shall install lighting per plans and submitted photometric lighting plan for all exterior light fixtures including lighting for parking lots, walkways, and open space areas. No floodlights are permitted on-site. (Planning)
10. SIDEWALK MAINTENANCE AND LIABILITY. It shall be the duty of the owner/operator to maintain all walkways within the project in a safe and non-dangerous condition. Walkway maintenance shall include removal and replacement of concrete to eliminate tripping hazards; and pruning and trimming of trees, shrubs, ground cover, and other landscaping impacting the safety of users. (Engineering and Planning)

B. The following Conditions shall be fulfilled prior to issuance of the grading permit and/or building permit:

1. SIGNED CONDITIONS OF APPROVAL. The permittee shall submit a signed copy of the conditions of approval to the Planning Department. (Planning)
2. CONSTRUCTION PLANS. File Number PDP-23-090 and the Conditions of Approval for this project shall be provided on the cover page of the engineering permit application plan submittal. All plans, specifications, engineering calculations, diagrams, reports, and other data for the construction of the building and required improvements shall be submitted with the appropriate permit application to the City's Building and Engineering Divisions for review and approval. Computations and backup data will be considered a part of the required plans. Structural calculations and engineering calculations shall be prepared, wet-stamped, and signed by an engineer or architect licensed by the State of California. (Planning and Engineering)
3. UNDERGROUND UTILITIES/SERVICES. Electric, telecommunication, and cable and utility service to the property shall be through underground service connections only. No overhead utility lines are allowed. Show locations of all service connections: sanitary sewer, storm drain (if applicable), water (domestic and fire), cable television, telephone, and electrical. (Engineering)

4. WATER CONSERVATION IN LANDSCAPING. The permittee shall submit a final landscape and irrigation plan in substantial conformance with the Landscape Plan dated November 28, 2023 reflecting any revisions necessitated by the Conditions of Approval. The final irrigation plans shall be submitted and approved by the Community Development Director utilizing an Outdoor Water Efficiency Checklist that demonstrates compliance with the City's Water Conservation in Landscaping Ordinance (Chapter 13.04 of the Municipal Code). (Planning)
5. SURVEY REQUIRED. The permittee shall include a baseline elevation datum point on, or close to the construction site, indicating the grade as consistent with the survey and grading plan included in the November 28, 2023 application submittal. (Building and Public Works)
6. HOME DESIGN. Final elevations, floorplans, and a color board shall be submitted and approved by the Community Development Director prior to the issuance of the Building Permit and/or installation of any homes (compliance with this condition is not a prerequisite for issuance of the Grading Permit). Homes shall include architectural features including pitched roofs, quality siding such as board and batten, shutters, wood steps, covered entrances, and shutters. Home foundations shall comply with the recommendations of the project geotechnical review prepared by BAGG Engineers dated August 23, 2023. (Building and Planning)
7. EVIDENCE OF WATER CONNECTION CAPACITY. Prior to the issuance of the Grading Permit, the permittee shall submit a letter from Coastside County Water District certifying that the subject site has an adequately sized water connection for domestic and fire service for this project and that a sufficient number of priority connections have been allocated to the project. The City agrees to provide a letter in advance to CCWD indicating the allocation of affordable and coastal priority water connections. (Building and Fire)
8. EVIDENCE OF SEWER CONNECTION CAPACITY. Prior to the issuance of the first building permit, the permittee shall obtain a "will serve" letter from the City of Half Moon Bay designating and transferring sewer capacity/connections to the project. (Public Works and Building)
9. LOT GRADING. This project requires the issuance of a grading permit. No on-site grading or site preparation, storage, or placement of construction materials, equipment, or vehicles shall take place prior to the issuance of a grading permit. Lot grading includes, but is not limited to, leveling, scraping, clearing, stockpiling of materials, or removal of lot surface area. (Engineering)
10. DRAINAGE PLAN. On-site drainage shall conform with the Drainage Plan dated November 28, 2023. Prior to the issuance of a grading permit, the permittee shall demonstrate that the grading plan is in substantial conformance with the Drainage Plan. Plans shall include supporting calculations for stormwater detention on the site for the additional run-off from a ten-year frequency storm of two-hour duration.

