

# Addendum to the General Plan EIR and Downtown Area Specific Plan IS/MND

## 222 East 4<sup>th</sup> Avenue Mixed Use



50 YEARS  
EST. 1972

In Consultation with  
**DAVID J. POWERS**  
& ASSOCIATES, INC.  
ENVIRONMENTAL CONSULTANTS & PLANNERS

November 2022

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## **SECTION 1.0 INTRODUCTION AND PURPOSE**

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### **1.1 PURPOSE OF THE ADDENDUM**

The City of San Mateo, as the Lead Agency, has prepared this Addendum for the 222 E 4<sup>th</sup> Avenue Mixed-Use Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City San Mateo, California.

The project proposes to demolish the existing Draeger's Market located at 222 E 4<sup>th</sup> Avenue in the Downtown area of the City of San Mateo and redevelop the site with a new mixed-use building, consistent with the adopted Downtown Area Specific Plan and the 2030 General Plan. This Addendum evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project. The project's effects are discussed in this Addendum in terms of the environmental impacts that have been previously disclosed in the two prior CEQA documents completed by the City for the Downtown Area Specific Plan and the 2030 General Plan, respectively.

#### **1.1.1 Downtown Area Specific Plan**

On May 1, 2009, the San Mateo City Council adopted the Downtown Area Specific Plan (DASP) and its associated Initial Study/Mitigated Negative Declaration (IS/MND). The DASP establishes a framework for specific policies which pertain to new downtown development as well as preservation of existing downtown resources. The project site is located within the Downtown Retail Core sub-area of the DASP. The DASP policies support the retail core shopping area by requiring retail uses along 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Avenues, San Mateo Drive, Ellsworth Avenue, and B Street. Other relevant priorities identified for the Downtown Retail Core identified by the DASP include providing housing for new households that will utilize downtown businesses and will be within proximity to the transit station to reduce vehicle trips, and providing pedestrian facility enhancements. The DASP IS/MND gave a plan-level analysis of the environmental effects of buildout of the implementing actions and goals of the DASP.

#### **1.1.2 2030 General Plan**

In 2010, the City of San Mateo updated its General Plan to provide a framework for all zoning and land use decisions within the City through 2030. The Final Environmental Impact Report (FEIR) for the General Plan was certified by City Council on October 18, 2010. In 2005, San Mateo had a total of approximately 40,030 residential dwelling units and approximately 19.8 million square feet of non-residential (industrial, retail, and office) development throughout the City. The General Plan estimated that by 2030, the City will have approximately 48,360 residential dwelling units and 30.7 million square feet of non-residential development. According to the California Department of Finance, the City of San Mateo had approximately 42,034 residential dwelling units as of January 1, 2021, the most recent data available.<sup>1</sup> Thus, the General Plan has not yet been fully built-out and the project, at 10 proposed residential units, would not cause an exceedance of the General Plan

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<sup>1</sup> California Department of Finance. "E-5 Population Estimates for Cities, Counties, and the State – January 1, 2020 and 2021." <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/> Accessed April 18, 2022.

assumptions. The General Plan EIR evaluated the environmental impacts of adoption and implementation of the General Plan Update.

### **1.1.3            Preparation of This Addendum**

The CEQA Guidelines §15162 states that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determined, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete of the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines §15164 states that the Lead Agency or a Responsible Agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in §15162 (see above) calling for preparation of a subsequent EIR have occurred. This Addendum has demonstrated that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred and that the proposed project would not result in any significant impacts not considered under the previously certified 2030 General Plan EIR and the DASP IS/MND, nor would there be a substantial increase in the severity of the significant impacts previously disclosed. Therefore, as provided by CEQA, this Addendum is the appropriate documentation to evaluate and disclose the environmental impacts that would result from the project.

In Section 4.0 of this Addendum, each environmental resource listed under Appendix G of the CEQA Guidelines is evaluated in relation to the findings of the DASP IS/MND and the General Plan EIR. While the DASP is more specific to the project area within the City, the General Plan EIR is the

more recent of the two documents and incorporates the assumptions of the DASP. As discussed above, this Addendum shall address whether the proposed project would have a new or more severe significant environmental effect than was previously analyzed by the approved General Plan EIR (and by incorporation, the DASP IS/MND). In Section 4.0, the impact statements shall refer to the General Plan EIR as the “Approved Project”.

