

January 4, 2022

Steve Monowitz, Community Development Director
Mike Schaller, Project Planner
San Mateo County Planning
455 County Center, 2nd Floor
Redwood City, CA 94063

Dear Steve and Mike,

We are writing to you regarding significant LCP/Coastal Act issues raised by the proposed Off-Leash Dog Pilot Program at Pillar Point Bluff. We are deeply concerned that (1) no comprehensive Biological Resources Report encompassing the entire Pillar Point Bluff (PPB) area has ever been done, and (2) the Biological Report in the IS/MND for the Off-Leash Dog Pilot Program is inadequate and cannot be relied upon as the basis for evaluation of potential impacts to Environmentally Sensitive Habitat Areas (ESHA) for the Coastal Development Permit.

County LCP Sensitive Habitats Policies applicable to this proposed project include, but are not limited to: 7.1 Definition of Sensitive Habitats, 7.3 Protection of Sensitive Habitats, 7.4 Permitted Uses in Sensitive Habitats, 7.14 Definition of Wetland, 7.16 Permitted Uses in Wetlands, 7.18 Establishment of Buffer Zones, 7.19 Permitted Uses in Buffer Zones, and 7.33 Permitted Uses (in habitats of rare and endangered species).

The IS/MND, Response to Comments, page 1, states “the Fitzgerald Marine Reserve (FMR) is a separate park that is located adjacent to the Pillar Point Bluff.” This begs credulity, for several reasons. PPB’s western boundary is contiguous with over a mile of Pacific Ocean shoreline and FMR’s bluffs/beach/tidal zone and reefs. PPB also shares a contiguous south-eastern boundary with Pillar Point Marsh, which the FMR Master Plan (Brady/LSA, May 2002) includes as part of the FMR. PPB is the critical link between these two areas of FMR and provides essential connectivity for wildlife habitats and ecological systems as well as trails for public access, use and enjoyment. No separate Master Plan has been prepared for PPB.

Notably, the FMR Master Plan includes several foundational policies that are specifically applicable to PPB. The Master Plan calls for PPB to be **acquired and added to the Reserve**. County Parks website also acknowledges this intent: “San Mateo County Parks Department acquired Pillar Point Bluff with a grant from the Wildlife Conservation Board **as an addition to Fitzgerald Marine Reserve** in 2011.”

Master Plan Natural Resources Policy 10: “Acquire land in the vicinity of Pillar Point Marsh and lands adjacent to the Reserve, as it becomes available, to add to the ecological system of the Reserve.”
“The Pillar Point Marsh is now separated from the main body of the Reserve. The County should acquire

land as it becomes available in order to connect Pillar Point Marsh with the Reserve, to expand the ecological system of the Reserve, to provide opportunities for future educational activities, and to avoid potential land use impacts that could result from management practices on adjacent lands in different ownership. Acquisition efforts should focus on land between the Reserve and Airport Street to the east, land between Pillar Point Marsh and the Reserve, and lands inland of Pillar Point, including the Pillar Point Air Force Station, should it become available at any time in the future.”

Signage at the Airport Street trailhead also acknowledged that PPB is an addition to the FMR.



The proposed Off-Leash Dog Pilot Program would violate the following policies of the adopted FMR Master Plan:

Natural Resources Management Program:

Policy 1: “Natural Resources within the Fitzgerald Marine Reserve will be protected and restored through development and implementation of resource management policies and programs.” Off-Leash dogs, if allowed, have the potential to adversely impact and degrade the sensitive habitats and other natural resources at Pillar Point Bluff.

Policy 7: “Special status wildlife and plant species shall be protected within the Reserve, and habitat management plans shall be developed to protect and restore all identified special status species.”

