

**CITY OF HALF MOON BAY
LCP LAND USE PLAN AMENDMENT**

CHAPTER 3

**Environmentally Sensitive Habitat Areas, Marine and
Water Resources**

3.1 Coastal Act Policies

Section 30240

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

- (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
 - 1. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

2. Maintaining existing or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
 3. In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland areas used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25% of the total wetland area to be restored.
 4. In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.
 5. Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
 6. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 7. Restoration purposes.
 8. Nature study, aquaculture, or similar resource-dependent activities.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.
- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

Section 30235

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30236

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where

such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitats.

Definition of Terms Used in Coastal Act Policies

Section 30107.5

“Environmentally sensitive area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Section 30116

“Sensitive coastal resource areas” mean those identifiable and geographically bounded land and water areas within the Coastal Zone of vital interest and sensitivity.

Section 30121

“Wetland” means lands within the Coastal Zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

3.5 Policies

POLICY 3-1: DEFINITIONS OF ENVIRONMENTAL RESOURCES **(FOUNDATION POLICY)**

A. ENVIRONMENTALLY SENSITIVE HABITAT AREAS (ESHA)

Define Environmentally Sensitive Habitat Areas as those areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development. (PRC§ 30107.5)

ESHAs include, but are not limited to, those areas that meet one of the following criteria:

1. Special status habitats:
 - (a) Habitats containing or supporting rare, endangered, threatened ~~or unique~~ species as defined by State or Federal law;
 - (b) Habitats that support species that are fully protected or species of special concern under State or Federal law or regulations; or
 - (c) Habitats containing plant species that are designated as rare or endangered on List 1B or 2 of the California Native Plant Society.
2. All perennial and intermittent streams and their tributaries
3. Sand dunes
4. Sea cliffs
5. Coastal tidelands and marshes
- 5b. Wetlands that meet the definition of ESHA [*note- this will be renumbered in final*]
6. Marine habitats and rocky intertidal zones, including coastal and offshore areas containing breeding, feeding, or nesting sites, coastal areas used by migratory and resident water-associated birds for resting and feeding and designated marine protected areas or areas of special biological significance.
7. Lakes and ponds and adjacent shore habitat.

9. Areas used for scientific study and research concerning fish and wildlife.

9. Existing game and wildlife refuges and reserves.

10. Riparian Corridors

11. Corridors to maintain or improve biological productivity by providing movement migration opportunities for protected species.

B. CONSTRUCTED HABITATS, AND CONSTRUCTED WETLANDS

The terms “Environmentally Sensitive Habitat Area”, “Wetlands,” and “Riparian Corridors” shall not include any of the following, unless a biological report prepared pursuant to Policy 3-5 indicates that the presence therein of habitat for a species that is protected by state or federal law (as described under Policy 3-1(A)(1a-c):

1. habitat created by the presence of and associated with agricultural ponds and reservoirs where: (a) the pond or reservoir was constructed for agricultural purposes and continues to be used for such purpose, and (b) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that ESHA, Wetland or Riparian habitat existed within the boundaries of the area covered by the pond or reservoir.

2. drainage ditches, treatment wetlands, and storm water management impoundments, spreading areas or swales where: (a) such facilities were constructed in or adjacent to Residential Infill Areas, as defined in Appendix A, or adjacent to Highways 1 or 92 to convey or treat water runoff from developed or developing-lands, roadways, or irrigation runoff, and (b) there is no evidence showing that such facilities are in a location previously occupied by a natural stream, drainage course, or wetland. For the purposes of this policy, “adjacent” means no more than 100 feet from a Residential Infill Area or from Highways 1 or 92.

3. existing landscape water features where: (a) such facilities were constructed prior to (Date of LUP amendment), and (b) there is no evidence showing that such facilities are in a location previously occupied by a natural stream, drainage course, or wetland.

“Mitigation wetlands,” “Mitigation habitat,” or similar areas constructed or restored for the primary purpose of mitigating impacts on sensitive habitat areas either on or off site, shall not be considered as constructed wetlands or constructed habitat, and shall be protected in accordance with Policies 3-1A, C, D, 3-3 and other relevant policies.

Notify applicants in areas adjacent to constructed habitats and constructed wetlands that they may need to comply with U. S. Fish and Wildlife, State Department of Fish and Game and/or other State and Federal requirements, and condition Coastal Development Permits to demonstrate such compliance.