11. COPPER BUILDING ELEMENTS. The building plans shall specify that all copper building elements will be pre-patinated at the factory, or if patination will occur on the site, the plans shall identify best management practices in conformance with the *San Mateo Countywide Water Pollution Prevention Program Requirements for Architectural Copper*, to the satisfaction of the City Engineer. (Engineering)
12. EROSION AND SEDIMENT CONTROL. An erosion and sediment control plan shall be submitted in conjunction with the Grading Permit that shows effective Best Management Practices (BMP) and erosion and sediment control measures for the site. Construction plans shall also include the “construction best management practices” plan sheet. (Engineering)
13. FIRE PROTECTION REQUIREMENTS. The permittee shall comply with all applicable fire and building codes and standards as may be identified and recommended by the Coastside Fire Protection District and include such requirements in plans. (Fire)
14. COASTSIDE COUNTY WATER DISTRICT. The project shall comply with all applicable regulations and requirements of the Coastside County Water District including for fire flow and include such requirements in plans. Water service shall not be in the same trench as other utilities. (Water District)
15. TREE PROTECTION REQUIREMENTS. To protect the trees on the site and surrounding area (excluding the trees approved for removal), the project shall conform to the approved tree protection plan. The following tree protection measures shall be implemented during construction:
 - a. Prior to commencement of construction, construction fencing shall be placed around the drip line of all trees proposed for preservation.
 - b. No grading or other construction shall occur within the drip line of any tree proposed for preservation except in conformance with a tree protection plan approved by the Community Development Director.
 - c. No vehicle, equipment or materials shall be parked or stored within the drip line of any tree proposed for preservation. (Planning/Building)
16. NATURAL GAS. There shall be no natural gas service to the project.

C. The following conditions shall be implemented to the satisfaction of the Community Development Director prior to and during grading and construction:

1. ARCHAEOLOGY-DISCOVERY OF HUMAN REMAINS. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are

not subject to his authority, he shall notify the California Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American(s). If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the permittee shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. (Planning)

2. ARCHAEOLOGY-DISCOVERY OF RESOURCES. If subsurface historic or archaeological resources are uncovered during construction, all work shall stop, the applicant shall notify the Community Development Director and retain a qualified archaeologist to perform an archaeological reconnaissance and identify any mitigation measures required to protect archaeological resources. Subsurface excavation shall not resume until expressly authorized by the Director. (Building)
3. STREET/PUBLIC RIGHT-OF-WAY CUTS FOR UTILITY CONNECTIONS. Any cuts for utility connections on Stone Pine Road that are less than twenty (20) feet apart shall be repaired with a single patch. Asphalt repair and overlay for public street cuts shall be by the City Standard Details. Three or more cuts in the pavement for utility connections will require a 2-inch thick asphalt concrete overlay on the existing pavement across the property frontage. (Engineering)
4. CONSTRUCTION TRAILER(S). Temporary construction trailers are permitted as accessory uses in conjunction with the development of this site, subject to the following conditions:
 - a. Any construction trailer placed on-site shall be used as a temporary construction office only.
 - b. Neither sanitation facilities nor plumbed water is permitted within the trailer.
 - c. Overnight inhabitation of the construction trailer is not permitted.
 - d. No construction trailers are permitted on site prior to issuance of the site grading permit.
 - e. Construction trailer(s) shall be removed prior to issuance of a certificate of occupancy for the last unit in the project. (Planning)
5. PROJECT STAGING - EQUIPMENT AND MATERIALS STORAGE. Equipment and material storage shall be located on site, and laydown shall be limited to the designated areas shown on Plans dated November 28, 2023. Construction equipment and materials shall not be stored within Stone Pine Road or the driveway serving the City Corporation Yard. Temporary laydown and storage may be made available, as necessary, within the City Corporation Yard. (Planning and Public Works)
6. SITE ACCESS AND PARKING. Construction vehicles/equipment and workers shall access the project site via Stone Pine Road. Construction vehicles/equipment shall observe a 15-mile-per-hour speed limit on Stone Pine Road, and workers shall abide by the posted speed limit (25 miles per hour). Parking for construction vehicles/equipment and worker vehicles shall be limited to the designated areas identified on Plans dated November 28, 2023. Worker

parking shall be limited to construction staff, inspectors, and consultants and may occur from 7:00 AM to 7:00 PM Monday through Saturday. Except as otherwise approved by the Public Works Director, there shall be no vehicle parking on Sundays or holidays. (Engineering)