“During implementation of the Master Plan, all areas where work is to be conducted shall be surveyed for special status wildlife and plant species prior to commencement of work. **Habitat management programs shall be undertaken when special status species are identified and impacts to such species shall be avoided or mitigated,** as required by State and federal law.” The California Coastal Act Section 30240 mandates protection of environmentally sensitive habitat areas (ESHA) and only uses dependent on those resources shall be allowed in ESHA areas. At a minimum, all seasonal ponds, seeps, wetlands, and coastal prairie habitat areas must be surveyed/delineated and appropriate measures to protect and restore these species and habitats must be adopted; special status species at PPB include California red-legged frog, California Strawberry (per LCP Policy 7.49), and species associated with coastal prairie as well as several avian species.

Policy 11: “Introduction and possession of domestic and feral animals, including dogs, cats, ducks and any exotic, non-naturalized species are prohibited in the Reserve.”

“Due to the potential for impacts to biological resources from predation or disease, dogs and other non-native species are not allowed within the Reserve. **This policy will be implemented and enforced to prevent interference with and mortality of native species. Dogs will be allowed only on leash on the California Coastal Trail.** Actions to remove existing populations of domestic and feral animals will be implemented by Reserve staff. This policy is consistent with County Code Section 3.68.080(i).” Allowing off-leash dogs on PPB would be contrary to this policy.

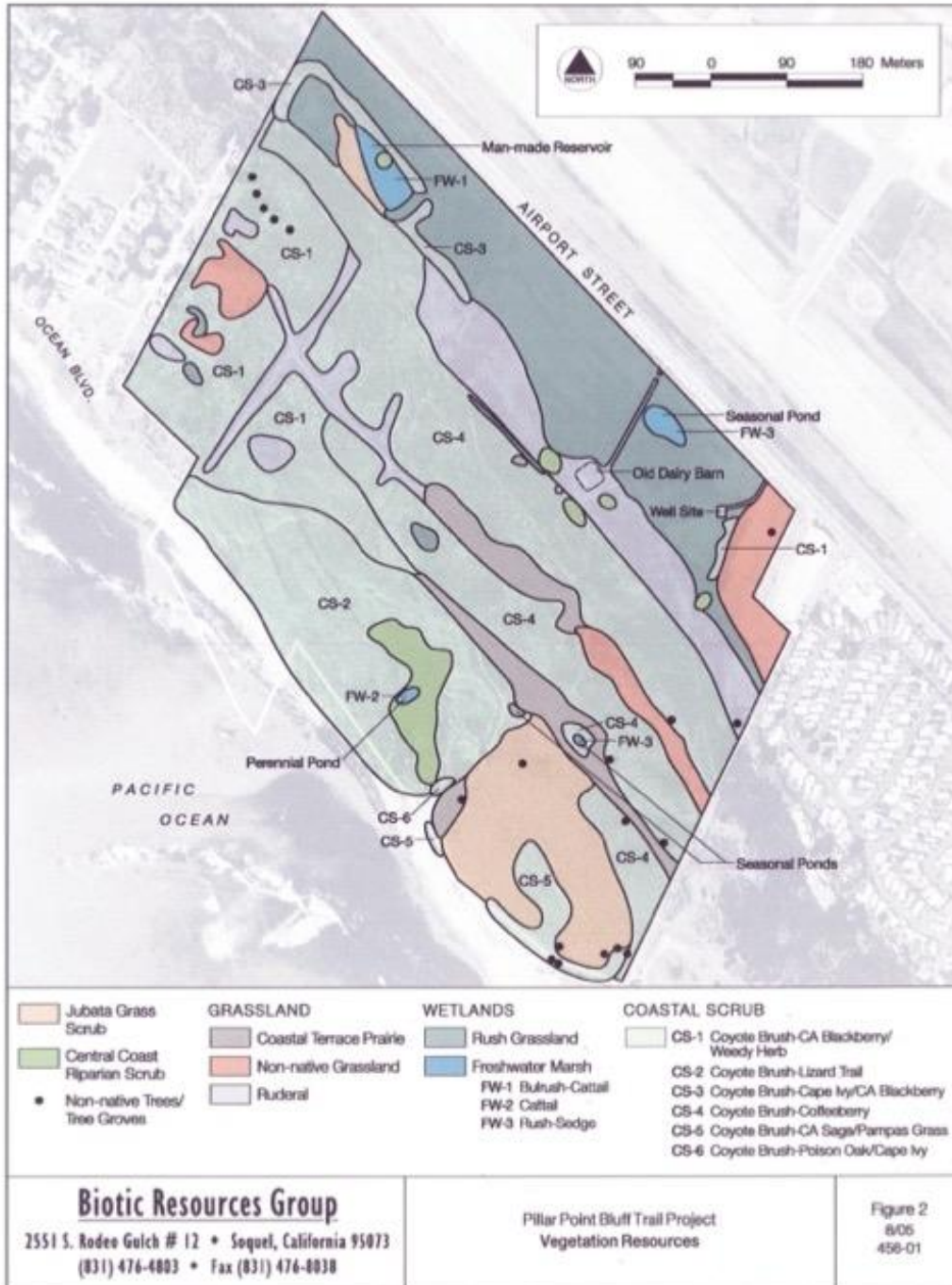
Visitor Management Program:

