



memo san jose

to Julia Malmo-Laycock, Active Transportation Sustainability Specialist
from Christina Lau, Project Manager
re Unincorporated San Mateo County Active Transportation Plan CEQA Considerations
date 12/22/2020

MIG has prepared this memo to articulate the County's obligations to conduct California Environmental Quality Act (CEQA) review related to the implementation of the County's Active Transportation Plan (ATP)(County of San Mateo 2020). The memo contains three sections; applicability of CEQA Review of the ATP; the process for subsequent CEQA review of the recommendations contained in the ATP; types of CEQA review, and standard measures/practices that will apply to all County initiated ATP projects.

Summary of the Active Transportation Plan

Purpose: The purpose of the ATP is to build on the potential for walking and biking by defining a community-driven vision for the future of active transportation in unincorporated San Mateo County and developing a framework for the of implementation of projects, programs, and policies to turn the vision into a reality. This is the first Active Transportation Plan for unincorporated San Mateo County.

Vision and Goals: The Plan is oriented around five goals: access, safety, equity, mode share, and flexibility. These goals were integrated into the Plan development process and will help guide the implementation of Plan recommendations to improve walking and bicycling conditions throughout the unincorporated areas of the County.

Project, Policy, and Program Recommendations: The ATP seeks to improve walking and bicycling in unincorporated San Mateo County by identifying hundreds of recommended actions, as well as accompanying policies and programs. The recommendations connect various destinations and respond to community needs to create a safe, connected on-street active transportation network.

Plan Recommendations. Chapters 3 and 4 of the Plan contain recommendations for improving the bicycle and pedestrian infrastructure in various unincorporated San Mateo County communities. Each chapter contains a discussion of the approach to identifying infrastructure improvements and identifies specific bicycle and pedestrian improvements in various unincorporated county communities, supported by maps and figures showing the location of the improvements. Chapter 6 of the plan discusses implementation and funding. Appendix D contains detailed infrastructure recommendations and Appendix E contains program and policy recommendations.

Chapters 3, 4 and 6 make it clear that each recommendation presented in the ATP will be individually evaluated for funding and implementation and that projects could be modified based on project specific design issues and potential environmental impacts. Likewise, the County will individually evaluate each recommendation as a project under CEQA and determine the appropriate level of CEQA documentation based on conceptual design plans.

Plan recommendations range from simple improvements (new signage, new striping, etc.) to lengths of shared use paths (Class I; also known as trails, bike paths or multi-use paths) traveling through undisturbed land. Bike lanes (Class II) provide an exclusive space for bicyclists on the roadways and typically striped next to vehicle travel lanes. Buffered bike lanes provide added horizontal separation between vehicle travel lanes and bicyclists via a painted buffer. Bike boulevards (Class III) are a specific type of bicycle route that are designated as preferred bicycle roads where bikes share the roads with drivers and are often used as parallel options to high speed or high-volume roadways that cannot accommodate a low-stress bikeway. Rural bicycle routes are another type of bicycle route that usually feature wide, paved shoulders, striping, and intermittent rumble strips to provide a flexible space for bicyclists (and often pedestrians) to travel in the absence of other facilities on rural roads or highways. Separated bike lanes (Class IV) are protected bicycle lanes are dedicated bike facilities offering the experience of a Class I shared use path, with physical separators such as curbs, parked vehicles, planters or posts, striped buffers or landscaped areas, but are located on-street.

CEQA Review and the ATP

San Mateo County has determined that the ATP, as a plan, is not a project under CEQA and therefore not subject to CEQA review. MIG's independent research

validates the County's approach to ATP CEQA documentation for the following reasons:

- 1) CEQA applies when a public agency proposes to "approve" a project. The term "approval" refers to a public agency decision that commits the agency to a definite course of action regarding the project (14 California Code of Regulations §15352(a)). The acceptance/approval of the ATP does not commit the County to a definitive course of action regarding any of the ATP's recommended facilities or improvements as it does not preclude the study of alternatives or use of mitigation measures (14 California Code of Regulations §15004(b)(2)(B)). All infrastructure recommendations remain open to change based on site-specific conditions and mitigation, as necessary, to reduce any identified potentially significant impacts. Additionally, the action being taken does not commit the County to acquire sites for any ATP projects or make a formal decision to use a site.
- 2) All projects moving forward as part of the ATP would undergo subsequent CEQA review to determine if the recommendation is a "project" subject to CEQA and if it is, to conduct CEQA review prior to approving and implementing the project.
- 3) In order to avoid piecemealing under CEQA and having to prepare a CEQA document on the plan in its entirety, the County must be able to demonstrate that all the recommendations contained in the plan can operate and be implemented separately (i.e., independently) from one another. This is made clear throughout the Plan that improvements would be funded, planned, designed, and constructed separately from one another.

Based on the reasons listed above, the approval of the ATP is not considered a project subject to CEQA review.

Process for CEQA Review

As infrastructure recommendations contained in the ATP are brought forth for consideration they would be reviewed by County staff to determine if they are a "project" under CEQA (14 California Code of Regulations §15378(a)) and if so, what level of environmental documentation is required for CEQA review (i.e. Categorical Exemption (CE), Initial Study/Negative or Mitigated Negative Declaration (IS/ND or MND), or an Environmental Impact Report (EIR)).

Initial environmental review of all recommendations would be conducted by County Staff from the appropriate County department.

If the initial evaluation determines the action is a project under CEQA, the appropriate CEQA document would be prepared. Below is a list of the types of CEQA review documents.

Types of CEQA Review Documents

Not a Project

Policy Recommendations are not considered a project subject to CEQA review. The policy recommendations listed in Appendix E of the ATP do not contain specific design or location information as the policies are meant to guide implementation of the ATP. Implementation of the policies could indirectly result in physical changes in the environment, however as noted above the policy recommendations nor the ATP infrastructure recommendations are considered a “project” under CEQA.

Bicycle recommendations that may not be considered a project include wayfinding (signage or pavement markings), bicycle parking, bicycle valet services, bicycle work rooms, micro-mobility programs (providing bikes, electric bikes or scooters) for first and last mile trip connections. Pedestrian recommendations that may not be considered a project include pedestrian-scale lighting, alternative walkways (designated with pavement markings or wooden barriers, landscape buffers), pedestrian signal timing (countdowns or leading intervals), and accessible pedestrian signals (aural communications for visually impaired).

Statutory Exemption

Senate Bill 288 was approved by Governor Gavin Newsom on September 28, 2020. The bill amended Public Resources Code § 21080.20, to exempt bicycle transportation plans for urbanized areas – for restriping, bicycle parking and storage, improved intersection signal timing, and related signage – until January 1, 2030. It also repeals the former requirements for the lead agency to prepare a traffic and safety impact assessment and “to mitigate potential vehicular traffic impacts and bicycle and pedestrian safety impacts,” as conditions to using the exemption. The urban/rural boundary is a stable line separating urban areas and rural service centers from rural areas. Urbanized areas and rural areas are shown

here: [Urban/Rural Boundaries | Open San Mateo County \(smcgov.org\)](#) (County of San Mateo 2020b).

SB 288 also added Public Resources Code § 21080.25, which includes nine (9) exemptions, as well as an extensive list of definitions and conditions to a lead agency's use of the exemptions. New exemptions applicable to the County's ATP include: (1) pedestrian and bicycle facilities projects (including, but not limited to, bicycle parking, bicycle sharing facilities, and bikeways, as defined); (2) projects to improve customer information and wayfinding for transit riders, bicyclists, or pedestrians; (3) transit prioritization projects (including, but not limited to, signal coordination and timing and phasing modifications, etc.); (7) maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with the exempt projects; and (8) projects that are solely combinations of components of the exempt projects.

Section 21080.25's exemptions apply for only a two-year period, and will expire on January 1, 2023, and are subject to a number of qualifying conditions that apply to all the exemptions with the exception of city and county projects to reduce minimum parking requirements. These conditions include that a public agency must be the lead agency and be carrying out its own project; the project must be in an urbanized area; the project is located on or within an existing public right-of-way; the project must not add physical infrastructure increasing new automobile capacity (with minor exceptions) or adding auxiliary lanes; and the project must not require demolition of affordable housing units.

Additionally, for projects exceeding \$100 million, the project must be incorporated in a regional transportation plan, sustainable communities strategy, general plan, or other plan that has undergone programmatic-level environmental review under CEQA within 10 years of project approval, the project's construction impacts must be fully mitigated, and the lead agency must complete and consider project business case and racial equity analyses, as specified. Further, lead agencies will also be required to hold at least three (3) noticed public meetings on such projects, as specified.

Additionally, for all projects using § 21080.25's new exemptions (except for minimum parking requirements reduction), the lead agency must first certify that the project will be completed by a skilled and trained workforce, through enforceable commitments as specified, or the project work must be performed under a project labor agreement (PLA) as specified.

Finally, the law now mandates the filing of a notice of exemption (NOE) by the lead agency with OPR and the county clerk is mandatory; the law does not preclude the lead agency's use of other statutory or categorical exemptions for which the project may qualify; and the law expressly does not authorize the bypassing or avoidance of other applicable safety, public health, environmental or labor requirements.

Many of the bicycle and pedestrian recommendations contained in the ATP likely qualify as exempt under this statutory exemption as a majority are located within the public right-of-way for urban areas and do not add vehicle capacity.

Categorical Exemption

Several classes of CEs could apply to the proposed ATP recommendations including, but not limited to:

- CEQA Guidelines Section 15301 Existing Facilities – Class 1 exempt projects consist of the operation repair, maintenance... or minor alteration of existing public facilities involving no, or negligible expansion of existing or former use, including (c) existing highways and streets, sidewalks, bicycle and pedestrian trails, and similar facilities, and other alterations such as the addition of bike facilities (i.e. bicycle parking, bicycle-share facilities, bicycle lanes) and transit improvements such as pedestrian crossings, and other improvements that do not create additional automobile lanes.
- CEQA Guidelines Section 15304 Minor Alterations to Land – Class 4 exempt projects consist of minor alterations in the condition of land, water and or vegetation which do not involve the removal of healthy, mature, scenic trees including (f) minor trenching and backfilling where the surface is restored, and (h) the creation of bicycle lanes on existing rights of way (ROW).

Many of the recommendations contained in the ATP would qualify for one of the above classes of CE exemptions. Those that do not qualify would be projects that trigger one of the exceptions to the exemptions (specified in CEQA Guidelines Section 15300.2 Exceptions). If any of the following apply to the project, a CE cannot be used and an Initial Study or EIR would need to be prepared:

Location: Class 4 exemptions are qualified by consideration of where the project is to be located. Class 4 may not be used if the project may impact an

environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Other exceptions to the exemptions include projects with a potential cumulative impact, a significant effect due to unusual circumstances, damage to scenic resources within a scenic highway, or for projects on hazardous waste sites.

Projects confined to existing rights-of-way would typically qualify for a CE, such as Class II Bicycle Lanes or Class IV Separated Bicycle Lanes that do not require road widening, Class II Rural Bicycle Routes that include only signage or striping, or Class III Bicycle Boulevards that in addition to signage and striping would include traffic management (diverters and linkages) or calming (speed bumps, or chicanes, etc.) features. Examples of pedestrian projects that would typically qualify for a CE include curb extensions, sidewalk widening, alternative walkways, crosswalks, rectangular rapid flashing beacons (RRFBs), pedestrian scale lighting, median crossing islands, signals, and raised crosswalks confined to existing rights-of-way.

Any recommendations that require new rights-of-way or areas of disturbance outside of existing disturbed areas likely do not qualify for CEQA review under a CE, however each project would be evaluated based on its own merits.

The County should anticipate supporting Categorical Exemption evaluations with site-specific technical reports such as Cultural Resources or Biological Reports to support the project findings. Once confirmed, the Categorical Exemption documentation and filing procedures would be completed by in-house staff.

IS/NDs or MNDs

Projects that don't qualify for the statutory exemption or CEs would be evaluated with an Initial Study. It is anticipated that most of the projects that do not qualify as statutorily or categorically exempt would qualify for an IS, ND or MND and that all potential impacts could be reduced to less than significant levels through the implementation of either design changes or mitigation measures.

The types of ATP recommendations that could require an Initial Study include those projects that:

- Occur in rural areas and require work outside of the public right-of-way;

- Requires removal of native vegetation or heritage trees or work in an environmentally sensitive area, such as wetland or riparian habitat, or habitat for a protected species, and requires mitigation to avoid or lessen impacts to less than significant levels (see Potential Impacts and Mitigation Measures section, below);
- Requires work in an area with known archaeological or tribal cultural sensitivity and requires mitigation avoid or lessen impacts to less than significant levels (see Potential Impacts and Mitigation Measures section, below); or
- Have unusual circumstances that require additional protection measures other than typical Best Management Practices or measures that are universally applied to all projects.
- Projects involving public controversy

The types of ATP projects that could meet the above criteria include shared use paths (Class I) that occur outside the existing road right-of-way, Class III rural bicycle routes and certain segments of Class II bicycle lanes on the coastside that would require road widening.

EIRs

Projects that rise to the Environmental Impact Report (EIR) level of review typically involve one or more of the following:

- Projects that require construction within previously undisturbed areas, particularly those that are in sensitive coastal (Environmentally Sensitive Habitat; or ESH as defined in the Coastal Development Program; or CDP) or rural areas;
- Projects that require the acquisition of privately or publicly held land (although this is not typically cause for an EIR, if it is the only issue);
- Projects that are unable to avoid impacts to known cultural, historic, or tribal cultural resources, and/or
- Projects that are highly controversial.

Federal Funding

Any project seeking federal funding would also require compliance with the National Environmental Policy Act (NEPA) and require the preparation of a Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement. The level of NEPA documentation is typically directed by the federal funding agency that may or may not prepare the NEPA documentation on their own or request the project proponent to prepare. Projects that qualify as CEQA Categorical Exemptions would also qualify as NEPA Categorical Exclusions. Because NEPA is concerned with the significance of the project as a whole, it is often the case that a "lower level" document is prepared for NEPA. Projects that are evaluated with CEQA IS/NDs or MNDs could qualify as a Categorical Exclusion or Environmental Assessment. Projects that are evaluated with an EIR could qualify as an Environmental Assessment or Environmental Impact Statement.

Permitting

For projects wholly within County-owned land or right-of-way, no permits would be required from other County departments. One exception is for projects within the Coastal Zone. Coastal Development Permits (CDP) are required for County projects in the Coastal Zone, e.g., the Parallel Trail (which already has one), or other roadway, bike path, etc. whether it's in Caltrans or County ROW, or on private property. County projects within the Coastal Zone will require the County to issue itself a CDP as required by the County's Local Coastal Program (LCP). The policies within the LCP define the types of projects for which the County would need to obtain a CDP (currently it's a broad, inclusive definition). The CDP would include the grading permit and the grading regulations of the certified LCP. No County permits of any kind are needed for County projects outside the Coastal Zone.

Encroachment permits and/or a Right of Entry Agreement would be required for work on land outside of County jurisdiction or ownership. Additionally, any project in Caltrans ROW (along El Camino Real, or in State Route 1 ROW) requires both an encroachment permit and a maintenance agreement.

Standard Measures Applied to All ATP projects

The impacts associated with the implementation of proposed ATP recommendations are anticipated to be limited to construction impacts only. It is assumed projects would be designed to avoid any operational or usage impacts.

The County would design and construct ATP recommended improvements consistent with all relevant federal, state, regional, and local regulations (County Municipal Code, General Plan, and Local Coastal Program) aimed at preventing or reducing environmental impacts. In addition, the following list contains standard measures that would be incorporated into the design and construction of all ATP projects as appropriate.

- Adherence to San Mateo County Building Code and California Uniform Building Code (UBC)
- Limiting construction hours to those specified in the County's Noise Ordinance
- Incorporation of urban design lighting standards
- Stormwater management during construction and operation
- Avoidance of known cultural resources and protocol for unanticipated discovery of cultural resources, tribal resources, human remains, or paleontological resources
- Pre-construction special status plant or animal surveys, nesting bird, or bat roost surveys;
- Requirement for a site-specific geotechnical engineering report for projects located within geotechnical hazard areas.
- Adherence to DPW Standards and Caltrans Highway Design Manual standards (<https://dot.ca.gov/programs/design/manual-highway-design-manual-hdm>).

The BMPs identified in Table1 are examples of measures that could be incorporated into ATP plans and CEQA documentation to avoid or reduce environmental impacts. Ultimately, the BMP table list developed for each project would be tailored to the specific project's anticipated impacts and magnitude of those impacts.