7. AIR QUALITY BEST MANAGEMENT PRACTICES. The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:
 - All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour.
 - Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites.
 - Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials 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 or as often as necessary to keep them free of dust and debris associated with site construction. The use of dry power sweeping is prohibited.
 - Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more.
 - Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - Replanting of vegetation in disturbed areas as soon as possible after completion of construction.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
 - 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.
 - Post a publicly visible sign with the telephone number and person to contact at the City of Half Moon Bay regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. (Building)

8. HAZARDOUS MATERIALS. Any materials deemed hazardous by the San Mateo County Department of Health that are uncovered or discovered during the course of work under this permit shall be disposed of in accordance with the regulations of San Mateo County Department of Health. (Building)

9. COMPLIANCE WITH STATE AND FEDERAL CODES. All structures shall be constructed and/or installed in compliance with the standards of the current applicable State and federal Codes including current California Title 24 and California Title 25, as well as local amendments. (Building)
10. COMPLETION OF UTILITIES. Any public utilities requiring relocation as part of the construction of the project shall be relocated at the permittee's expense. (Building)
11. CONSTRUCTION HOURS. Construction activities on the site shall be limited to the hours of 8:00 AM to 6:00 PM. Monday through Saturday. Construction-related staging and mobilization may commence no earlier than 7:00 AM and cease no later than 7:00 PM. No construction is allowed on Sundays and holidays, except as expressly authorized by the City Engineer in conformance with Section 14.40.020 of the Half Moon Bay Municipal Code. (Engineering)
12. NOTICE OF DISRUPTION. The permittee shall provide written notice to affected property and business owners and a copy of such notice to the City Engineer a minimum of two business days prior to any planned disruption of pedestrian or vehicular traffic, parking, or public service facilities. (Engineering)

D. The mitigation measures from the Corporation Yard Initial Study/Mitigated Negative Declaration (PDP 21-053) are incorporated into the conditions of approval and shall be complied with prior to and during construction:

BIO-1 The following general mitigation measures shall be implemented during the project:

- a. Prior to the start of the project, all construction crew members shall attend an environmental awareness training presented by a qualified biologist. A training brochure describing special-status species, project avoidance and minimization measures, key contacts, and potential consequences of impacts to special-status species and potentially jurisdictional features shall be distributed to the crew members during the training. Trainees shall sign an environmental training attendance sheet. These personnel shall be informed about the possible presence of all special-status species and habitats associated with the species identified here to be potentially present in the project area and that unlawful take of the animal or destruction of its habitat is a violation of the Federal Endangered Species Act and the California Endangered Species Act. Prior to construction activities, the qualified biologist shall instruct all construction personnel about (1) the description and status of the species; (2) the importance of their associated habitats; and (3) a list of measures being taken to reduce impacts on these species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the construction crew and anyone else who enters the project site.
- b. Disturbance to vegetation shall be kept to the minimum necessary to complete the project activities. To minimize impacts to vegetation, a qualified biologist shall work with the contractor to designate the work area and any staging areas as well as delineate areas that shall be avoided with signage and tape. Areas that shall be avoided include Pilarcitos Creek,

the impoundment, riparian habitat, and the wildlife corridor. Specifically, the buffer shall be 50 feet outward from the limit of riparian vegetation along Pilarcitos Creek or 100 feet from the top of bank within Pilarcitos Creek (whichever is greater) and 100 feet outward from the impoundment. The identified buffer shall be clearly depicted on any construction plans. Work may occur within these buffer areas under the supervision of a qualified biologist, and shall be limited to removal of the existing materials enclosure and the existing fencing around the impoundment. In addition, prior to initial ground disturbance or vegetation removal, the limits of the identified buffer around the impoundment, associated riparian habitat, and annual grassland to be avoided shall be flagged or fenced.

