



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

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RECEIPT NUMBER:

41-04162024-0001

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
TOWN OF HILLSBOROUGH BUILDING AND PLANNING		04/16/2024
COUNTY/STATE AGENCY OF FILING		DOCUMENT NUMBER
SAN MATEO COUNTY		128879
PROJECT TITLE		

TERRACE CREEK BANK REPAIR

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
TOWN OF HILLSBOROUGH		
PROJECT APPLICANT ADDRESS	CITY	STATE
		ZIP CODE

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$ 4,051.25	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$ 2,916.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$ 1,377.25	\$ _____

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)


☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$ 850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee	\$ 50.00	\$ 50.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X 	Maria Gallardo Deputy Clerk

Notice of Exemption

To: ☒ The Office of Planning and Research
555 County Center
San Mateo, CA 94063

From: Town of Hillsborough
Building and Planning Department
1600 Floribunda Avenue
Hillsborough, CA 94010


☒ County Clerk-Recorder
County of San Mateo
555 County Center
Redwood City, CA 94063

128879

FILED
SAN MATEO COUNTY

Apr 16 2024

MARK CHURCH, County Clerk

By 
Deputy Clerk

Project Title: Terrace Creek Bank Repair

Project Location (Specific): 680 Fairway Circle, Hillsborough, CA 94010

Project Location/City: Hillsborough, CA **Project County:** San Mateo

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project would remove existing gabions and stacked rubble along approximately 175 LF of the east (right) bank of Terrace Creek. The existing bank protection is very steep (*i.e.*, 1:1), and has been compromised by incision of the creek which is undercutting the lower course of gabions, and by geotechnical instability. Working from the top of bank behind 680 Fairway Circle, the existing fill would be removed, and portions of the underlying soil slope would be excavated to a slope of 1.5:1 – 2.0:1. A soldier pile wall would be installed at the top of bank. Class V boulders would be placed on the slower slope. On the upper portion of the project reach, the upper slope would be backfilled with soil to top of bank and replanted. On portions of the project reach with shorter distance between the stream channel and soldier pile wall, the boulders would intercept the exposed vertical wall. Boulders would also be placed in the channel bed to protect against future incision and backfilled with native streambed material. Two scour holes lined with rock would provide additional grade control for the channel. Planting of the bank will include willow poles in temporary tubes within the boulders, and in soil in the backfilled section. Additional native riparian plantings would be installed on the upper soil bank. Erosion control netting would be installed on the upper bank.

The purpose of the proposed project is to establish a stable stream bank and channel configuration. The project also will correct prior completed bank stabilization work. The new project will be completed in compliance with federal, state and local regulatory approvals.

The proposed project will result in increased streambank and channel stability and safety, which will benefit the following parties: (1) the owner of the residence at 680 Fairway Circle, which is currently at risk of loss of life and property resulting from catastrophic failure of the stream bank in its current condition; (2) the owners of adjacent parcels currently at risk of property damage from potentially unstable streambank conditions; (3) the Town of Hillsborough, which owns the flood easement on Terrace Creek in the project reach and endeavors to maintain such easements as part of its critical infrastructure for the safety and benefit of residents of the Town.

The project location is shown on the attached map and plans.

Name of Public Agency Approving Project: Town of Hillsborough

Name of Person or Agency Carrying Out Project: Mimarlin Fair LLC, Jonathan Brown, Managing Member

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: California Code of Regulations, Title 14, Chapter 3, 14 CFR § 15301 – Existing Facilities; Section 15304, Class 1 relating to existing facilities, and Class 4 relating to minor alterations to land; 14 CFR § 15333 – Small Habitat Restoration Projects.
- ☐ Statutory Exemptions. State code and number:

Reasons why project is exempt:

Based upon CEQA Guidelines Article 19, Categorical Exemptions, Sections 15300 to 15333, the following classes of exemption would apply, either individually or in combination, to the proposed project:

CEQA Guidelines Sections:

§15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.

Examples include but are not limited to:

- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code; *North County Advocates v. City of Carlsbad* (2015) 241 Cal.App.4th 94; *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310; and *Bloom v. McGurk* (1994) 26 Cal.App.4th 1307.