The City shall develop a stormwater drainage management plan. Storm water management may include relocation and maintenance of drainage facilities, shall be consistent with safety and environmental protection standards of the LUP, and shall prevent discharge or leaching of sewage and additional contaminants into the marine environment, in accordance with NPDES standards. New development shall minimize introduction of extensive impervious surfaces in accordance with the Model Urban Runoff Program (MURP).

C. RIPARIAN CORRIDORS

Define Riparian Corridors as the transitional areas between streams, ponds lakes, and other fresh water bodies, and adjacent uplands. Riparian Corridors occur on year-round (perennial) and seasonal (intermittent) creeks and streams.

Riparian Corridors may be characterized by the presence of riparian vegetation. Riparian vegetation is that which requires or tolerates soil moisture levels in excess of that available in adjacent terrestrial areas and is typically associated with the banks, edges, or terrestrial limits of freshwater bodies, watercourses, or surface emergent aquifers. The outer limits of riparian corridors are normally evident by the “limit of riparian vegetation” where there is riparian vegetation present; or by the upper and outermost shoulder of the stream bank edge, where there is not riparian vegetation present. The list below indicates associated vegetation in Riparian Corridors. This list is illustrative only; species not listed here may be deemed riparian based upon the definition above.

Acer negundo californicum (box elder), Alnus rhombifolia (red alder), Cornus sericea (dogwood), Equisetum (horsetail), Juncus, Lonicera involucrata (twinberry), Myrica californica (wax-myrtle) Rubus californica (California blackberry), Salix lasiolepis (arroyo willow), Sambucus callicarpa (red elderberry), Stachys ajugoides (wood mint), Typha latifolia (broad-leaved cattail), Urtica (stinging nettle).

Vegetation species such as Eucalyptus and other non-native species that are typically found near streams and in riparian corridors in Half Moon Bay, shall be protected as ESHAs only and which where they provide habitat for “special status species” as defined in Policy 3.01., shall be protected as ESHAs.

~~As provided in Policy 3.3:~~ Riparian vegetation in and along specified constructed facilities (such as drainage ditches, agricultural ponds, polluted runoff treatment features) shall not be considered Riparian Corridor ESHA.

D. WETLANDS

As per PRC§30121, wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

Any wetland area ~~mapped as ESHA or otherwise~~ determined to have previously been wetlands shall not be deprived of protection, as required by policies and provisions of the LCP, on the basis that habitat has been illegally removed, filled, degraded, or that species of concern have been illegally eliminated. Areas that were previously wetlands, and that were converted legally or by natural causes, may no longer be considered as wetlands.

Define Wetlands as including but not limited to year-round and Seasonal Wetlands, Freshwater Seeps, Wet Meadows, Coastal Swales, Coastal Brackish and Freshwater Marshes,

Vernal Pools, and Intertidal areas. ~~Seasonal Wetlands include~~ Seasonally wet areas resulting from drainage from agricultural and or commercial uses in surrounding areas that are not associated with a constructed facility per Policy 3-1B, may constitute Seasonal Wetlands where they otherwise meet the definition of wetlands. ~~as well as natural areas.~~ Freshwater Seeps, Wet Meadows and Seasonal Wetlands typically occur as depressions in the coastal prairie, coastal dune, grasslands and coastal scrub areas. Coastal Brackish and Freshwater Marsh are dominated by herbaceous perennial plants that can withstand inundation of water, both salt and freshwater. Salinity in such areas may vary considerably, and may increase at high tide or during seasons of low freshwater runoff.

The biological productivity and quality of these areas shall be protected, and where appropriate, restored. Table 3-5 indicates associated vegetation in Wetlands. This list is not inclusive; other species indicative of wetlands may also exist.