## **1.2 NOTICE OF DETERMINATION**

If the project is approved, the City of San Mateo will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk’s Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

## **SECTION 2.0      PROJECT INFORMATION**

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### **2.1                      PROJECT TITLE**

222 East 4<sup>th</sup> Avenue - Retail, Office and Residential Mixed Use

### **2.2                      LEAD AGENCY CONTACT**

Wendy Lao, Associate Planner  
City of San Mateo  
330 W. 20<sup>th</sup> Avenue  
San Mateo, CA 94403  
650-522-7219  
[wlao@cityofsanmateo.org](mailto:wlao@cityofsanmateo.org)

### **2.3                      PROJECT APPLICANT**

Lane Partners, LLC  
644 Menlo Avenue, 2<sup>nd</sup> Floor  
Menlo Park, CA 94025

### **2.4                      PROJECT LOCATION**

The approximately 1.1-acre site is located at 222 E. 4<sup>th</sup> Avenue in the City of San Mateo, California. The site is bounded by E. 4<sup>th</sup> Avenue to the northwest, S. B Street to the northeast, E. 5<sup>th</sup> Avenue to the southeast, and S. Ellsworth Avenue to the southwest. The project location is shown in Figure 2.7-1 through Figure 2.7-3.

### **2.5                      ASSESSOR'S PARCEL NUMBERS**

034-176-050, 034-176-070, 034-176-080, 034-176-090

### **2.6                      GENERAL PLAN DESIGNATION AND ZONING DISTRICT**

General Plan Land Use Designation: Downtown Retail Core  
Zoning: CBD/R (Central Business District/Residential Overlay District – Mixed Use)

### **2.7                      PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS**

Lot Tie Agreement  
Site Plan and Architectural Review (SPAR)  
Site Development Planning Application (SDPA) for Tree Removal. Encroachment Permit  
Improvement Agreement  
Stormwater Treatment Maintenance Agreement  
Site Development Permit – Tree Removal (Ministerial)  
Demolition Permit (Ministerial)  
Building Permit (Ministerial)

### **2.7.1            Responsible Agencies**

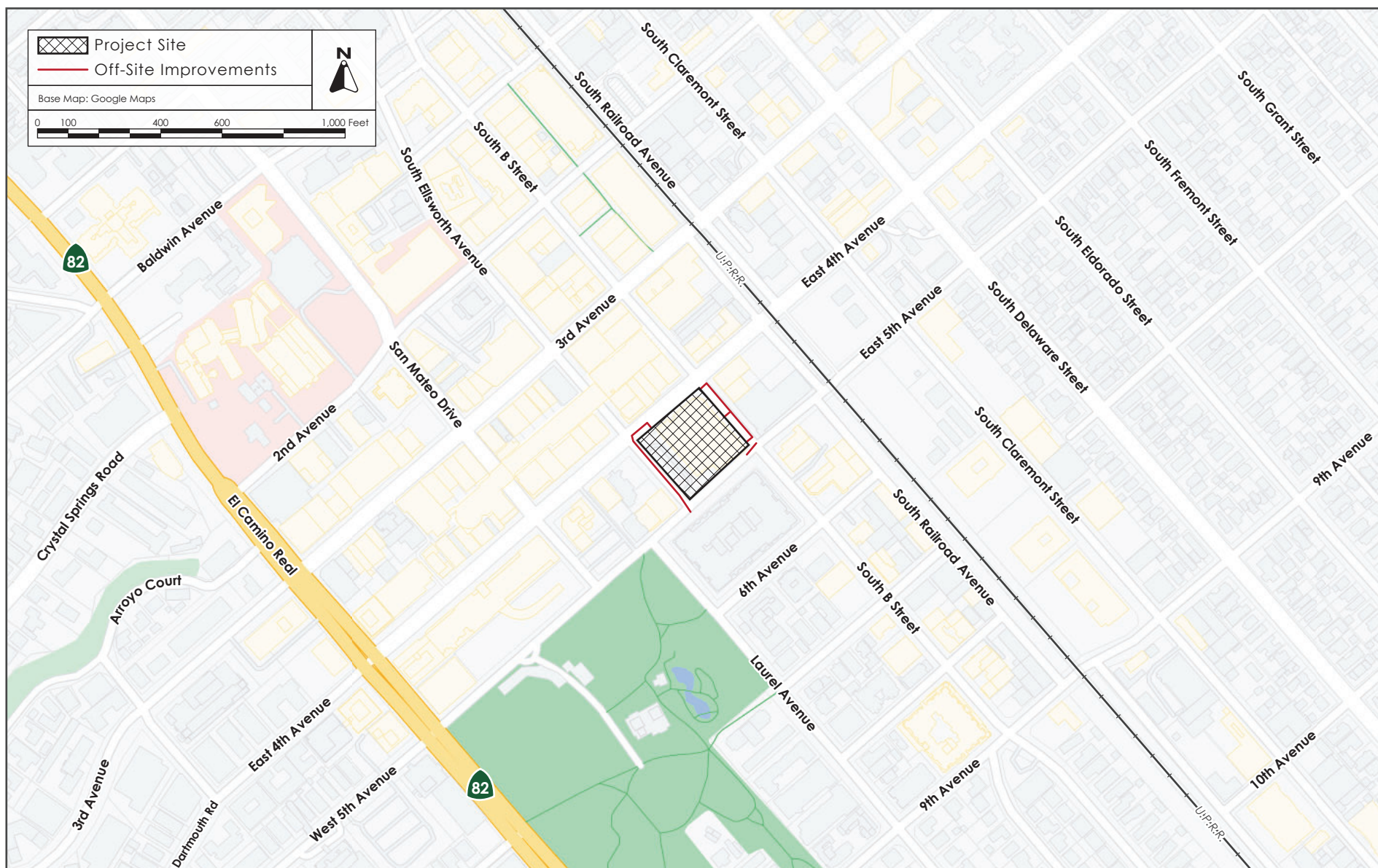
San Mateo County Groundwater Protection Program