- c. If any wildlife is encountered during project activities, said wildlife must be allowed to leave the work area unharmed. All listed wildlife species shall be allowed to leave the work area of their own accord and without harassment. Animals shall not be picked up or moved in any way. If non-listed and/or non-special-status wildlife does not leave the work area of their own accord, the qualified project biologist may relocate the wildlife outside of the project limits.
- d. During project activities, all trash that may attract predators such as wrappers, cans, bottles, and food scraps shall be disposed of in solid, closed containers (trash cans) and removed at the end of each working day from the entire construction site. Following construction, trash/construction debris shall be removed from work areas.
- e. The area of disturbance shall be limited to the minimum necessary to complete the project. Project boundaries shall be clearly demarcated, and these areas shall be outside of sensitive areas.
- f. No firearms shall be allowed on the project site, except for federal, state, or local law enforcement, or security guards.
- g. Project-related vehicles shall observe a 10 mile-per-hour speed limit in all project areas, except on City and County roads, and state highways; this is particularly important on rainy nights when California red-legged frogs are most active.
- h. Nighttime construction shall be avoided.

BIO-2 Minimize impacts to special-status amphibians and reptiles:

NOTE: The requirements of Mitigation Measure BIO-2 are addressed in that the conservation corridor has been established. The measure is included here for reference.

- a. The permittee will retain professional qualified biologists with experience monitoring for California red-legged frog and San Francisco garter snake to provide biological monitoring during all project construction activities that may result in take of any special-status species.
- b. A qualified biological monitor (or as required by project permits) shall be on-site during all project construction activities that may result in take of any special-status species. The qualified biologist shall be given the authority to freely communicate verbally, by telephone, electronic mail, or in writing at any time with construction personnel, any other person(s) at the project site, otherwise associated with the project, the USFWS, the CDFW, or their designated agents. The qualified biologist shall have oversight over implementation of all the conservation measures and shall have the authority and responsibility to stop project activities if they determine any of the associated requirements are not being fulfilled. If the qualified biologist exercises this authority, the USFWS and CDFW shall be notified by telephone and electronic mail within twenty-four (24) hours.

- c. Construction materials, including, but not limited to, wooden pallets, BMPs, equipment, or other materials, that are left on the ground for more than 24 hours shall be inspected before and during moving of the materials to prevent potential impacts to animals that may have utilized the materials as a temporary refuge. All construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods shall be either securely capped prior to storage or thoroughly inspected by the qualified biologist and/or the construction foreman/manager for animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a California red-legged frog or San Francisco garter snake is discovered inside a pipe or culvert by the qualified biologist or construction foreman/manager, the protocol in Mitigation Measure BIO-2(h) shall be followed.
- d. To prevent inadvertent entrapment of the California red-legged frog or San Francisco garter snake during construction, the qualified biologist and/or construction foreman/manager shall ensure that all excavated, steep-walled holes or trenches more than 1 foot deep are completely covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks and inspected by the qualified biologist. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals by the qualified biologist and/or construction foreman/manager. If at any time a trapped California red-legged frog or San Francisco garter snake is discovered by the qualified biologist or anyone else, the steps in Mitigation Measure BIO-2(h and i) shall be followed.
- e. If a California red-legged frog or San Francisco garter snake, or any animal that construction personnel believe may be either of these species, is encountered during project construction, the following shall be followed.
 - i. All work that could result in direct injury, disturbance, or harassment of the individual animal shall immediately cease;
 - ii. The foreman and qualified biologist shall be immediately notified; and
 - iii. The qualified biologist shall determine if the animal is a California red-legged frog or San Francisco garter snake and, if so, shall follow Mitigation Measure BIO-2h for California red-legged frog and Mitigation Measure BIO- 2(i) for San Francisco garter snake.
- f. If any California red-legged frogs are found during implementation of Mitigation Measures BIO-2(a), BIO-2(b), BIO-2(c), BIO-2(d), BIO-2(e), BIO-2(f), or BIO-2(g) the qualified biologist shall contact the USFWS to determine if moving any of the individuals is appropriate. In making this determination, the USFWS shall consider if an appropriate relocation site exists. If the USFWS approves moving animals, the City shall ensure that a permitted biologist holding a 10(a)(1)(A) permit for California red-legged frog (or as required by the project permits) is given sufficient time to move the animals from the impact area before ground disturbance is initiated. Only qualified and permitted biologists shall capture, handle, and move the California red-legged frog. The permitted biologist shall monitor any relocated frog until it is determined that it is not imperiled by predators or other dangers.
- g. The qualified biologist shall monitor any individual San Francisco garter snake encountered within the impact area, but allow it to leave the impact area on its own. If

the qualified biologist determines that the snake cannot leave on its own then the USFWS and CDFW shall be consulted to determine if the snake can be captured and relocated to appropriate habitat on the outside of the impact area. No San Francisco garter snakes shall be handled without explicit agency approval.

