

Memorandum

Subject: Colma Creek Flood Control Channel Maintenance Project
Initial Study/Mitigated Negative Declaration, SCH No. 2016062032
Consideration of Comments Received during the Public Review Period

Date: August 5, 2016
To: Mark Chow and Julie Casagrande, County of San Mateo Department of Public Works
From: Ken Schwarz and Allison Chan, Horizon

INTRODUCTION

This memorandum has been prepared to summarize the comments received by the County of San Mateo (County) on the Initial Study/Mitigated Negative Declaration (IS/MND) for the Colma Creek Flood Control Channel Maintenance Project (Proposed Project). An IS/MND is an informational document prepared by a Lead Agency, in this case, the County, that provides environmental analysis for public review. The IS/MND analyzed the impacts resulting from the Proposed Project and where applicable, identified mitigation measures to minimize the impacts to less-than-significant levels.

This memorandum first summarizes the public review process undertaken for the IS/MND and identifies the next steps in the CEQA process, and then summarizes the comments received and provides responses to those comments.

CEQA PROCESS

In accordance with Section 15073 of the California Environmental Quality Act (CEQA) Guidelines, the County submitted the IS/MND to the State Clearinghouse for a 30-day public review period starting June 10, 2016. In addition, the County circulated a Notice of Intent to Adopt the IS/MND to interested agencies and individuals, including the San Mateo County Clerk. According to the State Clearinghouse CEQANet database, the public review period ended on July 11, 2016. During this review period, one comment letter was received from California Department of Transportation (Caltrans).

In accordance with CEQA Guidelines Section 15074(b), the County must consider the IS/MND together with comments received during the public review process prior to adopting the IS/MND. The CEQA Guidelines do not require the preparation of a response to comments for negative declarations; however, this memorandum has been prepared to document that the comments received do not affect the IS/MND's conclusions that the Proposed Project would not have any significant effects on the environment.

At the time of approval of the IS/MND, the County will also adopt a Mitigation Monitoring and Reporting Program (MMRP) for those mitigation measures identified in the IS/MND. The MMRP was included in the IS/MND as Appendix H. Within five days following IS/MND approval, the County must file a Notice of Determination (NOD) with the State Clearinghouse. A resolution approving the IS/MND and adopting the MMRP, and an NOD, will be prepared for the County's use in this process. This resolution will identify that the County's Board of Supervisors has received and reviewed the IS/MND pursuant to the provisions of the CEQA and makes the following findings:

1. Prior to taking action on the IS/MND and MMRP for the Proposed Project, the County read and considered said IS/MND.

2. The IS/MND and MMRP are based on independent judgment exercised by the County.
3. The IS/MND and MMRP was prepared and considered in accordance with the requirements of the CEQA.
4. Considering the record as whole, there is no substantial evidence that the Proposed Project will have a significant effect on the environment.
5. The County Department of Public Works is the custodian of the records of the proceedings on which this decision is based. Records are located at the County offices located at 555 County Center, Fifth Floor, Redwood City, CA 94063.

The resolution will identify that based on the above findings, the County Board of Supervisors approves the IS/MND, adopts the MMRP, and directs staff to file the NOD.

COMMENTS RECEIVED ON THE IS/MND

During the public review period, the County received two comment letters on the IS/MND: one from Scott Morgan at the State Clearinghouse and another from Patricia Maurice at Caltrans. These letters are included with this memorandum as Attachment A.

The State Clearinghouse letter was dated July 12, 2016, and acknowledges that the County complied with the State Clearinghouse review requirements pursuant to CEQA. The State Clearinghouse letter included the Caltrans comment letter as an attachment. Response to the State Clearinghouse letter is not required.

The Caltrans letter was dated July 6, 2016, and requested that four comments be considered and addressed. Caltrans comments included guidance that an encroachment permit will be necessary for any work or traffic control activities that encroach on the State right-of-way. The section below describes the comments received from Caltrans and how the County will consider and address these comments.

CONSIDERATION OF COMMENTS

Comments from the Caltrans letter dated July 6, 2016 are described below with responses:

Comment 1: Caltrans noted that Figures 2 and 4 depict the location of 15 culvert maintenance sites for Reach 3a, but the text in the IS/MND states that there are 14 culverts in Reach 3a that require maintenance (page 2-16). Caltrans requested that this discrepancy be corrected.

Response to Comment 1: To address this comment, the following sentences on page 2-16 of the IS/MND have been revised. Text changes are shown in ~~striketrough~~ and underline.

