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Substantial Issue:	July 13, 2001
Staff:	SLB-SF
Staff Report:	Sep. 19, 2002
Hearing Date:	Oct. 10, 2002

APPEAL STAFF REPORT
DE NOVO REVIEW

APPEAL NO.:	**A-2-SMC-01-008**
APPLICANTS:	**Michael and Joanne Mahon**
LOCAL GOVERNMENT:	**San Mateo County**
SUBSTANTIAL ISSUE:	**The Commission found that the appeal of the local government action on this development raised a substantial issue on July 13, 2001.**
PROJECT LOCATION:	863 San Ramon Avenue, Moss Beach, San Mateo County. APN 037-259-170
PROJECT DESCRIPTION:	Construction of a 27-foot-high, 2-story 2,629-square-foot, 4-bedroom, 2.5-bath single-family residence, an attached 440-square-foot garage, and domestic well.
APPELLANTS:	Jan Didur; Jeff Tate Ellen Zeff; Jeff Blaney
SUBSTANTIVE FILE DOCUMENTS:	See Appendix A
STAFF RECOMMENDATION:	Approval with Conditions

1.0 EXECUTIVE SUMMARY

Prior Commission Action

On July 13, 2001 the Commission found that the appeals submitted of the local government's action on this proposed project raised a substantial issue of conformity of the approved project with the certified Local Coastal Program. Accordingly, the local action is no longer effective and the Commission must consider the application de novo. The Commission continued the de novo hearing to a future meeting pending the applicants' submission of additional information necessary to allow the Commission to evaluate the potential impacts of the proposed water well

to sensitive habitat and priority land use. This staff report represents the staff's recommendation to the Commission for action on the proposed project. The standard of review for the proposed project is the San Mateo County Local Coastal Program.

Summary of Staff Recommendation

The staff recommends that the Commission approve the coastal development permit application for the proposed project with conditions to mitigate impacts related to geologic hazards and polluted runoff.

2.0 STAFF RECOMMENDATION

The staff recommends conditional approval of Coastal Development Permit Application Number A-2-SMC-01-008.

Motion

I move that the Commission approve Coastal Development Permit Application No. A-2-SMC-01-008 pursuant to the staff recommendation.

Staff Recommendation of Approval

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve the Permit

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of the certified San Mateo County LCP. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

2.1 Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

2.2 Special Conditions

All previous conditions of approval imposed on the project by San Mateo County pursuant to an authority other than the California Coastal Act remain in effect (San Mateo County File Number PLN 1999-00244; see Exhibit 1). To the extent such San Mateo County conditions conflict with the Coastal Commission's conditions for Coastal Development Permit Number A-2-SMC-01-008, the applicants will be responsible for obtaining permit amendments to resolve any such conflicts.

1. Conformance of Design and Construction Plans to Geotechnical Report

   A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the section titled Conclusions and Recommendations of the Geotechnical Investigation prepared by Buckley Engineering Associates and dated September 22, 1999. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.

   B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Assumption of Risk, Waiver of Liablity, and Indemnity Agreement.

   By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to seismic, geologic, and geotechnical hazards; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agent, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. Deed Restriction

   PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed

by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

4. Construction Period Erosion Control Plan.

   A. ***Prior to the issuance of the coastal development permit***, the applicant shall submit, for the review and approval of the Executive Director, an erosion control plan to prevent the transport of sediment from the project site during construction. The plan shall be designed to minimize the potential sources of sediment, control the amount of runoff, and retain sediment on-site during construction. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and ensure the application of nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff. The Construction Period Erosion Control Plan shall include, at a minimum, the Best Management Practices specified below:

      1. Erosion & Sediment Source Control

         a. Sequence construction to install **sediment-capturing devices** first, followed by runoff control measures and runoff conveyances. Land clearing activities should only commence after the minimization and capture elements are in place.

         b. Within five days of clearing or inactivity in construction, stabilize bare soils through either non-vegetative BMPs such as mulching or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.

         c. Construction entrances should be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.

         d. Cover excavated material with plastic during storm events to reduce the potential of erosion.

         e. Place stockpiled soil and/or other construction-related material a minimum of 75 feet from any drainages. Stockpiled soils shall be covered with tarps at all times of the year.

         f. If sprinkling is used for dust control, application monitoring is required to prevent runoff.

2. Runoff Control and Conveyance

   a. Intercept runoff above disturbed slopes and convey it to a permanent channel or stormdrains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.

3. Sediment-Capturing Devices

   a. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

   b. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acre or less per 100 feet of fence. Silt fences should be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.

4. Chemical Control

   a. Store, handle, apply, and dispose of pesticides, petroleum products, and other construction materials properly.

   b. Maintain and wash equipment and machinery in confined areas specifically designed to control runoff.

   c. Provide adequate disposal facilities for solid waste, including excess asphalt, produced during construction.

B. The permittee shall be fully responsible for advising construction personnel of the requirements of the approved Erosion Control Plan.

C. The permittee shall undertake development in accordance with the approved Erosion Control Plan. No proposed changes to the approved Erosion Control Plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. Post-Construction Stormwater Pollution Prevention Plan.

A. ***Prior to issuance of the coastal development permit,*** the applicant shall submit, for the review and approval of the Executive Director, a Post-Construction Stormwater Pollution Prevention Plan showing final drainage and runoff control measures. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of storm water leaving the developed site after completion of construction. The Post-Construction Polluted Runoff Prevention Plan shall include, at a minimum, the BMPs specified below:

   a. A pop-up drainage emitter system, or similar device shall be installed to conduct roof runoff from roof gutter systems and downspouts away from structural foundations and to disperse runoff in lawn or landscaped areas. Emitters shall be sized according to downspout and watershed (roof area) size. Pipe riser height

shall be designed to create head sufficient enough to lift pop-up. Outfall and sheetflow shall be designed to disperse runoff onto vegetated areas or suitable landscaped.

b. Where possible, runoff from driveway should be directed to natural drainage systems that allow for filtration.

c. Native or non-invasive drought-tolerant adapted vegetation shall be selected, in order to minimize the need for fertilizer, pesticides/herbicides, and excessive irrigation.

d. The final site plan shall show the finished grades and the locations of the drainage improvements, including downspouts and where necessary splashguards.

B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

3.1 Project Location and Site Description

The proposed development is located on a 5,147-square-foot lot located at 863 San Ramon Avenue, in the Upper Seal Cove area of unincorporated Moss Beach, San Mateo County. The property is zoned R-1/S-17 (Single Family/ Residential/5,000 square-foot minimum parcel size), DR (Design Review), CD (Coastal Development), and GH (Geologic Hazards). The site is located approximately one-eighth of a mile east of Fitzgerald Marine Reserve in an existing residential neighborhood (Exhibit 2, Vicinity Map and Exhibit 3, Location Map). The parcels on both sides of and across from the project site are developed with single-family residences. The house on the west side of the proposed development is built at a diagonal angle to avoid straddling fault traces in the southwest corner of the property. A geotechnical consultant hired by the applicant, a certified engineering geologists from Earth Investigations Consultants, and the County's reviewing geologist, did not find evidence of surface faulting on the project site (BEA 2001). The site is level and there are no trees or shrubs on the parcel.

Upper Seal Cove is located on a coastal bluff west of Half Moon Bay Airport. It is bounded by the ocean on the west, north and south, and the San Gregorio-Seal Cove fault on the east. It rises about 100 feet above sea level, and about 50 feet above the lowlands to the east. An EIR, completed in 1989 to study the potential effects of 58 proposed wells in Montara and Moss Beach, examined the geology and hydrology of the terrain. The Montara and Moss Beach areas contain six hydrologic sub-units. The 1989 EIR described the Upper Seal Cove sub-unit as a small, 40-acre block along the Seal Cove fault line that is uplifted and isolated from the other five sub-units. According to the report, marine terrace deposits overlay granite bedrock and the Purisima Formation.[1] The marine terrace deposits act as a shallow upper aquifer and the

[1] The Purisima Formation is a fractured, well-indurated, soft to hard mudstone, siltstone and sandstone. The granite bedrock in the Upper Seal Cove is composed of Montara Quartz Diorite, which is a pervasively fractured, medium to coarsely crystalline granite rock; largely composed of quartz diorite but may grade locally to granite and

Purisima Formation and granite bedrock act as a deeper aquifer. Water from the shallow aquifer is less likely to meet County quality and quantity standards than water drawn from the deep aquifer. The aquifers are replenished naturally and if pumping does not exceed replenishment (recharge), will remain viable. The sources of recharge include the percolation of rainfall on the surface above the aquifer, infiltration of surface (stream, lake, and pond) water, and subsurface inflow. Percolation from precipitation is the principal means of recharge for the Upper Seal Cove aquifers, infiltration from surface waters is negligible. Subsurface inflow may be a significant means of recharge for the deeper aquifer, however, it is almost certainly a far smaller contribution than direct infiltration.

Upper Seal Cove is within the California-American Water Company's service area, which brings water service to the Montara and Moss Beach areas.[2] In the 1980s the Public Utilities Commission imposed a moratorium on new water connections to California-American Water Company (formerly Citizens' Utilities). California-American Water Company will operate under this moratorium until it increases its water supply capacity to 550 gallons per minute (gpm). Presently, its water supply capacity is approximately 350 gpm. It obtains its water from eight wells that withdraw water from the Montara Area and Denniston Sub-basin and from the Alta Vista Treatment Plant, which treats water diverted from Montara Creek.[3] Due to the moratorium, new development in Upper Seal Cove cannot be provided with water connections to the Citizens' Utilities system. For this reason, landowners seeking to develop their property in the area must rely on domestic wells. Currently, five permitted wells draw water from one of the two aquifers in Upper Seal Cove.