~~In accordance with Policies 3-3B and 3-3C, specified constructed facilities that exhibit wetland characteristics shall not be defined as wetlands.~~

3-1 Definition of Sensitive Habitats

- (a) ~~Define sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable and as those areas which meet 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 tidelands and marshes, (4) coastal and offshore areas containing breeding and/or nesting sites and coastal areas used by migratory and resident water-associated birds for resting 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.~~

~~Such areas include riparian areas, wetlands, sand dunes, marine habitats, sea cliffs, and habitat supporting rare, endangered, and unique species.~~

3-2 Designation of Sensitive Habitats

- (a) ~~Designate sensitive habitats as those, including but not limited to, shown on the Habitat Areas and Water Resources Overlay.~~

POLICY 3-3: PROTECTION OF ESHAs AND OTHER BIOLOGICAL RESOURCES (FOUNDATION POLICY)

- a) Prohibit any land use and/or development that could have significant individual or cumulative adverse impacts on Environmentally Sensitive Habitat Areas (ESHAs).
- b) ~~Development constructed habitats and constructed wetlands,~~ and in areas adjacent to Environmentally Sensitive Habitat Areas, shall be sited and designed to prevent impacts that would significantly impact biological resources, and shall be compatible with the maintenance of biologic productivity of such areas.
- (c) In all Environmentally Sensitive Habitat Areas, and in areas adjacent to Environmentally Sensitive Habitat Areas, ~~constructed habitats and constructed wetlands,~~ notify applicants that they may need to comply with U. S. Fish and Wildlife, State Department of Fish and Game

and/or other State and Federal requirements, and condition Coastal Development Permits to demonstrate such compliance.

(d) The buffer provisions of this Chapter shall not apply to existing residentially developed lots in residential zoning districts. Where special status are identified, development shall be sited and designed to prevent impacts that would significantly impact biological resources, and shall be compatible with the maintenance of biologic productivity, and applicants may need to comply with applicable state and federal agency requirements.

3-3 Protection of Sensitive Habitats

- (a) ~~Prohibit any land use and/or development which would have significant adverse impacts 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 environmentally sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of such areas.~~

3-4 Permitted Uses

- (a) Permit only resource-dependent or other uses ~~which~~ that will not have a significant adverse impact in sensitive habitats.
- (b) Require that all permitted uses comply with U.S. Fish and Wildlife, U.S. Army Corps of Engineers, and State Department of Fish and Game, and other agencies' regulations.

3-5 Permit Conditions

- (a) Require all applicants to prepare a biologic report by a qualified professional selected jointly by the applicant and the City to be submitted prior to development review. The report will determine if significant impacts on the sensitive habitats may occur, and recommend the most feasible mitigation measures if impacts may occur.

The report shall consider both any identified sensitive habitats and areas adjacent. Recommended uses and intensities within the habitat area shall be dependent on such resources, and shall be sited and designed to prevent impacts which would significantly degrade areas adjacent to the habitats. The City and the applicant shall jointly develop an appropriate program to evaluate the adequacy of any mitigation measure imposed.

- (b) When applicable, require as a condition of permit approval the restoration of damaged habitat(s) when restoration is partially or wholly feasible.

3-6 Allocation of Public Funds

- (a) In setting priorities for allocating limited local, State, or Federal public funds for preservation or restoration, use the following criteria: (1) biological and scientific significance of the habitat, (2) degree of endangerment from development or other activities, and (3) accessibility for educational and scientific uses and vulnerability to overuse.

Riparian Corridors

The City will:

3-7 Definition of Riparian Corridors

- (a) ~~Define riparian corridors by the "limit of riparian vegetation" (i.e. a line determined by the association of plant and animal species normally found near streams, lakes, and other bodies of fresh water: red alder, jaumea, pickleweed, big leaf maple, narrowleaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and box elder). Such a corridor must contain at least a 50% cover of some combination of the plants listed.~~

3-8 Designation of Riparian Corridors

- ~~(a) Establish riparian corridors for all perennial and intermittent streams and lakes and other bodies of fresh water in the Coastal Zone. Designate those corridors shown on the Habitat Areas and Water Resources Overlay and any other riparian area as sensitive habitats requiring protection, except for man-made irrigation ponds over 2,500 square feet surface area. [delete 3-8, addressed in 3.24 below]~~

3-9 Permitted Uses in Riparian Corridors

- (a) Within corridors, permit only the following uses: (1) education and research, (2) consumptive uses as provided for in the Fish and Game Code and Title 14 of the California Administrative Code, (3) fish and wildlife management activities, (4) trails and scenic overlooks on public land(s), and (5) necessary water supply projects.
- (b) When no feasible or practicable alternative exists, permit the following uses: (1) stream-dependent aquaculture provided that non-stream-dependent facilities locate outside of corridor, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, (3) bridges when supports are not in significant conflict with corridor resources, (4) pipelines and storm water runoff facilities, (5) improvement, repair, or maintenance of roadways or road crossings, . ~~(6) agricultural uses provided no existing riparian vegetation is removed, and no soil is allowed to enter stream channels.~~

3-10 Performance Standard in Riparian Corridors

- (a) Require development permitted in corridors to: (1) minimize removal of vegetation, (2) minimize land exposure during construction and use temporary vegetation or mulching to protect critical areas, (3) minimize erosion, sedimentation, and runoff by appropriately grading and replanting modified areas, (4) use only adapted native or non-invasive exotic plant species when replanting, (5) provide sufficient passage for native and anadromous fish as specified by the State Department of Fish and Game, (6) minimize adverse effects of waste water discharges and entrainment, (7) prevent depletion of groundwater supplies and substantial interference with surface and subsurface waterflows, (8) encourage waster water reclamation, (9) maintain natural vegetation buffer areas that protect riparian habitats, and (10) minimize alteration of natural streams.

POLICY 3-11: DEFINITION & DESIGNATION OF RIPARIAN CORRIDOR BUFFER (FOUNDATION POLICY)

Designate buffer zones on both sides of Riparian Corridors. The purpose of the buffer corridors shall be to minimize potential impacts to streams and riparian habitat values to the maximum extent feasible, to provide transitional habitat, and to provide distance and physical barriers to

human intrusion and impacts from nearby land uses. The following criteria shall be used to define and designate these buffer corridors:

- (a) Where riparian vegetation exists, the buffer shall start at the outer limit of the canopy of riparian vegetation and extend outward for a distance of at least 50 feet.
- (b) Where no riparian vegetation exists or where riparian vegetation has been removed, the buffer shall extend at least 50 feet back from the upper and outermost shoulder of the stream bank edge.
- (c) Along lakes, ponds, and other wet areas other than wetlands the buffer shall extend at least 50 feet from the outer limit of the canopy of riparian vegetation or where there is no vegetation, from the outer limit of high water.
- (d) In accordance with Policies 3.01 B and C, no buffer zone shall be required for riparian vegetation in and along constructed habitats and facilities that meet the specifications as set forth there in.

3-11 Establishment of Buffer Zones

- ~~(a) On both sides of riparian corridors, from the "limit of riparian vegetation," extend buffer zones 50 feet outward for perennial streams and 30 feet outward for intermittent streams.~~
- ~~(b) Where no riparian vegetation exists along both sides of riparian corridors, extend buffer zones 50 feet from the bank edge for perennial streams and 30 feet from the midpoint of intermittent streams.~~
- ~~(c) Along lakes, ponds, and other wet areas, extend buffer zones 100 feet from the high water point, except for man-made ponds and reservoirs used for agricultural purposes for which no buffer zone is designated.~~

3-12 Permitted Uses in Buffer Zones

- (a) Within buffer zones, permit only the following uses: (1) uses permitted in riparian corridors, (2) structures on existing legal building sites, set back 20 feet from the limit of riparian vegetation, only if no feasible alternative exists, and only if no other building site on the parcel exists, (3) crop growing and grazing consistent with Policy 3.9, ~~and~~ (4) timbering in "streamside corridors" as defined and controlled by State and County regulations for timber harvesting, and agricultural uses provided no existing riparian vegetation is removed, and no soil is allowed to enter stream channels

- b) No new parcels shall be created whose only building site is in the buffer area.

3-13 Performance Standards in Buffer Zone [Note: (7) below is revised for consistency]

- (a) Require uses permitted in buffer zones to: (1) minimize removal of vegetation, (2) conform to natural topography to minimize erosion potential, (3) make provisions to (i.e. catch basins) to keep runoff and sedimentation from exceeding pre-development levels, (4) replant where appropriate with native and non-invasive exotics, (5) prevent discharge of toxic substances, such as fertilizers and pesticides, into the riparian corridor, (6) remove vegetation in or adjacent to

man-made agricultural ponds if the life of the pond is endangered, (7) allow activities in constructed habitats and constructed wetlands as provided in Policy 3-1.B.

Sand Dunes

The City will:

3-14 Designation of Sand Dune Habitats

- (a) Designate all dune areas as protected sensitive habitats.

3-15 Permitted Uses

- (a) In dune areas, permit only the following uses: (1) education and research, and (2) trails.