- h. Planting of western mosquitofish (*Gambusia affinis*) within the impoundment shall be prohibited. Treatment of the impoundment for mosquito larvae by the Mosquito Abatement District will be conducted utilizing alternative treatments approved by the District (e.g., insect growth regulators).
- i. The use of any pesticides in the impact area shall be utilized in such a manner to prevent primary or secondary poisoning of the California red-legged frog and/or San Francisco garter snake potentially present in the project area, and the depletion of food items on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the USEPA, California Department of Food and Agriculture, and other appropriate state and federal regulations, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. Furthermore, pesticide use will be subject to documentation of compliance with the USEPA's Stipulated Injunction concerning the type used and buffer for application away from waterbodies and shall be rated for aquatic use by the California Department of Pesticide Regulation and have less-than-significant effects on California red-legged frog and San Francisco garter snake.
- j. The use of herbicides shall not be permitted unless approved by CDP amendment. Future approval of herbicide use will be subject to documentation of compliance with the USEPA's Stipulated Injunction concerning the type used and buffer for application away from waterbodies and shall be rated for aquatic use by the California Department of Pesticide Regulation and have less-than-significant effects on California red-legged frog and San Francisco garter snake.
- k. The use of rodenticides (i.e., anticoagulants) for controlling rodents, such as rats (*Rattus* spp.), house mice (*Mus musculus*), and California ground squirrels (*Spermophilus beecheyi*), shall be prohibited. If rodent control is required by the City, localized trapping efforts shall be conducted.
- l. Construction activities (e.g., grubbing, grading) shall occur during dry weather conditions only, and to the extent feasible, during the dry season (June 1 to October 15) to facilitate avoidance of California red-legged frog and San Francisco garter snake.
- m. Regardless of the season, construction shall adhere to SMCWPPP BMPs, and no construction shall occur during and within 24 hours following a significant rain event (defined as greater than 0.25 inch in a 24-hour period). Following a significant rain event and the 24-hour drying-out period, a qualified biologist shall conduct a preconstruction survey for California red-legged frog and other sensitive species prior to the restart of any project activities.
- n. A wildlife corridor shall be constructed as part of the Project and would funnel any potentially dispersing California red-legged frog or San Francisco garter snake into a culvert tunnel beneath the access road and limit the potential for traffic accessing the Corporation Yard to impact California red-legged frog or San Francisco garter snake. The wildlife corridor would also include a fence line along the riparian buffer of Pilarcitos Creek, which would further ensure that individual California red-legged frog and San

Francisco garter snake would utilize the wildlife corridor to safely travel between the agricultural pond and the creek. The riparian buffer fencing would prevent California red-legged frog or San Francisco garter snake from entering the upland, trafficked portions of the property, where they could be injured or killed or trapped in upland habitat where they could be easily preyed. The wildlife corridor design considered the life history aspects of both California red-legged frog and San Francisco garter snake to provide a safe and suitable movement corridor without any further management actions required.

- o. The wildlife corridor fencing shall be maintained as a boundary to allow for safe wildlife movement between the impoundment and Pilarcitos Creek by funneling any dispersing wildlife through tunnels beneath the access road and providing a boundary along the riparian corridor of Pilarcitos Creek. The wildlife fencing, tunnel, and corridor shall be maintained over the lifetime of its use, and any portion that is observed to be broken or not functioning property shall be repaired immediately by the City.
- p. A temporary material may be used for the wildlife fencing, such as ERTEC or similar material, during construction of the project and for up to 1 year after construction is complete. If a temporary material is used for the fencing, it shall be inspected weekly by the City staff for any needed repairs. After 1 year the temporary fencing should be either replaced with a permanent wildlife fencing (e.g., chain-link fencing with vinyl slats) or reassessed for efficacy by a qualified biologist.
- q. Installation of the wildlife corridor and associated fencing should take place during dry weather conditions to ensure that no dispersing California red-legged frogs or San Francisco garter snakes are trapped in upland areas.
- r. The wildlife corridor shall be maintained and repaired annually or more frequently as needed. The tunnels beneath the access road shall be inspected to ensure that it is not blocked by vegetation or sediment. Vegetation fuels management within the wildlife corridor shall use low impact methods (such as goat grazing or using hand tools) on an annual basis. Any mechanical maintenance activities (including using hand tools for vegetation maintenance) within the wildlife corridor shall be closely monitored by an approved biologist.