3.2 Project Description

The proposed development consists of a 2,629-square-foot, 27-foot-high single-family residence with four bedrooms and 2.5 bathrooms, and construction of a domestic water well (Exhibit 4, Site Plan and Elevations). Although the local government action is no longer effective, as a condition of its approval, the County required that in the event that a public water supply becomes available, the applicants shall switch to this alternative. The County also required the applicants to obtain a well permit and construct a well meeting quality and quantity standards of the Environmental Health Division prior to submitting any building permit application (Exhibit 1, Local Approval Conditions).

3.3 Wetlands and Environmentally Sensitive Habitats

LUP Section 7.1 states:

> *Define sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable and any area which meets one of the following criteria: (1) habitats containing or supporting "rare and endangered" species as defined by the State Fish and Game Commission, (2) all perennial and intermittent streams and their tributaries, (3) coastal tide lands*

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granodiorite. Within the bedrock, groundwater moves through a series of cracks within the rock mass (Kleinfelder 1989a).

[2] Citizens' Utilities Company formerly serviced this area, however, it was bought by California-American Water Company in February 2002.

[3] California-American Water Company also has two additional wells (Park and Portola Estates II Wells) that were out of service as of the year 2000 due to high iron and manganese levels (Montgomery Watson 2000)

and marshes, (4) coastal and offshore areas containing breeding or nesting sites and coastal areas used by migratory and resident water-associated birds for resting areas and feeding, (5) areas used for scientific study and research concerning fish and wildlife, (6) lakes and ponds and adjacent shore habitat, (7) existing game and wildlife refuges and reserves, and (8) sand dunes. Sensitive habitat areas include, but are not limited to, riparian corridors, wetlands, marine habitats, sand dunes, sea cliffs, and habitats supporting rare, endangered, and unique species.

LUP Section 7.3 states:

(a) Prohibit any land use or development which would have significant adverse impact on sensitive habitat areas.

(b) Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of the habitats.

The project site is located within the possible range of the Hickman's cinquefoil, federally listed as endangered. A biological assessment of the property, completed by Thomas Reid Associates, states that at the time of the survey the site had disturbed soils, weedy vegetation, and piles of wood debris and concludes that due to the disturbed condition of the site, it is unlikely that the site could support the endangered species (TRA 1999). While the site does not contain any sensitive coastal resources, wetlands are present adjacent to the site in the lowlands to the east and southeast between the raised terrace that defines Upper Seal Cove and the Half Moon Bay Airport. No official wetland delineation was carried out for this area; however, a hydrogeologic report prepared by Sigma Prime Geosciences, Inc., dated August 5, 2002, states that there are "wetlands in the lowlands to the east between the raised terrace that defines Upper Seal Cove and the airport...while the area was dry during a site visit in July 2002, it is clear that this area remains wet for a significant period of time and that phreatophyte plants are pervasive across the low lands." In addition to the wetland, a seasonal pond is located approximately 500 feet southeast of and 35 feet lower than the project site (Exhibit 5, Map of Project Site and Coastal Resources).

LCP Policy 7.1 defines environmentally sensitive habitats (ESHA) as any area in which plant or animal life or their habitats are either rare or especially valuable and any area which meets one of the eight criteria listed above, which includes habitats containing or supporting "rare and endangered" species as defined by the State Fish and Game Commission, and lakes and ponds and adjacent shore habitat. Policy 7.1 further states that sensitive habitat areas include, but are not limited to, riparian corridors, wetlands, marine habitats, sand dunes, sea cliffs, and habitats supporting rare, endangered, and unique species.

Although the project site does not contain ESHA, the adjacent wetland and pond are considered as ESHA under LUP Policy 7.1. A biological assessment of the wetland and pond area was not carried out; however, both the pond and wetland are within the critical habitat range of both the California red-legged frog, federally listed as threatened, and the San Francisco garter snake, federally and state listed as endangered. San Mateo County is part of the California red-legged frog Critical Habitat Unit 14, San Mateo-Northern Santa Cruz Unit (50 CFR Part 17, March 13,

2001). Both the red-legged frog and the San Francisco garter snake use aquatic habitats, such as wetlands and ponds. In the past, the San Francisco garter snake has been observed in the pond area to the east of the proposed development (Kleinfelder 1989a). In the absence of a wetland delineation and a biological assessment demonstrating otherwise, the Commission finds that the adjacent areas east and southeast of the project site constitute wetlands and ESHA.

LUP Policy 7.3 prohibits any land use or development, which would have significant adverse impacts on adjacent sensitive habitat areas and requires that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. LCP 7.3 further requires that all uses be compatible with the maintenance of biologic productivity of the habitats.

In accordance with LUP Policy 7.3, the Commission must determine whether the proposed development is sited and designed to prevent impacts that would significantly degrade the adjacent sensitive habitat areas described above and would be compatible with the maintenance of the biological productivity of the habitats. A critical question as to whether the proposed development would impact the adjacent ESHA is whether or not the proposed water well has the potential to deplete water supplies to the wetland or pond. If the well were to deplete the water sources of these water dependent sensitive habitats, it would result in a significant adverse impact to the ESHA. At the time the appeal was filed, the local record did not contain sufficient information to determine if significant adverse impacts to the adjacent ESHA would occur as a result of the proposed well. In response to the lack of information related to the potential impacts of the proposed well, the applicants submitted a hydrogeologic report prepared by Sigma Prime Geosciences, Inc., dated August 5, 2002. The Commission's staff geologist, who also has visited the site, has reviewed this report.

According to the hydrogeologic report, the proposed well would draw from a different aquifer than that underlying the wetland and pond, and appears to be hydrologically separated from that aquifer (SPG, INC 2002). The wetland and pond overlie an unconfined alluvial aquifer that extends to the east, north, and south that is considered to be the most productive aquifer on the mid-coast (SPG, INC 2002). The proposed well would draw from the Upper Seal Cove aquifer, which is an older Tertiary age aquifer in fractured rocks of the Purisima formation and perhaps underlying granitic rocks, which according to the report is a relatively poor producer of water. The Upper Seal Cove aquifer is separated from the alluvial aquifer to the east by the San Gregorio fault (SPG, INC 2002). Trenching studies across the fault suggest that clayey fault gouge lies along the fault zone, and likely serves as a hydrogeologic barrier (Exhibit 5, Map of Project Site and Coastal Resources). Due the hydrogeologic barrier, it is unlikely that the sensitive habitats would derive any water from the same aquifer as the proposed well.

More significant, even if there were leakage across the presumed hydrogeologic boundary, the existing evidence suggests that the wetlands and pond are not fed by groundwater. The hydrogeologic report cited a study in which groundwater levels near the pond were measured at about 10 feet below the ground surface in May of 1987, a time following a period of average rainfall. Over four years of subsequent drought, the average water level dropped about 7 feet. Wetlands dependent on groundwater are formed when the groundwater level is at or near the surface. Groundwater levels of 10 and 17 feet are too deep to result in the formation of hydric soils and hydrophytic vegetation (SPG, INC 2002). This infers that the wetlands and pond are the result of surface drainage, likely resulting from the clay-rich layers within the alluvial

aquifer. Thus, even if the withdraw of groundwater by the proposed well were to affect the level of groundwater across the presumed hydrogeologic boundary represented by the San Gregorio Fault, it would not affect the surface hydrology of the wetland or the pond. In other words, even if the Upper Seal Cove aquifer and the adjacent lowland area were interconnected or partially interconnected hydrogeologic units, the water-dependent sensitive habitats would not be significantly adversely affected by the groundwater withdrawal of the proposed well.

Therefore, since the proposed well and ESHA are located in separate hydrogeologic units, and the wetland and pond are likely supported by surface hydrology which would be unaffected by groundwater withdrawal, the Commission finds that the development conforms with LUP Policy 7.3 of the San Mateo County LCP.

3.4 Priority Uses

LUP Section 2.8(a) states:

> *Reserve public works capacity for land uses given priority by the Local Coastal Program as shown on Table 2.7 and Table 2.17. All priority land uses shall exclusively rely on public sewer and water services.*

LUP Section 2.29(a) states:

> *Reserve water supplies for each land use given priority by the coastal act or the local coastal program. These priority uses are shown on table 2.17. Amend this table to reflect all changes in the land use plan which affect these land uses.*

Located approximately one-third of a mile north of the proposed development is a commercial floriculture operation, Cypress Flower Farms, operated on 19 acres of land at 333 Cypress Avenue, Moss Beach (Exhibit 5, Map of Project Site and Coastal Resources). The grower cultivates all flowers on open fields, with the exception of one greenhouse on the property. The owner operates two main production wells on the property to irrigate eight to nine acres of the farm.

LUP Policy 2.8(a) requires the reservation of public works capacity for land uses considered priority under the LCP. LUP Policy 2.29(a) reserves water supplies specifically for each priority land use listed in the Coastal Act or the LCP. Table 2.17 specifies the priority land uses and the amount of water to be reserved for each. Under Table 2.17, 13,800 gallons per day capacity shall be reserved for floriculture in the Moss Beach and Montara area during LCP Development Phase I. The complete table is contained in Appendix B.

In accordance with LUP Policies 2.8(a) and 2.29(a), the Commission must determine whether the proposed development may impact the availability of adequate water resources for the commercial flower fields. At the time the appeal was filed, the local record did not contain sufficient information to determine if the proposed well would withdraw water from the same aquifer as the floriculture production wells, or whether the aquifer has the capacity to support both continued agricultural uses and new domestic wells. This information is necessary to fully assess the potential impacts, both individually and cumulatively, of the proposed well on the continued ability of the available water supply to support priority land uses. As stated in Section 3.2, in response to the lack of information related to the potential impacts of the proposed well,

the applicants submitted a hydrogeologic report prepared by Sigma Prime Geosciences, Inc., dated August 5, 2002.