Applicability: The proposed project would replace an existing structure (a gabion and stacked rubble wall) to meet current safety standards. The function and purpose of the new structure would be effectively the same as the existing and former use.

§15304. Minor Alterations of Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include but are not limited to:

- (c) Filling of earth into previously excavated land with material compatible with the natural features of the site.
- (f) Minor trenching and backfilling where the surface is restored.
- (g) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code.

Applicability: The proposed project would consist of grading and backfilling the previously altered stream-bank, and removal of accumulated sediment and debris under authorization by federal, state and local authorities.

§15333. Small Habitat Restoration Projects

Class 33 consists of projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife provided that:

- (a) There would be no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to section 15065,
- (b) There are no hazardous materials at or around the project site that may be disturbed or removed, and
- (c) The project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) Examples of small restoration projects may include, but are not limited to:
 - (1) revegetation of disturbed areas with native plant species;
 - (2) wetland restoration, the primary purpose of which is to improve conditions for waterfowl or other species that rely on wetland habitat;
 - (3) stream or river bank revegetation, the primary purpose of which is to improve habitat for amphibians or native fish;
 - (4) projects to restore or enhance habitat that are carried out principally with hand labor and not mechanized equipment.
 - (5) stream or river bank stabilization with native vegetation or other bioengineering techniques, the primary purpose of which is to reduce or eliminate erosion and sedimentation; and
 - (6) culvert replacement conducted in accordance with published guidelines of the Department of Fish and Game or NOAA Fisheries, the primary purpose of which is to improve habitat or reduce sedimentation.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code.

Applicability: The proposed project would not result in significant adverse impacts endangered, rare or threatened species or their habitat (Wood Biological Consulting, 2024. *Biological Resource Assessment for Terrace Creek Bank Repair, 680 Fairway, Hillsborough, San Mateo County, CA* (APN 028-172-020). Report prep. for David Ivester, Briscoe Ivester & Bazel LLP, counsel for Jonathan Brown, Esq. Jan. 24.). The project would have the added benefit of providing a stable channel with reduced erosion and sedimentation and improved water quality. Native riparian vegetation, which is largely absent in the current condition, would be planted to provide additional wildlife habitat benefits.

Basis for Exemption: Therefore, the project is exempt pursuant to categorical exemptions per CEQA Guidelines Sections 15301, 15304, and 15333, which identify exemptions for existing facilities, minor alterations of land and small habitat restoration projects. A review of the proposed project activities relative to CEQA Guidelines Section 15300.2, *Exceptions*, indicates that the improvements would not occur in particularly sensitive environments, nor have adverse cumulative impacts in the project area (Wood Biological Consulting, *ibid.*). The project would not have a significant effect on the environment due to unusual circumstances, nor would proposed improvements affect a scenic highway or hazardous waste site. A review of records for potentially historical resources in the project area indicates that no adverse impacts to such resources would result from project implementation (AHC (Archaeological/Historical Consultants), 2023. *Cultural Resources Survey Report, 680 Fairway Circle, Hillsborough, San Mateo County, California*. Report prep. For Briscoe Ivester & Hazel LLP. July.).


Lead Agency

Contact Person: Timothy Anderson

Telephone: (650) 375-7420

If filed by applicant:

1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature:  Date: 4/15/2024 Title: Director of Building and Planning

- ☒ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OCR:

County of San Mateo
Clerk-Recorder
Mark Church
555 County Center
Redwood City, CA 94063
(650) 363-4500

Receipt No.: RPT20240021309

Finalization No.: 2024020982

Cashier: 104

Register: 018

Date/Time: 04/16/2024 01:10 PM

Item	Title	Count
1	NOE	1

NOTICE OF EXEMPTION

Document No.: 128879

Filing Time: 01:10 PM

Filing Total: \$50.00

Filing Fee: \$50.00

Total Amount Due: \$50.00

Total Paid

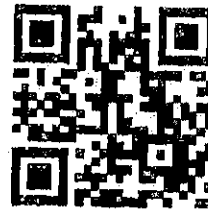
Credit Card Tendered: \$50.00

#62226

Amount Due: \$0.00

THANK YOU
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<https://www.smcagre.org/>



04/16/2024 01:10 PM