BIO-3 Minimize impacts to Pilarcitos Creek and riparian habitat:

- a. The project shall comply with the SMCWPPP, Municipal Regional Stormwater National Pollution Discharge Elimination System (NPDES) Permit and General Construction permit to prevent increases in peak flow, erosion, or reduction in water quality for downslope waters, which shall prevent stream downcutting, riparian bank erosion, or other downstream impacts.
- b. All spoils, such as dirt, excavated material, debris, and construction-related materials, generated during project activities shall be placed where they cannot enter any drainage ditch, culvert inlet, or nearby vernal marshes. Spoils shall be covered or secured to prevent sediment from escaping. Once the spoil pile is no longer active, it shall be removed from the work area and disposed of lawfully at an appropriate facility.
- c. All exposed soils in the work area resulting from project activities shall be stabilized immediately following the completion of work to prevent erosion. Erosion and sediment control BMPs, such as silt fences, straw hay bales, gravel or rock-lined drainages, water

- check bars, and broadcast straw, can be used. BMPs shall be made of certified weed-free materials. Straw wattles, if used, shall be made of biodegradable fabric (e.g., burlap) and free of monofilament netting. At no time shall silt-laden runoff be allowed to enter any drainages or other sensitive areas.
- d. All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 100 feet from any drainages and other water features, including Pilarcitos Creek. Crew members shall ensure that contamination of habitat does not occur during such operations. Prior to the onset of work, the construction contractor shall prepare a plan to be approved by the City before construction begins to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
 - e. All exposed surfaces shall be wetted periodically to prevent significant dust.
 - f. All stockpiled soil shall be covered during periods of rain.
 - g. The following BMPs shall be implemented to limit the spread of invasive species into sensitive habitats:
 - iv. All ground-disturbing equipment used adjacent to the riparian habitat shall be washed (including wheels, tracks, and undercarriages) at a legally operating equipment yard both before and after being used at the site;
 - v. All applicable construction materials used on-site, such as straw wattles, mulch, and fill material, shall be certified weed free;
 - vi. The project shall follow the SMCWPPP and a SWPPP as per the NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit; Water Board Order No. 2009-0009-DWQ) if applicable;
 - vii. All disturbed soils shall be stabilized and planted with a native seed mix from a local source following construction;
 - viii. If excavating, soil and vegetation removed from densely weed-infested areas (for example, dense poison hemlock infestations or cape ivy infestations) shall not be used in general soil stockpiles and shall not be redistributed as topsoil cover for the newly filled areas. All weed-infested soil shall be disposed of off-site at a landfill.

BIO-4. Minimize impacts to nesting birds, as required by the Federal Migratory Bird Treaty Act:

- a. If project activities, including, but not limited to, grubbing and grading, are conducted during nesting bird season (generally February 15 to September 15), preconstruction nest surveys shall be conducted in and near the project (within 500 feet for large raptors and 300 feet for all other birds) by a qualified biologist within 7 days of the start of construction. If nesting birds are identified during the preconstruction survey, then the project shall be modified (i.e., a no-work exclusion buffer of appropriate size [to be determined by the qualified project biologist] shall be erected around active nests) and/or delayed as necessary to avoid impacts to the identified nests, eggs, and/or young. Disturbing active nests must be avoided until young birds have fledged.

- b. Construction activities shall not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project shall be removed prior to the start of the nesting season (e.g., prior to February 15), to the extent feasible. This shall preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates.