There are 15 culverts in Reach 3a between Highway 101 and the Utah Avenue bridge that require maintenance. These culverts range from 15- to 36-inch diameter and 20 to 50 feet long, and are constructed of reinforced concrete pipe (RCP) or corrugated metal pipe. The locations of these culverts are shown in Figure 4, and photos of the culverts are shown in **Figure 6**. Some culvert outfalls include existing sack concrete structures for energy dissipation and slope protection. Several culverts and associated outfall structures are broken or degraded, and may require repair or replacement.

The condition of the culverts was evaluated by WRECO in September 2015 and repair recommendations for each culvert were developed. Two (2) culverts would be replaced with RCP or high-density polyethylene pipe of the same diameter; 13 culverts would have rock slope protection (RSP) added to the outlet or would include replacement of existing sack concrete with RSP; and all 15 culverts would have duckbill check valves added to their outlets.

Comment 2: Caltrans noted that Table 2 (Overview of Proposed Culvert Maintenance Activities in Reach 3a) is missing culvert maintenance site 3s and requests that this discrepancy be corrected.

Response to Comment 2: Table 2 has been revised to include culvert maintenance site 3s.

Table 2. Overview of Proposed Culvert Maintenance Activities in Reach 3a

| Culvert Maintenance Site | Activity | Estimated Dredge Volume (cubic yards) | Estimated Net Fill Volume (cubic yards) |
|--------------------------|---|---------------------------------------|---|
| 1n | Add duckbill check valve | 0.5 | 0.5 |
| 1s | Add rock riprap and duckbill check valve | 13.5 | 15 |
| 2n | No work proposed | 0 | 0 |
| 2s | Replace 25 linear feet of existing culvert, add RSP, and add duckbill check valve | 4 | 4 |
| 3n | Replace 60 linear feet of existing culvert, add rock riprap, and add duckbill check valve | 6 | 7 |
| <u>3s</u> | <u>Add RSP and duckbill check valve</u> | <u>4</u> | <u>4</u> |
| 4n | Replace sack concrete with RSP and add duckbill check valve | 4 | 4 |
| 4s | Replace 20 linear feet of existing culvert, add RSP, and add duckbill check valve | 6 | 7 |
| 5n | Replace sack concrete with RSP and add duckbill check valve | 4 | 2 |
| 5s | Replace sack concrete with RSP and add duckbill check valve | 4 | 4 |
| 6n | Replace sack concrete with RSP and duckbill check valve | 6 | 4 |
| 6s | Add duck bill check valve | 0.5 | 0.5 |
| 7n | Replace sack concrete with RSP and add duckbill check valve | 4 | 2 |
| 8n | Add RSP and duckbill check valve | 4 | 2 |
| 9n | Add RSP and duckbill check valve | 4 | 4 |

Comment 3: Caltrans noted that Figure 6 (Culvert Photos) is missing a photo for culvert 2s and requested that this discrepancy be corrected.

Response to Comment 3: Since publication of the IS/MND, it has been determined that the photo of culvert 2n (shown in Figure 6) is in fact culvert 2s. Figure 6 has been revised to correct this error, and the correct photo of culvert 2n has been added. This revised figure is included at the end of this memorandum.

Comment 4: The comment notes that any work or traffic control that encroaches onto the State right-of-way requires an encroachment permit that is issued by Caltrans. Any traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. The comment also provides the contact information for whom the encroachment permit application should be submitted.

Response to Comment 4: Table 4 (page 2-39 of the IS/MND) has been updated to include the potential need for an encroachment permit from Caltrans.