3-16 Development Standards

- (a) Prohibit any activity which alters the profile of an active dune or which results in the disturbance or removal of dune vegetation on active dunes.
- (b) Control pedestrian traffic in dune areas.
- (c) Prohibit all non-authorized motor vehicles from dune areas.
- (d) Post signs informing recreational users not to disturb dunes or their natural vegetation.
- (e) Where development is permitted, require re-vegetation with appropriate stabilizing species (preferably native) as a condition of permit approval.
- (f) Prohibit any direct removal or excavation of sand from active dunes.
- (g) Require development to locate only landward of the most seaward stabilized dune.
- (h) When no feasible or practical alternative exists, permit underground utilities.

3-17 Restoration of Dunes

- (a) Encourage projects by agencies and community groups to assist in the stabilization and restoration of dunes.

3-18 Public Acquisition

- (a) Encourage public acquisition of the dune habitat. (Known dunes are currently owned by the State. See page 45).

Sea Cliffs

3-19 Permitted Uses

- (a) Where nesting or roosting exists, permit only education and research activities.
- (b) Where nesting or roosting do not exist, permit only the following uses: (1) education and research, (2) limited footpaths, (3) limited recreational rock climbing, (4) road and underground utility construction where no feasible alternative exists, and (5) intake or outfall lines provided that the habitat is not threatened.

3-20 Development Standards

- (a) Restrict pedestrian traffic in bluff and cliff areas and on faces to a limited number of well-defined trails which avoid seabird nesting and roosting sites.
- (b) Post signs informing recreational users not to disturb natural vegetation or nesting and roosting sites.

Rare, Endangered, and Threatened and Unique Species

3-21 Designation of Habitats of Rare, Endangered, and Threatened and Unique Species

- (a) In the event the habitat of a rare, endangered, or threatened ~~or unique~~ species is found to exist within the City, revise the applicable maps ~~Habitat Areas and Water Resources Overlay~~ to show the location of such habitat. Any rare, endangered or threatened habitat ~~so designated~~ shall be subject to Policies 3-1A, and Policies 3-22 through 3-31.

3-22 Permitted Uses

- (a) Permit only the following uses: (1) education and research, (2) hunting, fishing, pedestrian and equestrian trails that have no adverse impact on the species or its habitat, and (3) fish and wildlife management to restore damaged habitats and to protect and encourage the survival of rare, endangered, or threatened ~~or unique~~ species.
- (b) If the critical habitat has been identified by the Federal Office of Endangered Species, permit only those uses deemed compatible by the U.S. Fish and Wildlife Service in accordance with the provisions of the Endangered Species Act of 1973, as amended.

3-23 Permit Conditions

- (a) Require, prior to ~~development review permit issuance,~~ that a qualified biologist prepare a report ~~which that~~ defines the requirements of rare, endangered, or threatened ~~or unique~~ organisms. At minimum, require the report to discuss: (1) animal food, water, nesting or denning sites and reproduction, predation and migration requirements, (2) plants' life histories and soils, climate, and geographic requirements, (3) a map depicting the locations of plants or animals and/or their habitats, (4) any development must not impact the functional capacity of the habitat, and (5) recommend mitigation if development is permitted within or adjacent to identified habitats.

3-24 Preservation of ~~Critical~~ Rare, Endangered and Threatened Species Habitats

- (a) Pursuant to Policy 3-1A 1 and 3-3, R require preservation of all habitats of rare, endangered, or threatened ~~or unique~~ species using the policies of this Plan and other implementing ordinances of the City.

3-25 San Francisco Garter Snake and California Red-Legged Frog (note title change)

The California Red-Legged Frog is listed as a threatened species by Federal law, and as a Species of Special Concern by State law.

- (a) Where there is known to be ~~a riparian location for the~~ San Francisco garter snake or California Red-Legged Frog habitat, development shall be sited and designed to prevent impacts that could significantly impact biological resources, and shall be compatible with the maintenance of biologic productivity.
- (b) Require developers to make sufficiently detailed analyses of any ~~development construction which~~ that could impair the potential or existing ~~migration~~ routes of movement for the San Francisco garter snake or California Red-Legged Frog. Such analyses will determine appropriate mitigation measures to be required. ~~taken to provide for appropriate migration corridors.~~

3-26 San Francisco Tree Lupine Moth

- (a) Prevent the loss of any large populations (more than 100 plants in a 1/10 acre area) of tree lupine within one mile of the coastline.