The hydrogeologic report states that the Cypress Flower Farm is located over the same aquifer as the wetland and the pond discussed in Section 3.2, which is separated from the Upper Seal Cove aquifer (SPG, INC 2002). Thus, the proposed well would be located in a different aquifer than the Cypress Flower Farm wells. As stated in Section 3.2, the San Gregorio-Seal Cove fault is a probable hydrogeologic barrier between the two aquifers. Due to the hydrogeologic barrier, as well as the distance of the proposed well from the wells used by the floriculture operation, the withdrawal of water by the proposed well, in conjunction with the withdrawal from existing and future wells in the upper Seal Cove area, would not impact the water supply.

Since the proposed well would withdraw water from a different aquifer than that used by the floriculture production wells, and a hydrogeologic barrier separates the two aquifers, the proposed well will not impact the availability of water for priority uses. Therefore, the Commission finds that the development conforms with LUP Policies 2.8(a) and 2.29(a) of the San Mateo County LCP.

3.5 Safe Yield Test

LUP Policy 2.32 in relevant part:

> *Require, if new or increased well production is proposed to increase supply, that:*
>
> > *(c) The amount pumped be limited to a safe yield factor which will not impact water dependent sensitive habitats, riparian habitats and marshes.*
> >
> > *(d) Base the safe yield and pumping restriction on studies conducted by a person agreed upon by the County and the applicant which shall: (1) prior to the granting of the permit, examine the geologic and hydrologic conditions of the site to determine a preliminary safe yield which will not adversely affect a water dependent sensitive habitat; and (2) during the first year, monitor the impact of the well on groundwater and surface water levels and quality and plant species and animals of water dependent sensitive habitats to determine if the preliminary safe yields adequately protect the sensitive habitats and what measures should be taken if and when adverse effects occur.*

Coastal Act Section 30114 states in relevant part:

> *"Public Works" means the following:*
>
> > *(a) All production, storage, transmission, and recovery facilities for water sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.*

As discussed in Section 3.3, the project site does not contain any water dependent sensitive habitats. However, there are wetlands and a pond adjacent to the site in the lowlands to the east and southeast.

LUP Policy 2.32 (c) requires that if new or increased well production is proposed to increase water supply, the amount of water pumped from the well must be limited to a safe yield factor which will not impact water dependent sensitive habitats, riparian habitats and marshes. LUP Policy 2.32 (d) requires that the safe yield and pumping restrictions be based on studies which examine the geologic and hydrologic conditions of the site to determine a preliminary safe yield which will not adversely affect water dependent sensitive habitats. LUP Policy 2.32(d) further requires that during the first year the applicant monitor the impact of the well on groundwater and surface water levels and quality and plant species and animals of water dependent sensitive habitats to determine if the preliminary safe yield adequately protects the sensitive habitats and what measures should be taken if adverse effects occur.

The project site does not contain any water dependent sensitive habitats. As discussed in Section 3.3, the adjacent wetland and pond are located in a separate hydrogeologic unit from the proposed well, and are supported by surface hydrology which would be unaffected by groundwater withdrawal. Thus, a hydrogeologic study to determine the safe yield with respect to potential impacts on water dependent sensitive habitats, riparian habitats and marshes is unnecessary to determine that the proposed well would not adversely impact water dependent sensitive resources. Therefore, the Commission finds that the proposed project is consistent with LUP Policy 2.32

3.6 Hazards

LUP Policy 9.3 states in relevant part:

> *Apply the following regulations of the Resource Management (RM) Zoning Ordinance to designated geologic hazard areas:*
>
> ...
>
> *c. Section 6326.3 - Seismic Fault/Fracture Area Criteria. Require geologic reports prepared by a certified engineering geologist consistent with "Guidelines for Geologic/Seismic Reports" (CDMG Notes #37) for all proposed development.*

Zoning Code Section 6326.6(b) states:

> *This area may contain areas suitable for low-density residential uses, such as occasional single-family detached residential dwellings. However, such developments shall not be permitted unless the applicant demonstrates, through detailed geologic site investigations and adequate engineering design, that proposed sites are suitable for the uses proposed, and that direct damage to such uses or indirect threat to public health and safety would be unlikely in the event of a major seismic event. No structure for human occupancy shall be permitted to be placed across the trace of an active fault. The area within fifty (50) feet of any trace of an active fault shall be assumed to be underlain by active branches of that fault unless and until proven otherwise by an appropriate geologic investigation and submission of a report by a geologist registered in the State of California.*

Zoning Code Section 6296.2(c) states:

> *Zone 3. The most stable part of the Seal Cove area; risk to development in this area is considered to be low to moderate. The major geologic hazard in this zone is the possibility of surface faulting along the main traces and subsidiary cross faults of the Seal Cove Fault system. These faults are considered to be active and capable of producing strong surface rupture and ground failure with associated strong ground shaking. The feasibility of reducing the risks to acceptable levels in this zone is considered generally high.*

Buckley Engineering Associates completed a geotechnical investigation dated September 22, 1999, and three subsequent geotechnical reports dated October 26, 2000, December 14, 2000, and February 28, 2001, for the project site. The report notes that the project is located approximately 400 feet northeast of the San Gregorio-Seal Cove Fault (BEA 1999). The site is located on Pleistocene marine terrace deposits that rest upon Pliocene Purisma Formation sedimentary rocks and Cretaceous granite rocks. Since the parcel is located in close proximity to a fault, it is zoned as a hazard district, and identified in Zoning Code Section 6296.2 as Hazard Zone 3 in the Seal Cove area. Zoning Code Section 6296.2 describes Zone 3 as the most stable part of the Seal Cove area in which risk to development is considered to be low to moderate. The major geologic hazard in this zone is the possibility of surface rupture along the main traces and subsidiary faults of the Seal Cove Fault system. Though the faults are considered to be active and capable of producing surface rupture and ground failure with associated strong ground shaking, the feasibility of reducing the risks to acceptable levels in this zone is considered generally high.

LUP Policy 9.3 (c) requires that for all development, in accordance with Zoning Code Section 6326.3 of the Resource Management (RM) Zoning Ordinance in designated geologic hazard areas, a geologic report be prepared by a certified engineering geologist consistent with "Guidelines for Geologic/Seismic Reports" (CDMG Notes #37). Section 6326.3(b) of the Zoning Code prohibits residential development unless the applicant demonstrates, through detailed geologic site investigations and adequate engineering design, that the proposed project site is suitable for the uses proposed, and that direct damage to such uses or indirect threat to public health and safety would be unlikely in the event of a major seismic event. It further prohibits the placement of any structure for human occupancy across the trace of an active fault.

In 1976, a geotechnical investigation was completed for the adjacent property to the south of the project site. The investigation identified four shear zones trending across the property and towards the applicants' property (Purcell-Rhodes 1976). Consistent with LUP Policy 9.3(c) and Zoning Code Section 6326.3(b), and in order to determine whether the shear zones from the adjacent property continue onto the project site, the applicants had two exploration trenches excavated and the above listed geologic reports prepared. The reports included the results of the excavation and logging of the trenches on the site, as well as a review of fault investigation reports for other properties located within the shadow of the previously mapped faulting. Buckley Engineering Associates found no evidence of tectonic faulting in the first trench located on the northwestern edge of the property (Exhibit 6, Exploration Trench 1). The second trench, 73 feet long and 10 feet deep, shadowed the proposed building area (Exhibit 7, Exploration Trench 2). Three California Certified Engineering Geologists: David Buckley of Buckley Engineering Associates, Joel Baldwin of Earth Investigations Consultants, and Jean DeMouthe,

the San Mateo County Reviewing Geologist, examined the second trench. All parties who examined the trench, including the County's Reviewing Geologist, found no signs of faulting on the applicants' property (BEA 2001) (Exhibit 8, Letter from Jean DeMouthe, San Mateo County Geologist). The December 14, 2000 geotechnical report concludes that the probability is very low that surface faulting will affect the proposed house. However, the first geotechnical investigation dated September 22, 1999, did state, "on the basis of the historical seismic record in the Bay Area, it is reasonable to assume that the proposed building will be subject to moderate to severe earthquake shaking during its lifetime." Nevertheless, it further concludes, "the lot is suitable for the proposed single-family residential development provided the recommendations contained in this report are followed."(BEA 1999)

Even though the geotechnical investigations did not find any evidence of tectonic faulting on the project site, given the proximity of the site to the San Gregorio-Seal Cove Fault, the Commission finds that the subject lot is an inherently hazardous piece of property. In order to minimize the development's risk to life and property in an area of high geologic hazard consistent with Zoning Code Section 6326.3 (b) of the LCP, the Commission imposes **Special Condition 1**, which requires that the final design and construction plans, including foundations, grading and drainage plans conform to the geotechnical consultant's recommendations. In addition, because the applicants propose development on a geologically hazardous site, the Commission imposes **Special Conditions 2 and 3.**

Special Condition 2 requires the landowner to assume the risks of seismic, geologic, and geotechnical hazards of the property and waive any claim of liability on the part of the Commission. In this way, the applicants are notified that the Commission is not liable for damage as a result of approving the permit for development. The condition also requires the applicants to indemnify the Commission in the event that third parties bring an action against the Commission as a result of the failure of the development to withstand hazards. The Commission finds that **Special Condition 2** is required because the applicants have voluntarily chosen to implement the project despite the risk of hazards.

Special Condition 3 requires the applicants to execute and record a deed restriction to ensure that future owners of the property will be informed of the risks, the Commission's immunity from liability, and the indemnity afforded the Commission. Recordation of the deed restriction will also provide notice of potential hazards of the property and eliminate false expectations of potential buyers of the property, lending institutions, and insurance agencies that the property is safe for an indefinite period of time and for further development indefinitely into the future. Therefore, as conditioned, the proposed development minimizes risks to life and property in areas of high geologic hazard and is consistent with LUP Policy 9.3(c) and Zoning Code Section 6326.3(b).