Table 4. Permit and Regulatory Requirements Applicable to the Proposed Project

| Regulatory Agency | Law/Regulation | Purpose | Permit/Authorization Type |
|--|---|---|--|
| U.S. Army Corps of Engineers (USACE) – San Francisco District | Clean Water Act (CWA) Section 404 | Regulates placement of dredged and fill materials into waters of the United States. | Individual Permit |
| | Rivers and Harbors Act Section 10 | Regulates work in navigable waters of the U.S. | Section 10 Compliance |
| San Francisco Bay Regional Water Quality Control Board | CWA Section 401 | Water quality certification for placement of materials into waters of the United States. | 401 Water Quality Certification is required for federal permits |
| | Porter-Cologne Water Quality Control Act | Regulates discharges of materials to land and protection of beneficial uses of waters of the State. | Waste Discharge Requirements (WDRs) |
| | CWA Section 402 | Regulates discharges of pollutants | NPDES Construction General Permit |
| California Department of Fish and Wildlife (CDFW) – Bay Delta Region | Fish and Game Code (F&G Code) Section 1600 | Applies to activities that will substantially modify a river, stream or lake. The Agreement includes reasonable conditions necessary to protect those resources. | Notification of Streambed Alteration-Routine Maintenance Agreement (1602 permit) |
| USFWS/ National Marine Fisheries Service (NMFS) | Endangered Species Act (ESA) | USACE must consult with USFWS and NMFS if threatened or endangered species may be affected by the project. | Biological Opinions issued in conjunction with USACE Section 404 compliance |
| State Historic Preservation Officer | National Historic Preservation Act (NHPA) Section 106 | USACE must consult with State Historic Preservation Officer and Native American Tribes if historic properties or prehistoric archaeological sites may be affected by the project. | Consultation in conjunction with USACE Section 404 compliance |

Colma Creek Flood Control Channel Maintenance Project Initial Study/Mitigated Negative Declaration
Consideration of Comments Received during the Public Review Period

| Regulatory Agency | Law/Regulation | Purpose | Permit/Authorization Type |
|---|---------------------------------|---|----------------------------|
| <u>California Department of Transportation (Caltrans)</u> | N/A | <u>County must obtain an encroachment permit from Caltrans for any work or traffic control that encroaches onto the State right-of-way.</u> | <u>Encroachment Permit</u> |
| BART | Local Policies and Requirements | County must obtain a Permit to Enter prior to conducting any channel maintenance work within BART property. | Permit to Enter |
| City of South San Francisco | Local Policies and Requirements | County must apply for an encroachment permit to access work areas that traverse City of San Francisco right-of-way. | Encroachment permit |
| Town of Colma | Local Policies and Requirements | County must apply for an encroachment permit to access work areas that traverse Town of Colma right-of-way. | Encroachment permit |

CONCLUSIONS

The comments received do not affect the IS/MND's conclusions that the Proposed Project would not have any significant effects on the environment. With the clarifications provided above, no changes to, or recirculation of, the IS/MND are necessary.

Culvert 6s.

Add
duckbill
check valve



Culvert 9n.

Add RSP
and
duckbill
check valve



Culvert 8n.

Add RSP
and
duckbill
check valve



Culvert 5s.

Replace
culvert,
add RSP,
and add
duckbill
check valve



Culvert 7n.

Replace
sack
concrete
with RSP
and add
duckbill
check valve



Culvert 6n.

Replace
sack
concrete
with RSP
and
duckbill
check valve



Culvert 5n.

Replace
sack
concrete
with RSP
and add
duckbill
check valve



Culvert 4n.

Replace
sack
concrete
with RSP
and add
duckbill
check valve



Culvert 4s.

Replace
culvert,
add RSP,
and add
duckbill
check valve



Culvert 3s.

Add RSP
and
duckbill
check valve



Culvert 3n.

Replace
sack
concrete
with RSP
and add
duckbill
check valve



Culvert 2s.

Add RSP
and
duckbill
check valve



Culvert 2n.
None
proposed



Culvert 1n.
Add
duckbill
check valve



Culvert 1s.

Add RSP
and
duckbill
check valve



Attachment A

Comments Received on the IS/MND



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

July 12, 2016

Mark Chow
San Mateo County
555 County Center, Fifth Floor
Redwood City, CA 94063

Subject: Colma Creek Flood Control Channel Maintenance Project
SCH#: 2016062032

Dear Mark Chow:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 11, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016062032
Project Title Colma Creek Flood Control Channel Maintenance Project
Lead Agency San Mateo County

Type MND Mitigated Negative Declaration

Description The Colma Creek flood control channel provides flood protection for residents and businesses in the communities near the channel in South San Francisco, Colma, and Daly City. The primary objective of the project is to conduct maintenance activities as necessary along approximately 5.4 miles of the channel to provide adequate flood conveyance capacity. The project would primarily include removing localized sediment along the channel bed in a concrete-lined portion of the channel and repairing or replacing degraded culverts and blocked culvert outfalls. Other routine maintenance activities proposed include vegetation management; repair or maintenance of concrete/hardened channel banks and bed; installation and maintenance of trash capture devices; removal of accumulated debris; installation and repair of fences; repair of access roads; and graffiti removal.