Table 1. Example Best Management Practices for Incorporation into ATP Projects	
Air Quality	<p>The County and/or its contractor shall implement the following BAAQMD Basic Construction Mitigation Measures during project construction:</p> <ol style="list-style-type: none"> 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4) All vehicle speeds on unpaved roads shall be limited to 15 mph. 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specification. All equipment shall be checked by a certified visible emissions evaluator. 8) Post a publicly visible sign with the telephone number and person to contact at the appropriate County department regarding dust complaints. The responsible party (County Project Manager/Engineer for County projects, or applicants for encroachment permit/ROW projects) shall respond and take

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	corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the Bay Area Air Quality Management District (BAAQMD) to ensure compliance with applicable regulations.
Heritage Trees	<p>Construction resulting in removal of trees will require the preparation of a tree removal assessment and evaluation of whether the trees are considered Heritage Trees under the County's Heritage Tree Ordinance.</p> <p>The project shall comply with the requirements of the Ordinance for tree protection and replacement.</p>
Cultural Resources	<p>The County and/or its contractor shall implement the following BMPs during project construction to avoid potential impacts on unanticipated and previously unknown cultural resources:</p> <ol style="list-style-type: none"> 1) If any archaeological or paleontological resources are encountered at any time during construction, it will be the responsibility of the construction/project manager to stop work within 50 feet of any discovery and contact a qualified archaeologist. Work in the area shall be suspended until the archaeologist prepares a plan for the evaluation of the resource and the plan is submitted to the County for approval. 2) Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, the construction manager shall stop work and notify the San Mateo County Coroner. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the NAHC who shall attempt to identify descendants of the deceased.

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Water Quality / Storm Water and Drainage Control	<p>The County and/or its contractor shall prepare and implement a storm water and drainage control plan in compliance with Provisions C.3 and C.6 of the County's Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit. The plan shall specify best management practices for the control and prevention of storm water pollution. The plan shall address both construction-phase and post-construction pollutant impacts from development.</p> <p>Construction-phase measures shall include: erosion control measures such as installing fiber rolls, silt fences, gravel bags, or other erosion control devices around and/or downslope of work areas and around storm drains prior to earthwork and before the onset of any anticipated storm events; monitoring and maintaining all erosion and sediment control devices; designating a location away from storm drains when refueling or maintaining equipment; scheduling grading and excavation during dry weather; and removing vegetation only when absolutely necessary.</p> <p>Post-construction drainage controls shall be specified to capture and treat storm water generated onsite and a long-term operations and maintenance plan for drainage controls shall be produced for each project.</p> <p>Green Infrastructure. If applicable, ATP projects will be designed consistent with the San Mateo County Water Pollution Prevention Green Infrastructure Design Guide and/or DPW Green Stormwater Infrastructure (GSI) best practices.</p>
Construction Noise	<p>The construction contractor shall implement measures to reduce the noise levels generated by construction equipment operating at the project site during project grading and construction phases. The construction contractor shall include in construction contracts the</p>

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	<p>following requirements or measures shown to be equally effective:</p> <ol style="list-style-type: none"> 1) Hours of construction activity shall be limited to Monday to Friday, from 7:00 AM to 6:00 PM, and Saturdays 9:00 AM to 5:00 PM in accordance with the County of San Mateo Ordinance Code. 2) All construction equipment shall be equipped with improved noise muffling, and maintain the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition. 3) Stationary construction equipment that generates noise levels in excess of 65 dBA Leq shall be located as far away from existing residential areas as possible. 4) Heavy-duty vehicle storage and start-up areas shall be located as far away from occupied residences where feasible. 5) All equipment shall be turned off if not in use for more than five minutes. 6) Drilled piles or the use of sonic or vibratory pile drivers shall be used instead of impact pile drivers. 7) Prior to the commencement of grading or construction at the project site, an information sign shall be posted at the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels. The County shall rectify all received complaints as soon as possible.
Hazardous Materials / Contaminated Soils.	<p>During the design phase of a project the County will conduct screening research to ensure the proposed project would not be located on or immediately adjacent to unremediated contaminated soils. The County will conduct a search of all lists of hazardous materials sites</p>