3.7 California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or

feasible mitigation measures available, which would substantially lessen any significant adverse effects, which the activity may have on the environment.

The Commission incorporates its findings on Local Coastal Program consistency at this point as if set forth in full. The staff report addresses and responds to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. The proposed project has been conditioned to be found consistent with the policies of the Local Coastal Program and to minimize all adverse environmental effects. Mitigation measures have been imposed to prevent impacts to water quality and geologic hazards. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impacts, which the development may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with Coastal Act requirements to conform to CEQA.

Exhibits:

1. SMC File PLN No.1999-00244, Local Approval Conditions
2. Vicinity Map
3. Location Map
4. Site Plan and Elevations
5. Map of Project Site and Coastal Resources
6. Exploration Trench 1
7. Exploration Trench 2
8. Letter from Jean DeMouthe, San Mateo County Geologist

Appendix A:
Substantive File Documents

BEA 1999. Geotechnical Investigation: Proposed Residence 868 San Ramon Avenue, Moss Beach, California. Buckley Engineering Associates. September 22, 1999.

BEA 2000a. Response to County Review Proposed Residence 868 San Ramon Avenue, Moss Beach, California, County File #9A-221. Buckley Engineering Associates. October 26, 2000.

BEA 2000b. Response to County Review Proposed Residence 868 San Ramon Avenue, Moss Beach, California, County File #9A-221. Buckley Engineering Associates. December 14, 2000.

BEA 2001. Final Response to County Review Proposed Residence 868 San Ramon Avenue, Moss Beach, California. Buckley Engineering Associates. February 28, 2001.

SPG, INC 2002. Hydrogeological Report- Well Permit Application, Mahon Property on San Ramon Avenue, Moss Beach: Appeal Number A-2-SMC-01-008. Sigma Prime Geosciences, Inc. August 5, 2002.

Kleinfelder, INC 1989a. Draft Montara-Moss Beach Water Well EIR, prepared for the County of San Mateo, Department of Environmental Management, Planning and Development Division.

Kleinfelder, INC 1989b. Final Montara-Moss Beach Water Well EIR, prepared for the County of San Mateo, Department of Environmental Management, Planning and Development Division.

Montgomery Watson 2000. Citizen's Utilities Company of California Montara District: Water System Master Plan Update. Montgomery Watson Americas, INC. October 2000.

TRA 1999. Biological Survey of APN 037-259-170, Moss Beach, California. Thomas Reid Associates. December 13, 1999.

...imental Services Agency

Planning and Building Division

County of San Mateo

Mail Drop PLN 122 • 455 County Center • 2nd Floor • Redwood City
California 94063 • www.co.sanmateo.ca.us/planning • plngbldg@co.sanmateo.ca.us

Board of Supervisors
Mark Church
Richard S. Gordon
Jerry Hill
Rose Jacobs Gibson
Michael D. Nevin

Marcia Raines
Director

Terry Burnes
Planning Administrator

650/363-4161
Fax 650/363-4849

Please reply to: **Sara Bortolussi**
(670) 363-1839

PROJECT FILE

March 6, 2001

Lennie Roberts
339 La Cuesta Drive
Portola Valley, CA 94028

Judith Macias
871 San Ramon Avenue
Moss Beach, CA 9438

Jeff Tate and Jan Didur
855 San Ramon Avenue
Moss Beach, CA 94038

EXHIBIT NO. 1
APPLICATION NO. A-2-SMC-01-008 MAHON
SMC File #PLN 1999-00244, Local
Approval Conditions (Page 1 of 7 pages)

Notice of Final Local Decision

Subject: **File Number PLN1999-00244**
Location: **863 San Ramon Avenue, Moss Beach**

On March 6, 2001, the San Mateo County Board of Supervisors considered your appeal of the Planning Commission's decision to approve a Coastal Development Permit, pursuant to Section 6328.4 of the San Mateo County Zoning regulations, to construct a new 2,629 sq. ft. single-family residence and drill a domestic well in the Seal Cove area of unincorporated Moss Beach.

Based on the information provided by staff and evidence presented at the hearing, the Board of Supervisors denied the appeal, upheld the decision of the Planning Commission, approved the Coastal Development Permit, made the findings and adopted the conditions of approval as follows:

Regarding the Coastal Development Permit, Found:

1. 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, as stated in the staff report.

2. That the project conforms to the specific findings required by the policies of the San Mateo County Local Coastal Program, as stated in the staff report.

3. That the number of building permits for construction of single-family residences other than for affordable housing issued in the calendar year does not exceed the limitations of Policies 1.22 and 1.23 as stated in Section 6328.19 of the Zoning Regulations.

Regarding the Design Review, Found:

4. That the project conforms with the guidelines and standards in Section 6565.7 and the other provisions of Chapter 28.1 of the San Mateo County Zoning Regulations and the Community Design Manual for the reasons stated in the staff report.

Regarding the Environmental Review, Found:

5. That the Negative Declaration is complete, correct, adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.

6. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, that there is no substantial evidence that the project if subject to the mitigation measures contained in the negative declaration, will have a significant effect on the environment.

7. That the Negative Declaration reflects the independent judgement of San Mateo County.

8. That the mitigation measures identified in the Negative Declaration, agreed to by the applicants, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

CONDITIONS OF APPROVAL

Planning Division

1. This approval applies only to the proposal, documents and plans described in this report and submitted to the Planning Division on April 14, 1999, and approved by the Board of Supervisors on March 6, 2001. Minor revisions or modifications to the project may be approved by the Planning Director if they are consistent with the intent of and in substantial conformance with this approval.

2. The Coastal Development Permit shall be valid for one year from the date of approval. Any extensions of this permit shall require submittal of a request for permit extension and payment of applicable extension fees, no less than thirty (30) days prior to expiration.

3. In the event that a public water supply becomes available, the applicants shall switch to this alternative.

4. Prior to the issuance of a building permit, the applicants shall submit color and material samples of the proposed project, for approval by the Planning Director, and verified prior to a final inspection for a building permit.

5. During project construction, the applicants shall, pursuant to Section 5022 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:

   a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.

   b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.

   c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.

   d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.

   e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.

   f. Limiting and timing applications of pesticides and fertilizers to avoid polluting runoff.

6. All new utility lines to the proposed project shall be installed underground.

7. At the building permit application stage, the applicants shall submit the geotechnical report, prepared by David Buckley, dated September 22, 1999, as well as any additional reports prepared by David Buckley regarding investigations on this property in accordance with the standards of the San Mateo County Geotechnical Section to the Building Inspection Section with the mitigation recommended in the geotechnical report adhered to, including all requirements of the Geotechnical Section of San Mateo County.

8. At the time of application for a building permit, an erosion and sediment control and stormwater management plan shall be submitted for review and approval by the Planning Division.

9. The applicants are required to monitor the noise levels at the site so that the proposed construction activity will not exceed 80 dBA level at any one moment. In addition, all

construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.

10. The applicants are required to submit a stormwater management plan prepared by a civil engineer, which delineates permanent stormwater controls to be in place throughout the grading, building and life of the project.

11. The applicants shall ensure that if during construction or grading, archaeological traces (human remains, concentrations of shell, bone, rock or ash) are uncovered, all excavations within a 30-foot radius shall be halted, the Planning Division shall be notified, and a qualified archaeologist shall assess the situation and propose appropriate measures.

12. Height verification shall be required at various stages during construction and confirmed in writing at each stage by the project engineer. The site plan shall show:

    a. The baseline elevation datum point as established by a licensed land surveyor or engineer. This datum point must be located so that it will not be disturbed by construction activities. This datum point shall be used during construction to verify the elevation of the finished floors relative to the site's existing natural grade.

    b. The natural grade elevations at a minimum of four significant corners of the structure's footprint.

    c. The elevations of the proposed finished grades, where applicable.

    d. The ridgeline elevation of the highest point on the roof.

13. The applicants shall submit a landscape plan in accordance with the "Landscape Plan Guidelines – Minimum Standards " for review and approval by the Planning Director following consultation with the appellants. Areas in front of the property that do not contain trees or shrubs shall be planted with groundcover. An irrigation plan for the front area and sides shall be submitted with the planting plan. Upon submittal of the landscape plan, the applicants shall pay a review fee based on the fee schedule in effect at that time.

14. The applicants shall record the following deed restriction with the County Recorder, which binds the applicants and any successors in interest on the parcel deed prior to application for a building permit. The applicants shall submit a copy to the Planning Division:

    "This property is located in Zone 3 of the Seal Cove Geologic Hazards District established by Section 6296 of the San Mateo County Ordinance Code, Zoning Annex. Maps of this district

are on file with the County Geologist and the Planning Division, Environmental Services Agency, San Mateo County."

15. The applicants shall revise the site plan prior to building permit application to reflect side yard setbacks of 7.5 feet on each side.

Building Inspection Section

16. At the time of application for a building permit, a boundary survey will be required.

17. An automatic fire sprinkler system will be required. This permit must be issued prior to or in conjunction with the building permit.

18. A site drainage plan will be required which will demonstrate how roof drainage and surface runoff will be handled.

Department of Public Works

19. Prior to the issuance of the building permit, the applicants will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed residence per Ordinance #3277.

20. The applicants shall submit, for review by the Department of Public Works, a plan and profile of the existing roadway, including adequate topography to confirm centerline elevations at the driveway and existing roadway drainage.

21. The applicants shall submit a "revised" driveway "plan and profile" that includes "vertical curves" at both the property line and at the garage, to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20%) and to County standards for driveways (at the property line) being the same elevation as the center of the access roadway. The driveway plan shall also include and show specific provisions and details for handling both the existing and the proposed drainage.

22. The applicants shall not place a concrete driveway within the road right-of-way. Within the right-of-way, the driveway shall consist of a minimum of six inches of Class 2 aggregate base and two inches of asphalt.

23. No construction work within the County right-of-way shall begin until Public Works requirements for the issuance of an encroachment permit, including review of applicable plans, have been met and an encroachment permit issued by the Department of Public Works.

Environmental Health Division

24. Prior to the building permit application stage, the applicants shall obtain a well permit and construct a well meeting quality and quantity standards.

Point Montara Fire Protection District

25. Municipal water supplies shall be used to supply sprinkler systems. In areas without a municipal water supply, an approved water tank large enough to accommodate domestic demand and the sprinkler system design flow for at least 15 minutes is required.

26. The Uniform Building Code Section 903.3, Appendix III-A Section 5.1, states that "The minimum fire flow and flow duration requirements for one- and two-family dwellings having a fire area which does not exceed 3,600 sq. ft. shall be **1,000 gallons per minute**."

27. Fire hydrants must be "Clow 960" or equivalent, alternate hydrants must be approved by the District. Fire hydrants for normal fire flow (1,000 GPM or less) must be no more than 500 feet apart with no part of a building greater than 250 feet from a hydrant. Hydrants will meet all specifications of the District including color and markings. Curbs in front of fire hydrants and fire equipment will be pained red.

28. The Uniform Building Code requires smoke detectors on every level of a building, in every bedroom and at a point centrally located in the corridor or area giving access to each separate sleeping area. This requirement is for new construction and requires detectors to be interconnected, hardwired into the building power with battery backup.

29. Sprinkler systems shall be installed per San Mateo County and Half Moon Bay Fire District Ordinance. Overhead installation and hydrostatic test will be inspected as well as final operating test. In addition to the external alarm flow bell, an internal audible device will be required in a normally occupied area. Underground fire sprinkler supply lines will be inspected and flushed prior to connection. Underground fire sprinkler or hydrant service shall be left uncovered in the area of the thrust blocks for inspection.

30. The County of San Mateo and Half Moon Bay Fire District Ordinance requires a Class "B" or better roof covering or roof covering assembly.

31. Building identification shall be conspicuously posted and visible from the street. **Temporary address numbers shall be posted prior to combustibles being placed on the site.** The letters and numerals for permanent address numbers shall be a minimum of 4-inch stroke for residential. Such letters and numbers shall be internally illuminated and facing the direction of access.

32. The applicants must have a maintained all-weather surface road for ingress and egress of fire apparatus. **This road shall be in place before combustibles are brought onto the project site and maintained throughout construction.** The Half Moon Bay Fire District and the Uniform Fire Code requires a 20-foot minimum width for access roads to structures. Dead-end roads greater than 150 feet in length also require a turnaround for fire apparatus. Contact the Fire Prevention Bureau for the full standard detail and specification. Roads leading to a single-family residence may be 16 feet wide with approval of the District.

33. The all-weather surfaces shall be a minimum of six inches of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%.

34. Plans submitted will be checked upon receipt of fees required by the District.

Montara Sanitary District

35. The project will require a sewer connection permit.

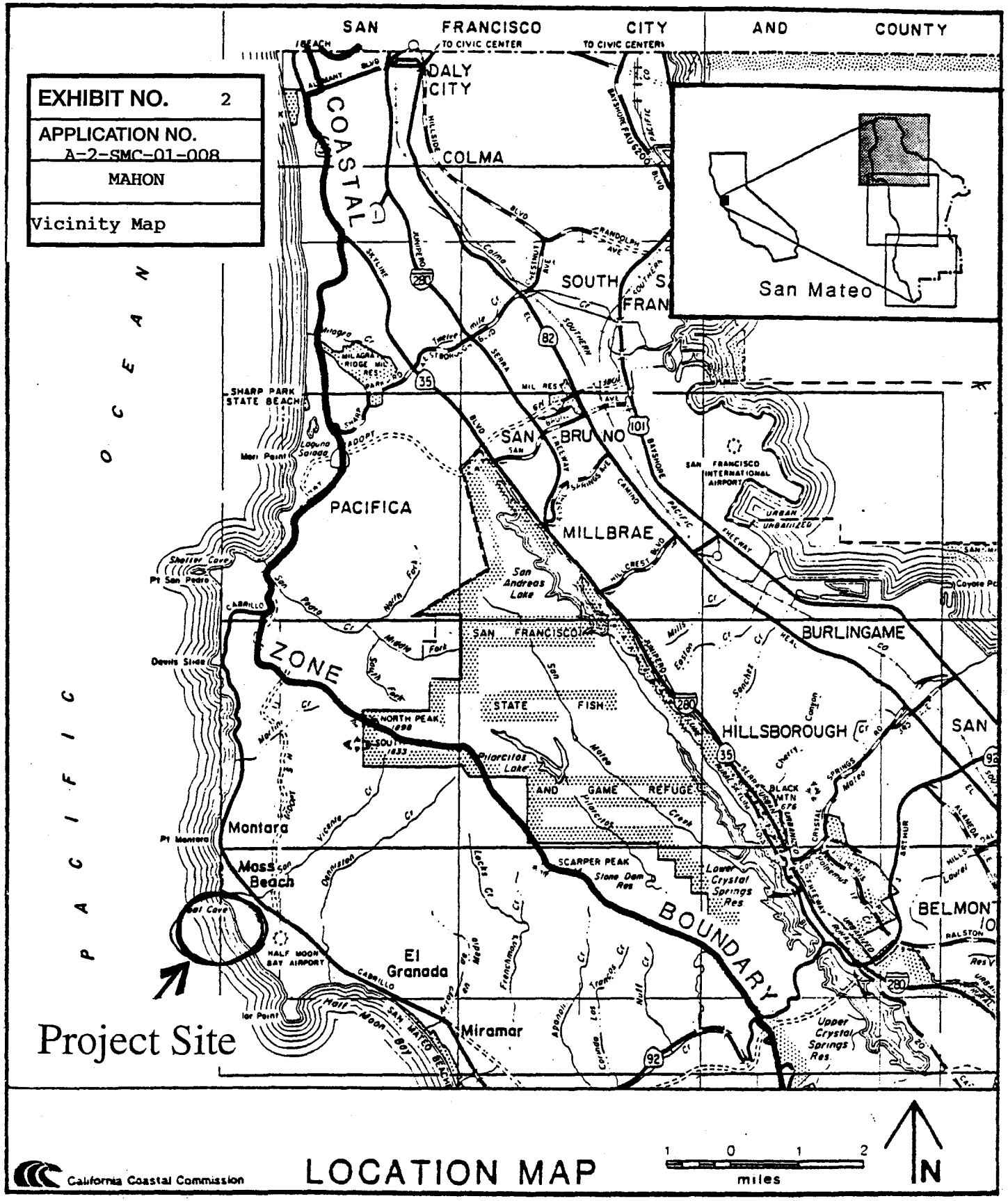
This item is appealable to the California Coastal Commission. The Coastal Commission will begin its appeal period upon receipt of the Notice of Final Local Decision. For questions or concerns regarding the Coastal Commission's appeal period and its process, please call 415/904-5260.

In addition to the above, and as a separate matter, the Board directed staff to report back at a future date on the feasibility of : (1) providing proof of water in advance of an application for a Coastal Development Permit for a new residence or other use which would utilize a well as its water source, and (2) a groundwater study of all or a portion of the Midcoast.

Sincerely,

Terry Burnes
Planning Administrator
Bosdec0306L.mahonkr

EXHIBIT NO. 2
APPLICATION NO. A-2-SMC-01-008
MAHON
Vicinity Map



California Coastal Commission

LOCATION MAP

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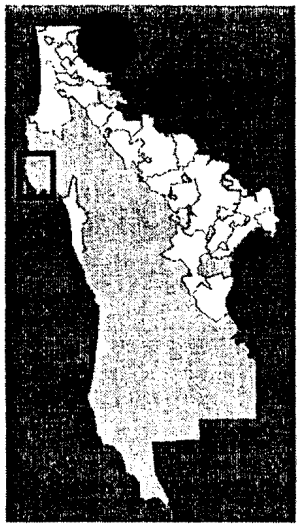
County of San Mateo



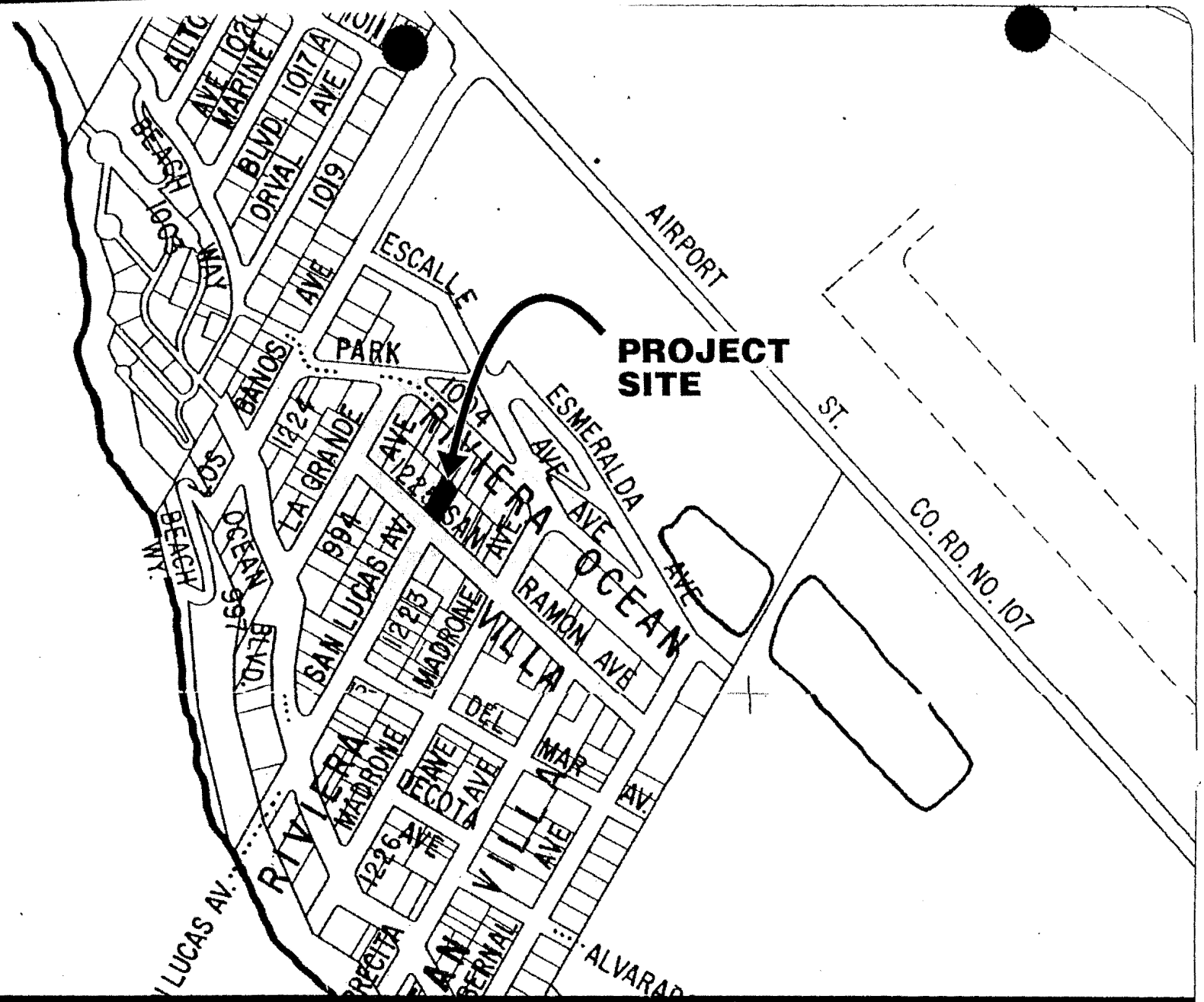


EXHIBIT NO. 3
APPLICATION NO. A-2-SMC-01-008
MAHON
Location Map

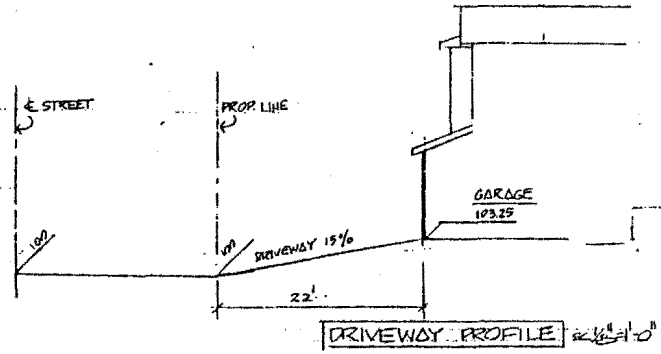
San Mateo County Zoning Hearing Officer Meeting

Applicant: Joanne & Michael Mahon

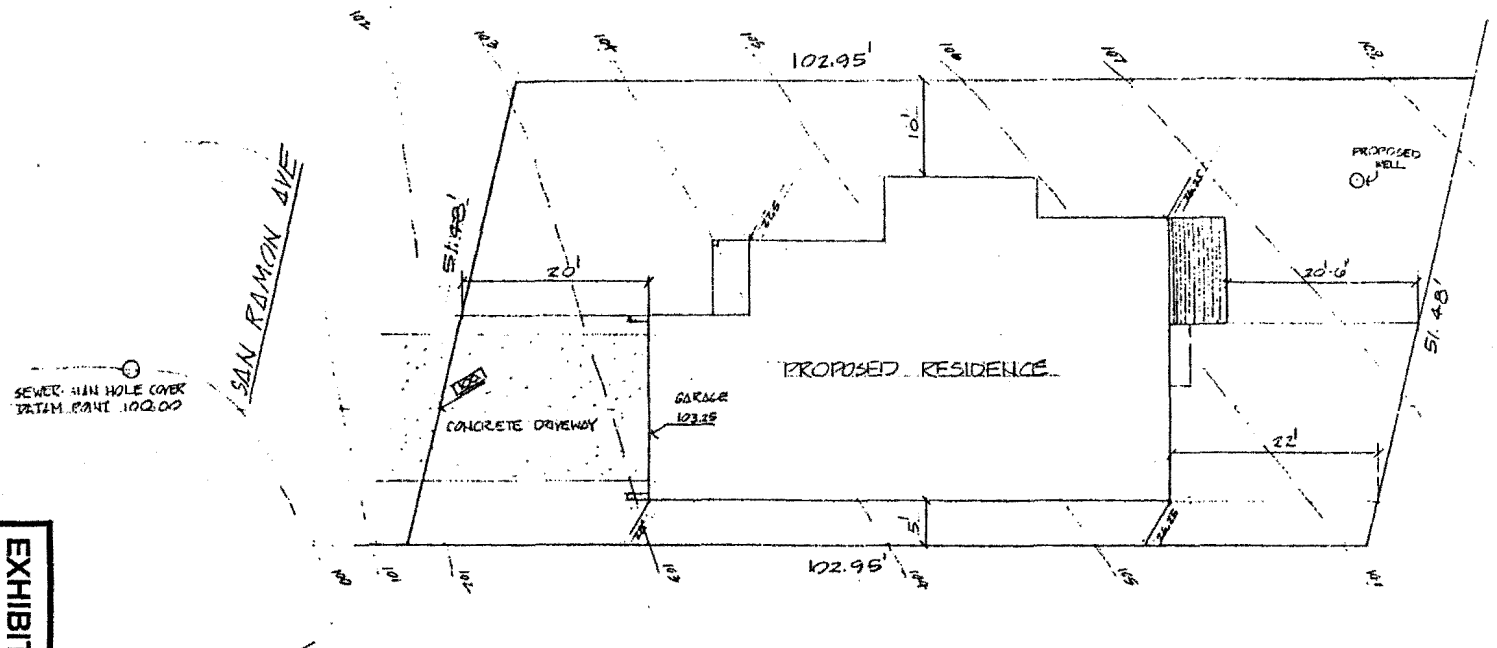
Attachment: B

File Numbers: PLN 1999-00244

CDR6\plan99-244 2-08-00 rp



DRIVEWAY PROFILE



LOT AREA 5147.5 FT²
35% 1801.625

COVERAGE: SEE SHEET 4
TOTAL 1729.5 FT² < 1801.625 FT²
33.6%

AVERAGE BLDG HEIGHT
AT FOUR CORNERS
FINISH GRADE TO TOP MOST POINT
28
27.8
24.25
22.25
+ 4 = 27' ALLOWABLE 28'

MIKE MAHON | A.P.N. 037-251-170 SAN RAMON AVE. MOSS BEACH, CA. | SITE PLAN | SCALE 1/8" = 1'-0" | SHEET 2

EXHIBIT NO. 4

APPLICATION NO. A-2-SMC-01-008 MAHON

Site Plan and Elevations

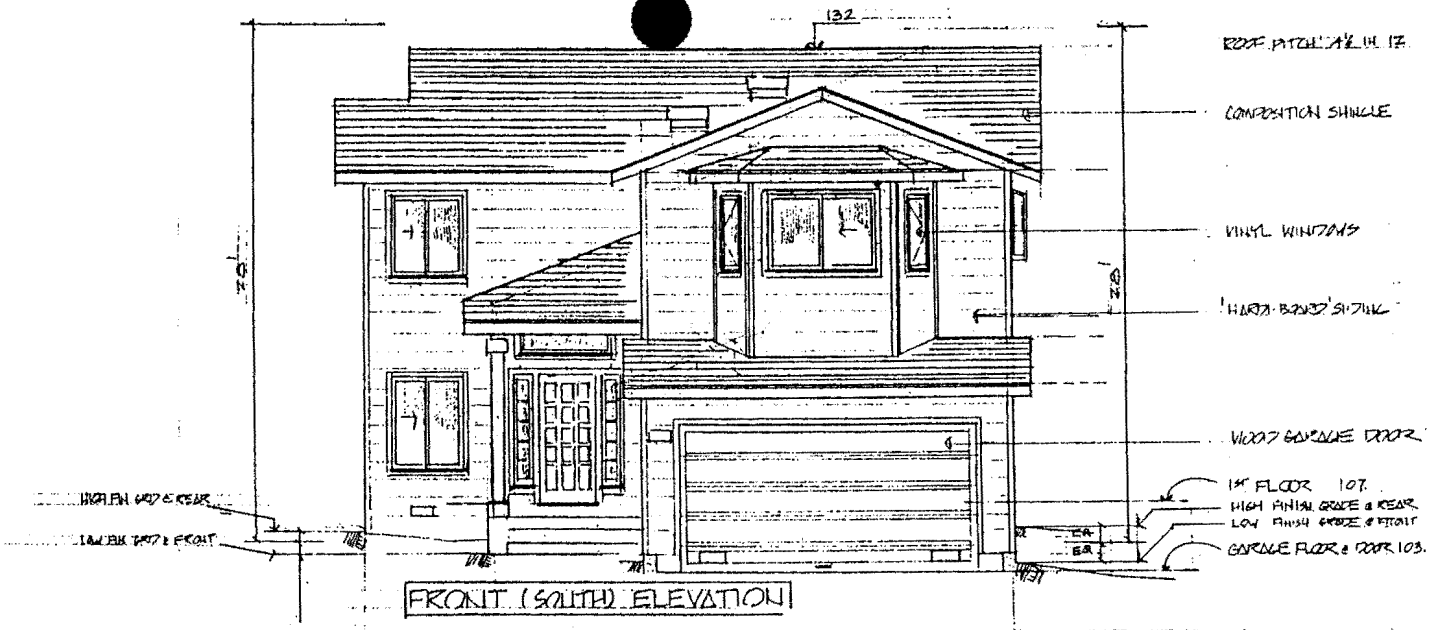
(Page 1 of 4 pages)

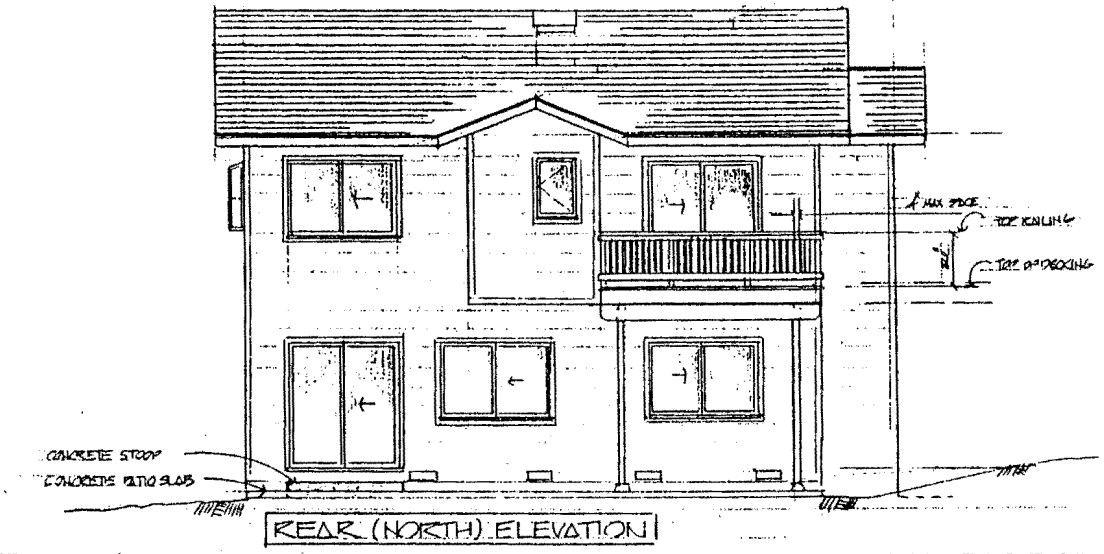
San Mateo County Zoning Hearing Officer Meeting

Applicant: Joanne & Michael Mahon

Attachment: C

File Numbers: PLN 1999-00244





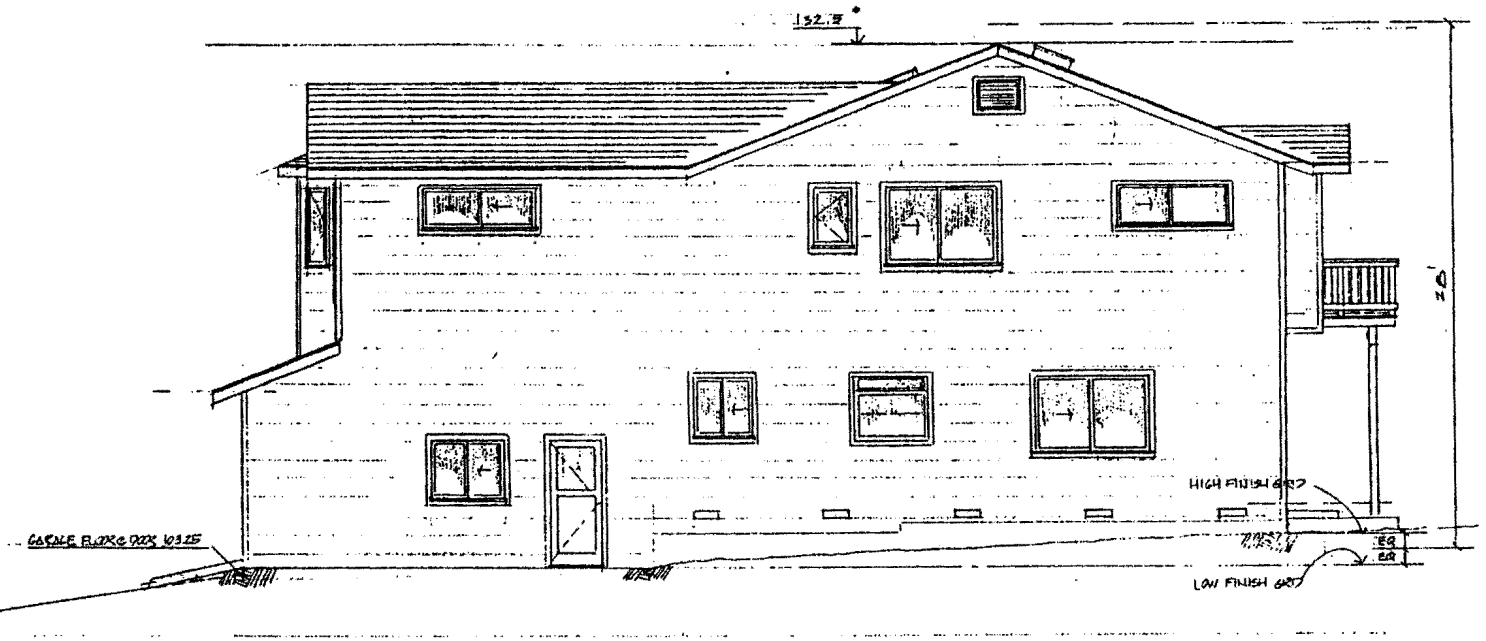
OWNER: MIKE MAHON | A.P.N. 037-259-170 SAN RAMON AVE. MOSS BEACH, CA | EXTERIOR ELEVATION | SCALE 1/4"=1'-0" | SHEET 7

San Mateo County Zoning Hearing Officer Meeting

Applicant: Joanne & Michael Mahon

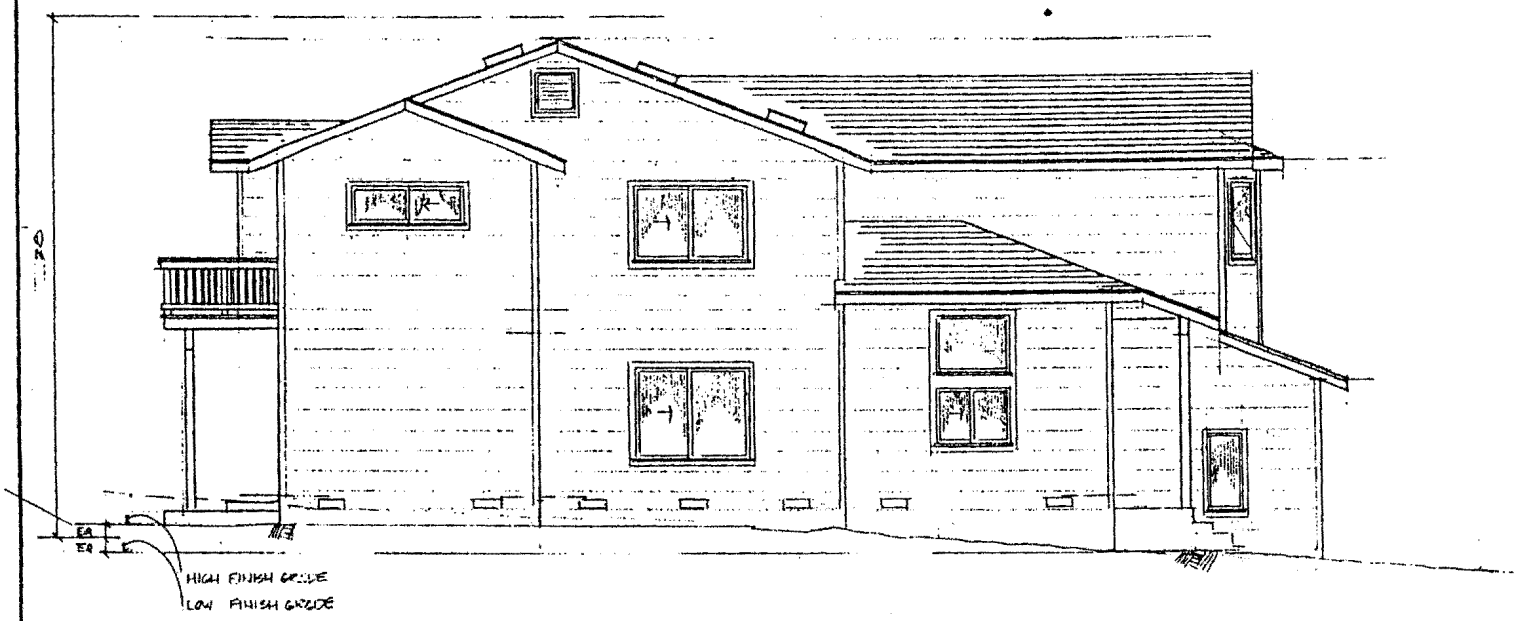
Attachment: E

File Numbers: PLN 1999-00244



RIGHT SIDE (EAST) ELEVATION

OWNER: MR. MIKE MAHON	APN 037-259-170 SAN RAMON AVE. MOSS BEACH, CA.	EXTERIOR ELEVATION	SCALE 1/4"=1'-0"	SHEET 03



LEFT SIDE (WEST) ELEVATION

OWNER: MIKE MAHON | A.P.N. 037-259-170 SAN RAMON AVE. MOSS BEACH, CA. | EXTERIOR ELEVATION | SCALE 1/4" = 1'-0" | SHEET 9

San Mateo County Zoning Hearing Officer Meeting

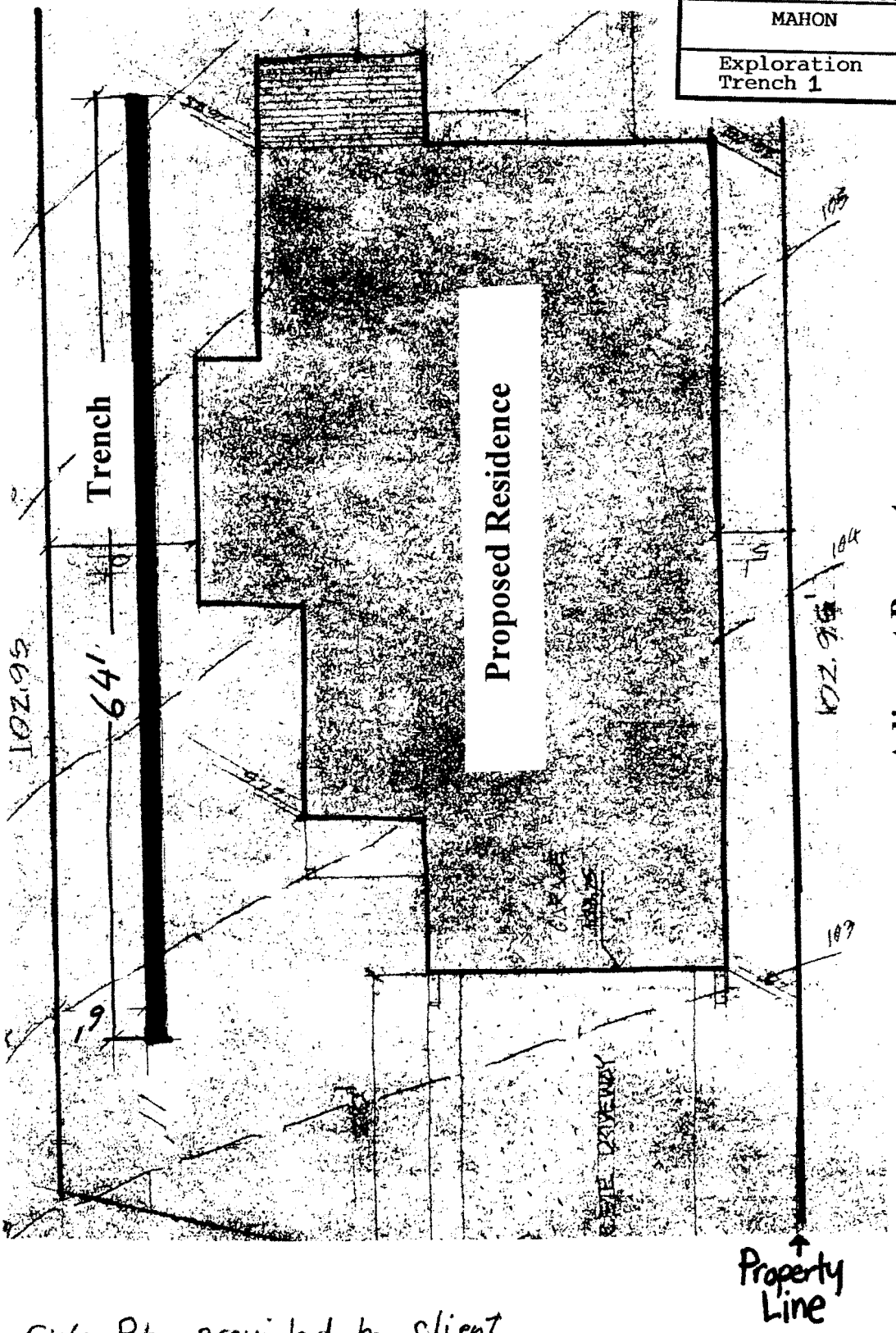
Applicant: Joanne & Michael Mahon

Attachment: E

File Numbers: PLN 1999-00244

EXHIBIT NO. 5
APPLICATION NO. A-2-SMC-01-008 MAHON
Map of Project Site and Coastal
Resources

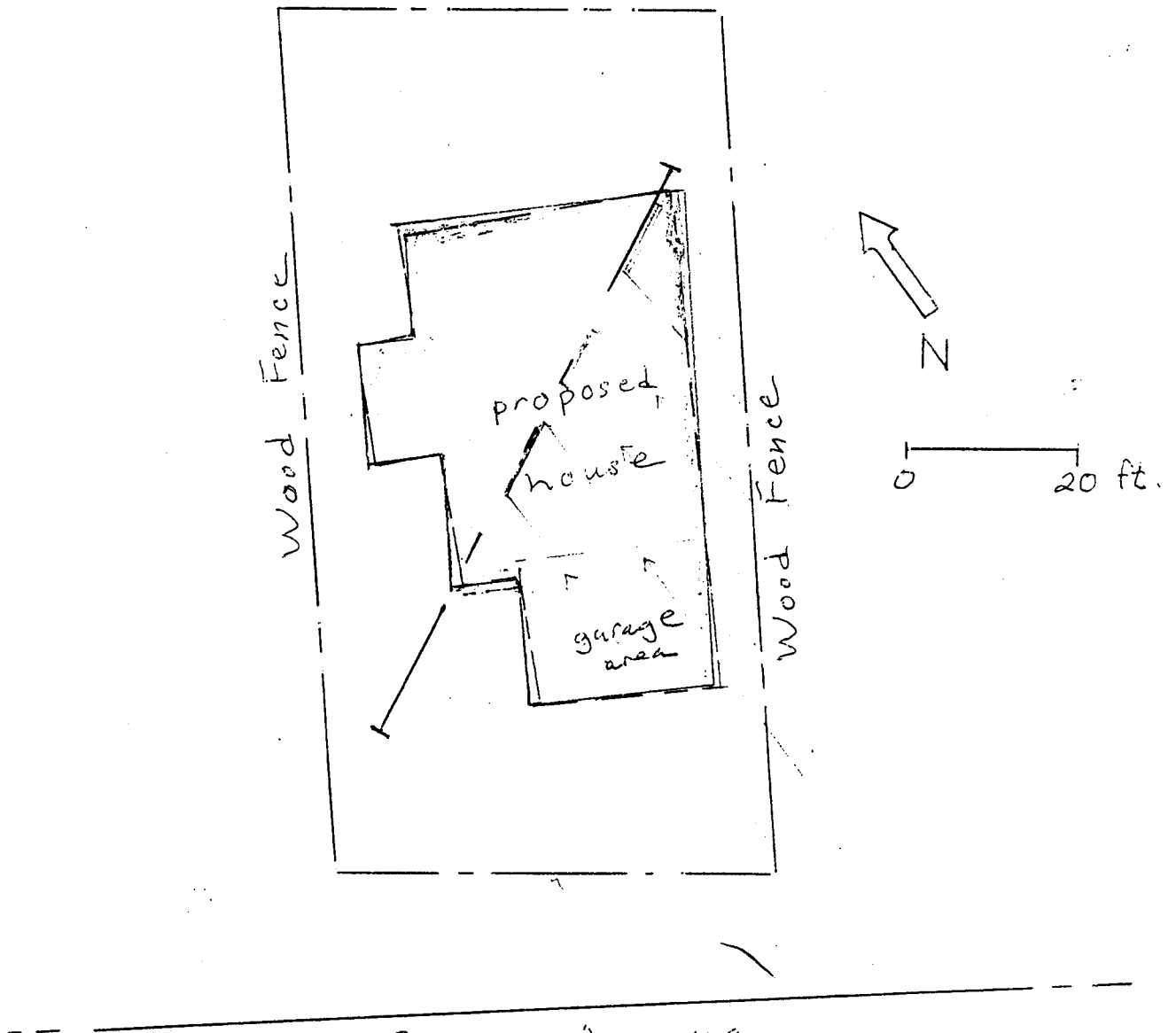
EXHIBIT NO. 6
APPLICATION NO. A-2-SMC-01-008
MAHON
Exploration Trench 1



Taken from Site Plan provided by client

Buckley Engineering Associates	Job No. 99176.8 Approved [illegible] Date 2-25-2000	SITE PLAN 863 San Ramon Ave Moss Beach, CA	Plate 3

EXHIBIT NO. 7
APPLICATION NO. A-2-SMC-01-008
MAHON
Exploration Trench 2



Buckley Engineering Associates	Job No. 99176.8 Approved DWB Date 12-14-00	SITE PLAN 863 San Ramon Moss Beach	Plate 1

Geotechnical Review Sheet

Department of Public Works
Soils/Engineering Geology Section

EXHIBIT NO. 8
APPLICATION NO. A-2-SMC-01-008 MAHON
Letter from Jean De Mouthe, San Mateo County, Geologist

MEMORANDUM 2 March 2001

To: San Mateo County Board of Supervisors

From: **Jean DeMouthe, Acting County Geologist**

Re: **Mahon Property, 863 San Ramon Avenue, Moss Beach**
Review of reports and trenching

Attached is the latest letter from the Mahon's consultant, Mr. David Buckley, of Buckley Engineering Associates. There is also a portion of a map that was included with that letter, showing the relative locations of four properties on which trenches have been excavated. All of these holes were dug in an effort to locate and characterize the Seal Cove fault, which has been mapped by others as trending northwest through this neighborhood. The words on the small map attached to this memo are mine, not Buckley's.

During the review process, which has been going on since November 1999, I found Buckley's original report and trench data to be inconclusive. I asked for another, deeper excavation on the Mahon property and an opinion from at least one other registered geologist. A second trench was dug in December 2000, which was logged by Buckley, and viewed by Mr. Joel Baldwin of Earth Investigations Consultants and myself.

I saw no evidence of faulting in that trench. There were no apparent offsets or shear zones as would be expected in an active fault zone. The layers of sediment in the trench could be traced throughout its length without significant disruption. Mr. Baldwin agreed with this conclusion, and signed the letter report from Buckley that is dated 14 December 2000.

All of the reports submitted for this project, as well as other supporting documentation, is available to you through the planner, Sara Bortolussi. Please feel free to call me if you have any questions (415-750-7094).