BIO-5. Minimize impacts to heritage trees:

NOTE: The requirements of Mitigation Measure BIO-5 are replaced by the landscape and tree replacement plan. The measure is included here for reference.

- a. During detailed design of the project, removal of trees protected by the City heritage tree ordinance shall be avoided and minimized to the extent feasible. If tree removal is necessary, it is recommended that a certified arborist conduct a tree survey to determine the number and health of heritage trees within the developed habitat of the project area. Where removal of trees cannot be avoided, the City shall comply with the standards of the City heritage tree ordinance, including the planting of replacement trees where feasible and approval from the City Manager.

BIO-6. Minimize impacts to roosting bats:

- a. Pre-Construction Bat Survey. Prior to tree removal, a qualified bat biologist shall conduct a visual survey of the project area to identify if bats are roosting within trees within the project area. Roost sites shall be avoided during tree removal. If no roosting sites or bats are observed during the survey no further mitigation is necessary.
 - i. If roosting bats or indications of bat roosts are observed within project trees to be removed, tree removal shall be conducted under the supervision of a qualified bat biologist. During tree removal and where potential bat roosts were identified, a qualified bat biologist shall be present and tree removal shall begin with portions of the tree that do not provide suitable roost habitat (e.g., low limbs lacking forage). Trees shall be disassembled at a speed in coordination with the on-site qualified bat biologist that allows any roosting bats to vacate the tree.

BIO-7. Minimize impacts to dusky-footed woodrat:

- a. Focused surveys for San Francisco dusky-footed woodrat nests within the riparian habitat associated with Pilarcitos Creek and the marsh habitat shall be conducted within 7 days of the start of construction. If no nests are found, then no further mitigation shall be warranted. If nests are found, then Mitigation Measures b and c shall be implemented.
- b. Dusky-footed woodrats are year-round residents. Therefore, avoidance mitigation is limited to designing the project to avoid direct impacts on woodrat nests to the extent feasible. Ideally, a minimum 10-foot buffer should be maintained between project construction activities and each nest to avoid disturbance. In some situations, a smaller buffer may be allowed if in the opinion of the qualified biologist removing the nest would be a greater impact than that anticipated due to project activities. If nests are observed within riparian habitat and this habitat shall be avoided by the project, high-visibility

fencing shall be installed around these woodrat nests to keep workers, construction equipment, and construction materials out of the area where the nests are located.

- c. If avoidance of occupied nests is not feasible, the woodrats shall be evicted from their nests prior to the removal of the nests and onset of ground-disturbing activities to avoid injury or mortality of the woodrats. A qualified biologist shall disturb the woodrat nest to the degree that all woodrats leave the nest and seek refuge outside of the project activity area. Subsequently, the nest sticks shall be relocated; these materials shall be piled at the base of a nearby tree or shrub outside of the impact area. The spacing between relocated nests shall not be less than 20 feet, unless a qualified biologist has determined that the habitat can support higher densities of nests.

CUL-1. Implement an environmental awareness training program:

Prior to the start of the project, all construction crew members will attend an environmental awareness training. This environmental awareness training will be conducted by a qualified archaeologist and will address cultural situations that may be encountered. An archaeologist will prepare an archaeological brochure to be distributed to the construction crew at the on-site environmental awareness training. The brochure will identify the types of cultural resources that may be encountered and the procedures to be followed in the event of accidental discovery.

CUL-2. Implement a cultural resources monitoring plan:

The project will develop and implement a cultural resources monitoring plan (CRMP) for all ground-disturbing activities. The CRMP shall include provisions for stop-work by the archaeologist, ownership and proper handling of archaeological resources upon and following discovery, reporting format and frequency, and a project specific communications plan will need to be completed prior to start of work.

GEO-1. Avoid and/or reduce impacts to unknown paleontological resources:

In the unlikely event that a paleontological resource is discovered, the project applicants shall comply with PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244, which prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. To be consistent with these PRC Sections, in the event that paleontological resources are exposed during construction, work in the immediate vicinity of the find must stop until a qualified paleontologist can evaluate the significance of the find. Construction activities may continue in other areas. If the discovery proves significant under the provisions of CEQA, the paleontologist shall prescribe, and the project Applicants shall implement, additional measures such as testing or data recovery to avoid impacts to the resources.