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	<p>compiled pursuant to Government Code section 65962.5, including the List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database, <i>List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database</i>, and List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC, during the design phase of recommended projects in order to identify any active remediation sites. The design will consider the findings of this search.</p> <p>The County shall investigate whether the project would be located in areas of past agricultural use and if so, perform soil sampling consistent with state and County regulations to determine if past agricultural activities caused soil contamination.</p>
Construction Traffic Control	<p>For all construction projects affecting vehicle, bicycle, or pedestrian circulation patterns, the contractor will provide vehicle traffic control measures to ensure safety and vehicle flow during construction, and which ensure public safety and provide for adequate access to public rights-of-way during construction. All construction projects will require the construction contractor to comply with the most current version of County contract documents requiring contractors to give adequate warning to the public of construction and to maintain access to public rights-of-way during construction.</p> <p>Traffic Control measures shall meet the latest California Manual on Uniform Traffic Control Devices (MUTCD).</p>

Potential Impacts and Mitigation Measures

The discussion below provides information on the types of impacts and mitigation measures that could be expected for ATP projects that do not qualify for the statutory or categorical exemptions. This list is not meant to be exhaustive, as the impacts and mitigation measures could vary based on both the type of project proposed, its location, and the various environmental resources present at the site that could be affected by project activities.

Aesthetic Resources: If an ATP project requires the removal of heritage or other trees or significant vegetation on a project site, the environmental evaluation would likely require replacement landscape plantings to compensate for the lost trees or screening, if such replacement is not already included as part of the project. An example mitigation measure would be to require the preparation of a Replacement Landscaping or Screening Plan to achieve similar or better visual character after the project is implemented.

ATP projects involving new night lighting in a rural area could cause light and glare impacts to sensitive adjacent land uses. An example mitigation measure would be to require the preparation of a lighting plan to address potential light and glare impacts and ensure that new lighting does not significantly impact adjacent properties or habitats.

Biological Resources: Projects that have identified potential impacts on special-status species, sensitive natural communities, wetlands, wildlife corridors, and/or native wildlife nursery sites, shall specify measures to avoid impacts or to reduce impacts to a less-than-significant level that will be implemented as part of the project.

These measures may include actions such as the following currently accepted measures:

1. Pre-construction surveys for special-status plant and animal species, nesting birds, and roosting bats in the correct season and using California Native Plant Society, California Department of Fish and Wildlife and/or other accepted protocols, as appropriate, to identify if the species are present and would be impacted by the project;
2. Restriction of construction activities to specific seasons or times of day based on the species potentially affected.
3. Wildlife exclusion fencing to prevent species, such as protected amphibians and reptiles, from entering the work site. Regular fence inspections, to

assure that species are not trapped and to maintain the integrity of the fence.

4. Clear delineation of the work area and/or protected areas in the field to prevent construction activities from extending beyond required work areas and into nearby natural areas that contain sensitive species habitat or sensitive natural communities or wetlands. Environmentally sensitive areas may also be delineated on construction drawings for certain projects.
5. Silt fencing or other erosion control measures to protect water quality downstream of the project and the biological resources that rely on suitable water quality.
6. Worker environmental awareness training provided by a qualified professional (typically a biologist) prior to the start of any project activities that affect the physical environment to educate workers about the presence of environmentally sensitive areas, what species may be present, what laws protect the species, and what to do if a special-status species is encountered.
7. Construction monitoring by a qualified biologist.
8. Construction site sanitation to dispose of food and beverage waste and associated wrappers or containers to minimize site attractiveness to wildlife during construction.
9. Wildlife protection measures, such as minimizing the use of monofilament netting which can ensnare reptiles and amphibians, covering trenches near suitable habitat so that species are not trapped and unable to hide from a predator, and/or daily pre-construction sweeps to verify special-status species are not present in the work area.
10. Actions to take if special-status species are discovered, such as establishment of buffer zones or other measures acceptable to resource agencies to protect the individual species.

Cultural and Tribal Cultural Resources. ATP projects that occur in locations with known sensitivity for buried archaeological and or tribal cultural resources could avoid significant impacts to such resources through monitoring. Example mitigation can require archaeological and or tribal cultural resource monitoring during construction to ensure any previously unknown artifacts, including human remains uncovered during construction would be handled appropriately.

Hazards and Hazardous Materials. ATP projects that occur in locations with known hazardous material contamination can avoid potentially significant impacts through proper identification (Phase I/II Site Investigations) and remediation

(Remedial Action Plan) of site conditions or soils prior to construction. ATP projects that occur in locations with known hazards (earthquake, soil stability, landslide, etc.) can avoid potentially significant impacts through proper engineering design and implementation of recommendations contained in a site-specific geotechnical report.

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