Lead Agency Contact

| | | | |
|----------------|--------------------------------|-----------------|------------------|
| Name | Mark Chow | | |
| Agency | San Mateo County | | |
| Phone | 650-599-1489 | Fax | |
| email | | | |
| Address | 555 County Center, Fifth Floor | | |
| City | Redwood City | State CA | Zip 94063 |

Project Location

| | | | | |
|----------------------|----------------------------|--------------|-----------------------|-------------|
| County | San Mateo | | | |
| City | Colma, South San Francisco | | | |
| Region | | | | |
| Lat / Long | | | | |
| Cross Streets | Various | | | |
| Parcel No. | various | | | |
| Township | | Range | Section variou | Base |

Proximity to:

| | |
|------------------|-------------|
| Highways | 101 |
| Airports | SF Intl |
| Railways | Caltrain |
| Waterways | Colma Creek |
| Schools | Various |
| Land Use | Various |

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; Office of Emergency Services, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 4; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 3; Native American Heritage Commission; State Lands Commission

Document Details Report
State Clearinghouse Data Base

Date Received 06/10/2016

Start of Review 06/10/2016

End of Review 07/11/2016

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

OFFICE OF TRANSIT AND COMMUNITY PLANNING

P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

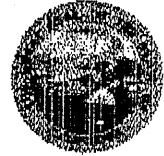
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Serious Drought,
Help save water!

July 6, 2016

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SCH# 2016062032

Mr. Mark Chow
Department of Public Works
County of San Mateo
555 County Center, Fifth Floor
Redwood City, CA 94063

Colma Creek Flood Control Channel Maintenance Project – Mitigated Negative Declaration

Dear Mr. Chow:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Colma Creek Flood Control Channel Maintenance project. The new Caltrans mission, vision, and goals signal a modernization of our approach to California's transportation system, in which we seek to reduce statewide vehicle miles traveled (VMT) by 15 percent by 2020 and increase non-auto modes of active transportation. Caltrans plans to increase non-auto mode shares by 2020 through tripling bicycle, and doubling pedestrian and transit trips. These targets also support the Metropolitan Transportation Commission's (MTC) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which promotes the increase of non-auto mode shares by ten percentage points and a decrease in automobile VMT per capita by ten percent. The following comments are based on the mitigated negative declaration (MND).

Project Understanding

The proposed project would conduct maintenance activities as necessary along approximately 5.4 miles of the Colma Creek channel to provide adequate flood conveyance capacity. The project would primarily include removing localized sediment along the channel bed in a concrete-lined portion of the channel and repairing or replacing degraded culverts and blocked culvert outfalls. Other routine maintenance activities proposed include vegetation management; repair or maintenance of concrete/hardened channel banks and bed; installation and maintenance of trash capture devices; removal of accumulated debris; installation and repair of fences; repair of access roads; and graffiti removal.

The project area in the MND is organized into three primary channel reaches: Reach 1: The upper maintenance reach includes the channel upstream from A Street/El Camino Real downstream to Spruce Avenue; Reach 2: The middle maintenance reach is from Spruce Avenue downstream to

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Mr. Mark Chow, County of San Mateo
July 6, 2016
Page 2

Produce Avenue; and Reach 3: The lower maintenance reach is from Produce Avenue downstream to the mouth of Colma Creek. The US 101 bridge over Colma Creek is in this reach.

There are three staging areas for the proposed project: the north bank of Colma Creek from the Caltrain tracks to Produce Avenue, the south bank from San Mateo Avenue to Produce Avenue, and the north bank from Utah Avenue to Littlefield Avenue.

Discrepancies

Please correct the following discrepancies in the MND:

- Figures 2 and 4 depict the location of 15 culvert maintenance sites for Reach 3a; however, the MND states that, "There are 14 culverts in Reach 3a between Highway 101 and the Utah Avenue bridge that require maintenance" (p. 2-16).
- Table 2 (Overview of Proposed Culvert Maintenance Activities in Reach 3a) is missing culvert maintenance site 3s.
- Figure 6 (Culvert Photos) is missing a photo for culvert 2s.

Encroachment Permit


Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires an encroachment permit that is issued by Caltrans. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to:

David Salladay, District Office Chief
Office of Permits, MS 5E
California Department of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

For more information, please visit: www.dot.ca.gov/hq/traffops/developserv/permits

Should you have any questions regarding this letter, please contact Jesse Schofield at 510-286-5562 or jesse.schofield@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse