

Olivia Boo

From: Personal Stuff <caveatcen@pacbell.net>
Sent: Wednesday, June 26, 2024 12:47 AM
To: Olivia Boo
Cc: Gregg Dieguez; Sean Handel; C. Rogers; Mark Verlander; Jill Grant; Kimberly Williams; Clemens Heldmaier; Scott Bollinger; MCC
Subject: Re: Agenda Item #4, SMC Planning Commission Meeting of June 26th, 2024

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Ms. Boo and San Mateo County Planning Commissioners:

The following comments will supplement my comments of earlier today requesting a postponement of Item #4 on the Agenda for your June 26th meeting.

1. The Staff Report is a virtual repeat of the Staff Report for the "emergency" repair of the 3.5-mile access road on Montara Mountain of a year ago. I put "emergency" in quotes because there was no emergency. The rutted road was in no worse shape than it has been many years after wet winters, and trucks and other 4WD vehicles were making their way up the road as they have done for decades. That it may have looked like an emergency to some simply means those people were unfamiliar with the history and long-time conditions on the road.
2. The Staff Report notes only one prior road maintenance effort in 2010. The fact is the road has been graded between a half-dozen and a dozen times since the state park acquisition at McNee Ranch was opened to the public in 1985. The many individual failures and occasional successes of activities during those projects should have informed following projects yet are ignored repeatedly, including in this Staff Report and the one for last year's "emergency."
3. After last year's emergency road project and after last winter's and this spring's moderate el Nino rainy period, the road is now in as bad, and in some spots worse, shape as it has ever been in my experience. Still, trucks continue to use it to access the ATC property at the mountaintop to this day. In other words, last year's road maintenance project was totally ineffective and an avoidable waste of money.
4. The principal repair method used for last year's grading and proposed for this year's project is ineffective on the decomposed granite that is the substrate for the road. It is particularly ineffective for the steeper pitches of the road. This method consists of scraping several inches from the road surface, pushing the loose scrapings into ruts and other low places in the road, and attempting to compact it with heavy equipment to create a smooth road surface. This technique has been used repeatedly in road maintenance efforts over the years and has never lasted beyond a wet winter (or several relatively dry ones during droughts). (The definition of "insanity"?) The loose material does not compact sufficiently to resist washing out during rainstorms. Any engineer who suggests employing the scraping technique is not familiar with this road's record and with road-building on this type of decomposed granite.
5. In one of the steepest and the most badly rutted stretches of road, a technique described as "rolling dips" was used in place of water bars to halt runoff on the road and direct the water to a ditch at the side during last year's grading. This was suggested to be superior to water bars. The "rolls" consisted of material scraped into low mounds across the road and compacted. This technique did not survive the first moderate rainstorm of late last fall, at which time three of the mounds were breached through their centers in the middle of the road. After two strong rainstorms in midwinter, the mounds ceased to block any runoff at all and the ruts in the road were as bad as they have ever been, reaching depths of over a foot and a half in places.
6. Immediately downhill from the failure just described in #5, the loose material from the scraped surface filled the roadside drainage ditch, which was inadequately graded to carry the flow. The runoff backed up, eroded the edge of the ditch, and created an unavoidable deep rut across the road. This road-damaging mistake was first created several maintenance projects ago, but its repeat occurrence last winter and its slightly increased severity demonstrates a continuing lack of familiarity with the road, itself.

7. One technique for controlling and directing runoff that has been used with partial success in the past is to use multiple culverts on steep stretches of the road to collect runoff from the ditch on the uphill side and carry it beneath the road to the downhill slope. On the downhill end, the culverts are T-ed off to disperse the water more widely on the slope in an effort to prevent gully erosion caused by the concentrated water flowing from the end of the pipe. (A couple of decades ago, working with Chet Bardo, the state park super at the time, I was involved in the conception of the culverts.) Several of these culverts, but not all, were marked before last year's road grading and then ignored, as they have been during past road maintenance sessions. The culverts have deteriorated over the years and are in need of repair to clear the openings and replace the T's on the downhill end. Instead, road grading has now caused even worse conditions, as one culvert was completely bulldozed out of the ground by road scraping during past maintenance and never replaced and others have been exposed in the surface of the road and damaged to the degree that there are now several openings in the exposed places of the culvert pipes in the middle of the road. In addition, water has been diverted from the roadside ditches leading to the culverts, causing new instances of minor erosion on the driving surface of the road. These instances of damage to culverts caused by road scraping and redirection of runoff were particularly bad during last year's county-directed road maintenance and are unaddressed in the Staff Report.

8. In several other places affected during last year's grading effort, small ditches were created across the road to carry runoff to the other side rather than use culverts embedded in the road. Although not the worst ruts, these ditches have been eroded during and since the rainstorms of last winter and spring, causing new ruts that must be driven over. They will get worse in future rainy periods. In yet other places, runoff that once flowed on the side of the road is now flowing down the road on the driving surface and creating new ruts.

9. In some locations, emergency grading of the road last year was not confined to the 12-foot width of the road, demonstrating a failure of equipment operators to limit their activities and a failure of people who were supposed to be monitoring the activity to limit the grading.

10. Likewise, grading has gone many feet beyond the design footprint for the turnouts in the Staff Report. Some of this was done in two prior road maintenance sessions, but the extra unnecessary widening was particularly egregious during last year's emergency grading and adds to the evidence for failure to monitor the grading.

11. During the previous many road maintenance sessions, recreational cyclists and hikers were not kept out of the park. There were no negative incidents to my knowledge. But they were kept out during last year's county-directed project and are slated to be kept out in this Staff Report. Why?

12. Asphalt paving is mentioned in the Staff Report, but I can't see exactly where it might be used. Neither can I find any mention of how toxic runoff from the paving will be managed or of how the more erosive pulses of runoff from pavement will be countered. There is no excuse for asphalt or concrete pavement in any location on the 3.5-mile access road.

The above numbered items covering some of the low-lights involving grading of the access road are all either omitted from the Staff Report or inadequately considered in terms of negative consequences. Last year's failed emergency grading project demonstrates the almost guaranteed failures in this year's essentially same Staff Report and is but one set of reasons for dropping Item #4 from the meeting on the 26th. Mitigations for the described kinds of damage are lacking in the Staff Report, making the request for a Mitigated Negative Declaration a head-scratcher.

One more item for this e-mail set of comments. There are two other existing, well-established, and obvious roads to the tower property on the mountain. One is a paved road to the top of Sweeney Ridge from the San Bruno side and then to the North Peak mountaintop with the towers by way of Whiting Ridge. The other is the road up from El Granada on the coastside to the top of the ridge on Montara Mountain between North Peak and Scarper Peak and then to the communication towers by way of Perimeter Road. Use of these alternate routes would eliminate the need to deal with the much more problematic and expensive road through McNee Ranch State Park. The subject of alternative existing roads is not properly considered in the Staff Report.

It is getting late, I'm fading, and I have a couple of other tasks before I can hit the sack. This is frustrating because I have not covered the many points to be made about the extensive and entirely unnecessary past damage and ongoing threats to native vegetation and other natural assets on Montara Mountain associated with this road project. Watershed issues have not been covered. Neither have the potential loss of recreational values and a few misstatements regarding them in the Staff Report. Due to the insufficient notice period for comments on this complex item in the meeting agenda, I can only, once again, request that this item be delayed to a later date, by which time solutions to the many shortcomings and problems raised could be considered and incorporated into the Staff Report. Last year's "emergency" road project was pushed through with inadequate notice to the public and no time or format for comments, and look what happened!

Respectfully,

Carl May

On Tuesday, June 25, 2024 at 05:19:59 PM PDT, Olivia Boo <oboo@smcgov.org> wrote:

Thank you for your comments. These comments have been shared with Planning Commissioners.

From: Personal Stuff <caveatcen@pacbell.net>

Sent: Tuesday, June 25, 2024 2:28 PM

To: Olivia Boo <oboo@smcgov.org>

Cc: Gregg Dieguez <mccgreggd@gmail.com>; Sean Handel <shandel@gmail.com>; C. Rogers <sweepthebeach@gmail.com>; Mark Verlander <mark@verlanderdesign.com>; Jill Grant <jillmgrant@gmail.com>; Kimberly Williams <midcoast.kimberlyw@gmail.com>; Clemens Heldmaier <clemens@mwsd.net>; Scott Bollinger <scottbollingermcc@gmail.com>; MCC <midcoastcommunitycouncil@gmail.com>

Subject: Agenda Item #4, SMC Planning Commission Meeting of June 26th, 2024

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Ms. Boo:

I am the person with the most direct experience with the road up Montara Mountain, having hiked the lower approximately 2.3 miles more than 3,000 times and the upper 1+ miles hundreds of times since McNee Ranch was acquired as a state park and opened to the public in 1985. I am a biologist by education and some field research experience and spent over 46 years in college and professional biology book publishing as the Biology Editor for several leading publishers, a consultant on college biology publications, and, for 35 years the owner/operator of a specialized stock photo agency representing the images of more than six dozen professionals in the life and earth sciences. I was the leading voice involving the road in the Devil's Slide Bypass controversy and, several decades ago, consulted with state park personnel on maintenance activities on the road and on the natural organisms in the ecological settings off the sides of the road that are affected by the road.

I have read the entire Staff Report for Item #4, File Numbers PLN2006-0075 and PLN2017-00135. Because this agenda item only popped up two weeks ago and because your staff report was only made available on June 19, 2024, there has not been time to respond to the numerous aspects of this project that deserve attention and correction.

The Staff Report contains a number of misstatements and omits quite a bit of relevant information on the approximately 3.5-mile road accessing the American Tower Corporation site containing several facilities on Montara Mountain. The timeline reviewing past efforts at road maintenance given in the report leaves out many road maintenance projects and their often negative results over the past three and a half decades. Your report omits mention of the illustrative conduct and disastrous results of the emergency road maintenance attempt of a year ago, a project spearheaded by the San Mateo County Department of Emergency Services and permitted by Planning. The report fails to incorporate some of the studies of vegetation on the mountain over the years and incorporate the ecological implications of such studies. Even with the incorporation of some attention to a few species of concern on the sides of the road, other unique species,

biological associations, and effects on biodiversity are not addressed. Last year's failure of monitors, who were unfamiliar with the history and most of the specifics of the road and the adjacent vegetation, to prevent damage during grading of the road is not mentioned, nor is improvement in this regard covered in the report. No mitigations for the consequences of road grading are included, including the follow-up removal of invasive non-native plant species in affected areas.

Strikingly, the Staff Report does not mention the letter sent last April by the Midcoast Community Council (MCC) on road maintenance issues raised by last year's grading and extensive damage to natural vegetation on the roadsides, a letter that suggests the need for a comprehensive road maintenance plan and mitigations before any additional projects like the one at hand are undertaken. Why has there been no response?

Though the inadequacies of the Staff Report are not intentional, they are profound. I fear the report and its approvals will result in a re-run of last year's gross failure of grading procedures and extensive unnecessary damage to vegetation and all that is associated with the [plants. Perhaps the report could be considered a draft and, as such, subject to editing and additional input and requirements that would give a better picture to the Planning Commission, to say nothing of improved safeguarding of the natural and recreational values on Montara Mountain.

In light of all of the above, I ask you to pull Agenda Item #4 from tomorrow's Planning Commission meeting and to reschedule it only after a response to the letter of the MCC can be made and the areas in which the Staff Report is lacking can be addressed.

Respectfully,

Carl May

P.S. A longer e-mail noting numerous specific problems with road grading and vegetation damage will follow this one.

From: [Jill Grant](#)
To: [Planning Commission](#); [Olivia Boo](#); midcoastcommunitycouncil@gmail.com
Cc: [Lisa Ketcham](#); [Chris Rogers](#)
Subject: Re: Item #4, File Numbers PLN2006-0075 and PLN2017-00135
Date: Tuesday, June 25, 2024 8:09:10 PM

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Dear SMC Planning Commission,

I support tabling this item to allow the community to have proper time to digest and comment on the proposed project. The public has not had time to read the entire 305-page Staff Report for Item #4, File Numbers PLN2006-0075 and PLN2017-00135.

The Staff Report does not incorporate responses to comments from the April 2023 letter by the Midcoast Community Council (MCC) on road maintenance issues raised by last year's grading and extensive damage to natural vegetation on the roadsides. The MCC represents coastsiders and should have their recommendations incorporated into the updated CEQA document. The Staff Report does not reflect any information from their letter that outlines the need for a comprehensive road maintenance plan and mitigations before any additional projects like the one at hand are undertaken. There should be a response.

I have worked on Montara Mountain for the past ten years as a project biologist and am very familiar with the road. Last year's emergency project caused excessive destruction to the protected habitat. Was there a biological survey conducted prior to the vegetation removal? Was there a biologist onsite to monitor during vegetation removal? It doesn't appear as such. Are there any mitigations to repair the damage or post-construction monitoring and maintenance to remove invasive species brought to the site during construction? Please require the permittee to heed the Midcoast Community Council's (MCC) warning to have a proper management plan using content from the Rural Roads and Central Coast Private Road Maintenance Guide.

I would also encourage the planning commission to require the applicant to reach out to the SFPUC to access Montara north peak and all of the cell towers using their paved roadway instead of continuing to erode the dirt roadway on the west side or to continue using the side-by-side vehicles. This would allow the mountain to recover from the emergency work destruction of habitat and improve the recreational trail for

hikers, bicyclists, and nature lovers.

The Planning Commission should also require the applicant to reinitiate formal consultation with US Fish and Wildlife Service concerning the *likely adverse effects* on federally listed species. A new Biological Opinion is warranted as the USFWS letter of concurrence relies on the deficient Biological Resources Impact Analysis prepared by Helix Environmental. The USFWS should have been supplied with the updated Biological Resources Analysis provided by Coast Ridge Ecology in 2022a, which concluded that there is a high chance for impact to rare plants such as the Montara manzanita and larval host plants for federally endangered Mission blue butterfly and San Bruno elfin butterfly within portions of the road that where the unnecessary turnouts would be located. These species, and their habitat, are protected by the Federal Endangered Species Act. The MND also cites this same conclusion, therefore the USFWS analysis is misinformed and does not provide the protection these species deserve.

Again, I support tabling this item.

Sincerely,

Jill Grant

El Granada resident

From: C Rogers <sweepthebeach@gmail.com>

Sent: Wednesday, June 26, 2024 7:57 AM

To: Personal Stuff <caveatcen@pacbell.net>

Cc: Olivia Boo <oboo@smcgov.org>; Gregg Dieguez <mccgreggd@gmail.com>; Sean Handel <shandel@gmail.com>; Mark Verlander <mark@verlanderdesign.com>; Jill Grant <jillmgrant@gmail.com>; Kimberly Williams <midcoast.kimberlyw@gmail.com>; Clemens Heldmaier <clemens@mwsd.net>; Scott Bollinger <scottbollingermcc@gmail.com>; MCC <midcoastcommunitycouncil@gmail.com>

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Ms. Boo,

Please add this to correspondence on Item #4 of the June 26, 2024 meeting:

1. To be more effective as mitigation for potential or actual impacts, all mitigation measures need to be statements that direct specific parties to complete an action under specific circumstances (i.e. within a so many days of construction, during a specified time of year, during a particular phase of the proposed project), with reported results on the efficacy of the measure. The COAs should use “shall” not “should”. For example, Mitigation Measure 4 for protection of Pacific stonecrop, the food plant for the federally endangered San Bruno elfin butterfly, begins “It is recommended...”, which is powerless to enforce and can easily be interpreted by a contractor as unnecessary. Mitigation Measure 6 for Kings Mountain manzanita says to use “extreme care”, which is open to interpretation.
2. The roles and responsibilities of the Qualified Biologist and Biological Monitor need to be defined. Only in one Mitigation Measure (for California red-legged frog) does it say that the Qualified Biological Monitor has the authority to stop work if that species is observed in the work area. For all other sensitive resources that can or will be impacted by the proposed project, there is no clear authority for the monitors to prevent damage from happening. Without that commitment spelled out in the mitigation measures (and in the absence of such authority assigned by a regulatory permit condition), the measures will be unenforceable during construction. The responsibilities and authority of the Qualified Biologist and Biological Monitor need to be added to the list of mitigations.
3. There is no requirement that biological monitors prepare and submit reports on the results of preconstruction surveys, periodic observations during construction (including instances of non-compliance and how they were resolved), or upon project completion. Without monitoring reports, the lead agency, regulatory agencies and concerned public will have no information on the efficacy of the mitigation measures or whether they were done at all. Reporting requirements need to be added to the list of mitigations.
4. There needs to be more specific details on how the revegetation and repair of disturbed areas will be accomplished. Just saying they will be revegetated is not enough. At this stage of planning, there should be a plan prepared by a qualified restoration biologist that outlines the methods for preparing the disturbed sites following construction, planting or seeding, identification of appropriate native species that have been determined to have a reasonable chance of establishing and surviving, areas where local seeds will be procured, maintenance and repair actions, especially including weeding of invasive non-native plants, remedial planting of failed plants, duration of maintenance, performance goals that need to be met for the revegetation effort to be completed. There needs to be specific prohibitions against invasive non-native plants or use of “erosion control” species that are short-lived and not native to the site, such as six-weeks fescue, clovers, etc. The revegetation plan should be part of the project plans submitted by the applicant.
5. The US Fish and Wildlife Service concurrence letter of January 13 2020 says in the second paragraph that it relies on the September 18 Biological Resources Report (i.e. the Helix report). The Helix report was shown to the County to be severely flawed, prompting the County to pause the approval of the MND and retain and qualified biological consultant, Coast Ridge Ecology (CRE). The CRE report, completed in June 2022,

provides the detailed biological resource information that the current MND is based on, including the location of and potential impacts that would result from the proposed project to federally listed endangered and threatened species. The CRE report should have been used for a new consultation with USFWS on these species. The County did nothing to inform the USFWS of the potential impacts to federally listed species (including “high chance of impact” to San Bruno elfin butterfly) which would have allowed for a re-examination of the project and the likely issuance of a new Biological Opinion by USFWS with specific conditions and conservation measures. The project is in danger of causing impacts, which if they occur, would be a violation of federal law (Endangered Species Act) with substantial penalties.

Chris Rogers