Policy 11: “Horseback riding, bicycling, and dog walking will be permitted only on the California Coastal Trail within the Reserve.” “A segment of the California Coastal Trail would pass through the Reserve on an easement located on the inland eastern side, and the Trail would accommodate pedestrians (hikers), dog walkers, bicyclists and equestrians. **The Trail alignment is intended to avoid conflicts between protection of resources and trail users in the reef, beach, and marsh areas. The Trail would be separated from the Reserve by fencing and gates and signed to indicate pedestrian-only use in the Reserve.”** The Jean Lauer Trail is referenced as the California Coastal Trail segment at PPB. The proposed Off-Leash Dogs Pilot Program would violate this policy unless the Jean Lauer Trail were fenced along both sides and gated. However, fencing and gates would likely create a barrier to wildlife movement.

County Planning CEQA Documents that assessed biological resources on specific areas of PPB but were not referenced in the IS/MND for the Off-Leash Dogs Pilot Program include:

PLN2001-00300 (APN 047-311-070); Owner: Pillar Point Preservation Partners, Applicant: John Boggs: 3-lot subdivision, 22 acres with 4.4 acres excluded; subsequently withdrawn: Coastal Commission comment letter (2-19-2002) to Miroo Brewer, County Planner, includes: "Habitat Issues Coastal Terrace Prairie: The Biologic Impact Form indicates that the central knoll of the property is dominated by native perennial grasses and forbs typical of a coastal terrace prairie, which Commission staff consider to be an environmentally sensitive habitat area (ESHA). California's native perennial grasslands are one of the most endangered habitats in the United States." Also: "Wetland Delineation: The site plan indicates a "possible wetland area" in the western portion of the project site. It is not clear whether this area has been the subject of a wetland delineation. Commission staff recommends that the County carefully review the applicant's wetland delineation, including the field data sheets, to ensure that any wetlands on or adjacent to the project site are identified and accurately mapped in accordance with the LCP definition of wetlands."

PLN2006-00026 (APN 037-300-080); CDP, PAD, Grading Permit 1,352 cubic yards, IS/MND; Owner: Peninsula Open Space Trust: To implement erosion control measures on existing informal trails, create new trail segments and a 10-car parking lot to provide continued public access on a 119-acre parcel immediately south of Moss Beach. Approved by SMC Planning Commission January 19, 2007. Relevant excerpts include: Setting: Breached former manmade reservoir (120 meters L, 50 meters W) near Airport St, as well as intermittent and perennial ponds on the coastal bluff, observed to support freshwater marsh plant communities: bulrush-cattail wetland, cattail wetland, and rush-sedge wetland. Rush grassland wetland type occurs within the two small ponds on top of the coastal bluff and throughout the low-elevation areas along Airport St that are seasonally wet. A comprehensive Biotic Resources Survey and Report prepared by Kathleen Lyons, Plant Ecologist and Dana Bland, Wildlife Biologist, for these 119 acres includes: Pillar Point Bluff Trail Project Vegetation Resources Map, Figure 2, attached. The two Seasonal Ponds and Coastal Terrace Prairie habitat referenced in the Vegetation Resources Report are depicted on this Map. n.b., POST eradicated the Pampas Grass indicated on this Map as CS-5 Coyote Brush-CA Sage/Pampas Grass.