E. The following conditions shall be implemented to the satisfaction of the Community Development Director prior to issuance of the first occupancy permit:

1. EXTERIOR COLORS AND MATERIALS. Exterior building colors and materials shall be in conformance with the approved architectural plans and color palette. (Planning)

2. DISPLAY OF STREET ADDRESS. Prior to issuance of a Certificate of Occupancy, the residential dwelling shall display a street address (or unit number) per Fire District requirements. (Fire/Building)
3. COMMUNITY POLICIES. The permittee shall prepare community policies and rules for the ongoing operation of the project including, but not limited to parking, refuse pick-up/removal, on-site storage, and keeping of pets. The on-site manager will be responsible for education, administration, and enforcement. Covenants are subject to review and approval by the City Engineer and Community Development Director prior to occupancy of the first unit. (Planning)
4. EMERGENCY RESPONSE PLAN. The permittee shall, in conjunction with the City Emergency Response staff, prepare an emergency response plan covering evacuation planning for the residents of Stone Pine Cove in the unlikely failure of the Pilarcitos Dam as well as any other potential natural disaster which may affect the project site. (City Manager's Office)
5. LANDSCAPING AND TREE REPLACEMENTS. The landscape plan, including irrigation and planting, shall be installed per approved plans. Tree removals approved according to the approved plans shall be replaced by at least one 24-inch box specimen tree for every heritage tree removed. (Planning)
6. TRAFFIC CALMING. The permittee shall complete traffic calming improvements on Stone Pine Road. Traffic calming improvements shall include:
 - A. Crosswalk improvements at West Patrick Way, including the addition of pedestrian-activated flashing beacons
 - B. A new high visibility crosswalk at East Patrick Way, including new curb ramps, signage, and striping
 - C. Speed feedback signs (eastbound and westbound)
 - D. Lane striping to narrow travel lanes
 - E. Tree trimming near West Patrick Way, to improve intersection visibility (Engineering)

F. Validity and Expiration of Permits

1. EFFECTIVE DATE. This Emergency Coastal Development Permit allows property development necessary to address an emergency and is effective immediately upon signature by the Half Moon Bay Community Development Director. The permit is not subject to appeal; however, per California Code of Regulations §13569 "Dispute Resolution for Local Permit Processing Procedures" parts C and D, an interested person may request the Coastal Commission executive director to review the local government permitting process and determinations. (Planning)
2. ACCURACY OF APPLICATION MATERIALS. The applicant shall be responsible for the completeness and accuracy of all forms and material submitted for this application. Any

errors or discrepancies found therein may be grounds for the revocation or modification of this permit and/or any other City approvals. (Planning)

3. EXPIRATION/TERMINATION. The Emergency Coastal Development Permit shall become null and void upon the effective date of the follow-up Coastal Development Permit. (Planning)

4. HOLD HARMLESS. As set forth in paragraph 9 of the First Amended and Restated Memorandum of Understanding Between the County of San Mateo and the City of Half Moon Bay Regarding Affordable Housing Development at Portion of 880 Stone Pine Rd., Half Moon Bay, CA 94019 ("Pursuant to Government Code Section 895.4, each Party agrees to fully indemnify, defend, and hold the other Party (including its appointed and elected officials, officers, employees, and agents) harmless and free from any damage or liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying Party, its appointed or elected officials, officers, employees, or agents, under or in connection with any activities undertaken in connection with this MOU. No Party, nor any appointed or elected official, officer, employee, or agent thereof, shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of any other Party, its appointed or elected officials, officers, employees, or agents, under or in connection, with any activities undertaken in connection with this MOU. For avoidance of doubt, the County shall not be required to defend, indemnify or hold the City harmless, nor shall the City be required to defend, indemnify or hold the County harmless, in connection with any and all liabilities arising from or related to the application for a Coastal Development Permit (emergency or otherwise) in connection with the Project (City Attorney)

OWNER'S/PERMITTEE'S CERTIFICATION:

I have read and understand and hereby accept and agree to implement the foregoing conditions of approval of the Coastal Development Permit.

APPLICANTS/PERMITTEES:



Mike Callagy, County Executive Officer

12/11/2023



Matthew Chidester, City Manager

12/11/2023