3-27 Brackish Water Snail

- (a) Prevent any development that can have a deleterious effect on the California brackish water snail, including any dredging of its known or potential habitat.
- (b) Encourage the State Department of Parks and Recreation to manage their lands in such a manner as to enhance the habitat for the California brackish water snail.

3-28 Sea Otter

- (a) Encourage the appropriate agency to protect, monitor, and enhance sea otter habitats. In the development of mariculture facilities, encourage appropriate State and Federal agencies to seek measures to protect them from predation by the sea otter.

3-29 Globose Dune Beetle

- (a) Assess, monitor, and contain the spread of dune grass.
- (b) Provide roped-off trails for public access to the beach with the explanation of the dune beetle and its surrounding habitat.

3-30 Rare Plant Search

- (a) Encourage a continued search for any rare plants known to have occurred in the San Mateo County Coastal Zone but not recently seen. Such search can be done by various persons or groups concerned with such matters.

3-31 Development Standards

- (a) Prevent any development on or within 50 feet of any rare plant population. When no feasible alternative exists, permit development if: (1) the site or a significant portion thereof is returned to

a natural state to allow for the re-establishment of the plant, or (2) a new site is made available for the plant to inhabit.

Unique Species

The City will:

3-32 Designation of Habitats of Unique Species

- (a) In the event the habitat of a unique species is found to exist within the City, revise the applicable maps Habitat Areas and Water Resources Overlay to show the location of such habitat. Any habitat of unique species ~~so designated~~ shall be subject to Policies 3-33 through 3-36.

3-33 Permitted Uses

- (a) Permit only the following uses (1) education and research, (2) hunting, fishing, pedestrian and equestrian trails that have no adverse impact on the species or its habitat, and (3) fish and wildlife management to the degree specified by existing governmental regulations.

3-34 Permit Conditions

- (a) Require, as a condition of permit approval, that qualified biologist prepare a report that ~~which~~ defines the requirements of a unique organism. At minimum, require the report to discuss: (1) animal food, water, nesting or denning sites and reproduction, predation, and migration requirements, and (2) plants' life histories and soils, climate, and geographic requirements.

3-35 Preservation of Habitats of Unique Species

- (a) Require preservation of all ~~rare, endangered, threatened~~ unique species habitats using the policies of this Plan and implementing ordinances of the City.

3-36 California Wild Strawberry

- a) Require any development within 1/2 mile of the coast to mitigate against the destruction of any California wild strawberry in one of the following ways:
 - 1. Prevent any development, trampling, or other destructive activity which would destroy the plant, or
 - 2. After determining specifically if the plants involved are of particular value, successfully transplant them or have them successfully transplanted to some other suitable site. Determination of the importance of the plants can only be made by a professional doing work in strawberry breeding.

Weedy, Undesirable Plants

The City will:

3-37 Voluntary Cooperation

- (a) Encourage the voluntary cooperation of private landowners to remove from their lands the undesirable pampas grass, French, Scotch, and over invasive brooms. Similarly, encourage landowners to remove blue gum seedlings to prevent their spread.

Encourage landowners to voluntarily remove undesirable invasive species, including pampas grass, French, Scotch, and over-invasive brooms. Although Eucalyptus is considered an invasive species, the City encourages the retention of mature Eucalyptus due to their value as habitat for wintering Monarch butterflies and other species. Prior to the removal of any Eucalyptus tree larger than 30 inches DBH, an assessment shall be made as to the habitat value of such tree, as per Policy 3-5 and the City's zoning code 18.37.045B.

3-38 Public Agency Requirements

- (a) Require public agencies, to the point feasible, to remove the undesirable pampas grass and French, Scotch, and other invasive brooms from their lands.

3-39 Sale Prevention

- (a) Encourage the voluntary cooperation of the retail nursery trade to prevent the sale of undesirable pampas grass and French, Scotch, and other invasive brooms in the County.

3-40 Weedy Thistle Eradication

Encourage farmers to eradicate weedy thistle, particularly from land adjacent to artichoke fields. Encourage the Agricultural Commissioner to support eradication procedures in cooperation with the Farm Advisor, local farmers, the State Department of Beaches and Parks, Caltrans, and the State Department of Food and Agriculture.