A new Biotic Resources Survey should provide updated information as to the type and extent of current vegetation resources in CS-5.

In contrast to the Biological Resources evaluation for the 2006 POST parking lot and trails IS/MND, the assessment of Biological Resources for the Off-Leash Dog Pilot Program is wholly inadequate.

The Draft IS/MND WRA Biological Resources Technical Memo 2-25-2020 states (in relevant part):

“On February 12, 2020, WRA biologists, Rei Scampavia and Eliza Schlein, traversed portions of the trails within the Study Area to determine (1) if plant communities present in the Study Area matched existing data and conclusions drawn through desktop analysis, (2) if existing conditions provide suitable habitat for any special-status plant or wildlife species, (3) if sensitive habitats including ESHAs are present close to trails, (4) the baseline conditions of habitat quality within view from the trails, and (5) the size of buffers needed to protect certain habitat types...Given that the site visits did not include a routine-level wetland delineation and was only reconnaissance level, soils were not examined in the field as part of this assessment.”

“For areas that were not surveyed directly during the site visit, extrapolations based on field observations in related habitat, desktop analysis using Google Earth imagery (2020), and photographs from the Quarry Park biological resources assessment (WRA 2018) were combined to model the biological communities and their qualities.”

In response to comments on the IS/MND, the WRA Revised Biological Resources Technical Memorandum states (in relevant part):

“A follow-up visit was conducted by Rei Scampavia and Brian Kearns in September, 2021 to verify presence of an additional wetland area and a coast shrub area mentioned in a comment letter for the public review draft IS/MND.... Based on a follow-up site visit in September 2021, WRA staff observed a wetland, approximately 20 by 30 feet in size, not previously noted in an earlier version of this memorandum.”

A comprehensive Biological Resources Survey and Report that covers the entire PPB area and updates the POST Survey (which is 15 years old and did not cover the “Thompson” property, the “Boggs/Pillar Point Preservation Partners” property, or trail segments on the Air Force Tracking Station property) must be done prior to consideration of the CDP for this project. The proposed allowance of Off-Leash dogs to range up to 25 feet from owners/handlers and unsupported assumptions of compliance with voice control has the potential to adversely impact sensitive habitats and special status species, including wetlands and coastal terrace prairie at PPB, and Marine Mammals at Ross’ Cove contrary to the conclusion in the IS/MND.

We appreciate your ongoing openness to course corrections in order to comply with environmental law and policy.



Lennie Roberts

Lennie Roberts, Legislative Advocate
Green Foothills

Mike Ferreira

Mike Ferreira, Coastal Issues Committee
Sierra Club Loma Prieta Chapter (SCLP)

cc: Erik Martinez, California Coastal Commission
Julia Koppman Norton, California Coastal Commission
Alice Kaufman, Advocacy Director, Green Foothills
Gladwyn d'Souza, Conservation Chair, SCLP
Barbara Kelsey, Chapter Coordinator SCLP
Claire Toutant, Chair, Midcoast Community Council
Other Interested Parties

Attachments: Green Foothills/SCLP comment letter re: Draft IS/MND, August 13, 2021
Green Foothills/SCLP/Surfrider San Mateo County Chapter/Friends of Fitzgerald
Marine Reserve/Sequoia Audubon Society letter to San Mateo County Board of
Supervisors re: Proposed Off-Leash Dog Pilot Program, November 1, 2021