REGIONAL MAP

FIGURE 2.7-1





VICINITY MAP

FIGURE 2.7-2





AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.7-3



## **SECTION 3.0      PROJECT DESCRIPTION**

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### **3.1                      PROJECT LOCATION**

The project site is located on 222 E. 4<sup>th</sup> Avenue in the City of San Mateo (Assessor's Parcel Numbers 034-176-050, 034-176-070, 034-176-080, 034-176-090). The site is bounded by E. 4<sup>th</sup> Avenue to the northwest, S. B Street to the northeast, E. 5<sup>th</sup> Avenue to the southeast, and S. Ellsworth Avenue to the southwest. The project site is approximately 49,478 square-feet, or approximately 1.1 acres, in size. The project site is currently occupied by an approximately 60,965 square-foot, 2-story, Draeger's market that would be demolished as part of the project. The existing Draeger's Market formerly contained a restaurant on the second floor, however, the restaurant has since been permanently closed.

#### **3.1.1                      Plan Designation and Zoning**

The project site is designated as Downtown Retail Core under the City's General Plan and is zoned CBD/R (Central Business District/Residential Overlay District – Mixed Use). The Downtown Area Plan generally describes the Downtown Retail Core designation as a good mix of ground floor retail uses that will contribute to foster retail vitality and downtown's pedestrian-oriented environment. The San Mateo Municipal Code states that the purpose of the CBD District is to encourage the development and re-use of existing downtown structures as a center for retail, cultural, entertainment, and community services uses. Pedestrian activity should be strongly encouraged at the ground floor level, while upper floor office and residential uses should be encouraged to promote active daytime and nighttime use of the downtown area. The Residential Overlay District requires that residential development on properties zoned CBD/R be subject to /R density standards.

The project site and surrounding parcels to the north and west of the project site were designated as Downtown Retail core by the 2030 General Plan. Surrounding parcels to the south and east of the project site were designated High-Density Multi-Family and Neighborhood Commercial/High-Density Multi-Family. The project site and surrounding parcels to the north and west of the project site were designated as Downtown Retail Core and Central Parking and Improvement District (CPID) Parking Facility by the DASP. Surrounding parcels to the south and east of the project site were designated High Density Multi-Family and CPID Parking Facility by the DASP. Surrounding development to the northwest, northeast, and southwest of the project consists primarily of single-story commercial buildings occupied by restaurants, retail stores, and offices. A six-story multi-family residential building neighbors the project site to the southeast, across E. 5<sup>th</sup> Avenue. These existing conditions reflect what was present at the time both the DASP IS/MND and the 2030 General Plan EIR were prepared, and so the environmental setting on and around the project site is consistent with what was evaluated in the DASP IS/MND and 2030 General Plan EIR. There has been no substantial change in circumstances on and around the site since the DASP IS/MND and 2030 General Plan EIR were prepared.

### **3.2                      PROPOSED PROJECT**

#### **3.2.1                      Mixed-Use Building**

The project proposes to redevelop the site with a new five-story, 152,530 square-foot mixed-use building with two levels of below-grade parking. The building would consist of approximately

104,550 square-feet of office space, approximately 17,660 square-feet of retail space, and approximately 9,000 square-feet of residential space. The ground floor would consist of the retail space, the residential and office lobbies, utility rooms, a bicycle storage room, approximately 12,392 square-feet of parking, an approximately 2,070 square-foot outdoor community open space, and an approximately 1,450 square-foot outdoor dining space. The community open space and outdoor dining space would include landscaping and outdoor seating. The second through fourth floors would consist of office space and outdoor terraces. The fifth floor would consist of 10 lower-income residential units made up of eight one-bedroom units and two studio units. The fifth floor would also include common usable open space for the proposed residential occupants. The project would also include two levels of below-grade parking.

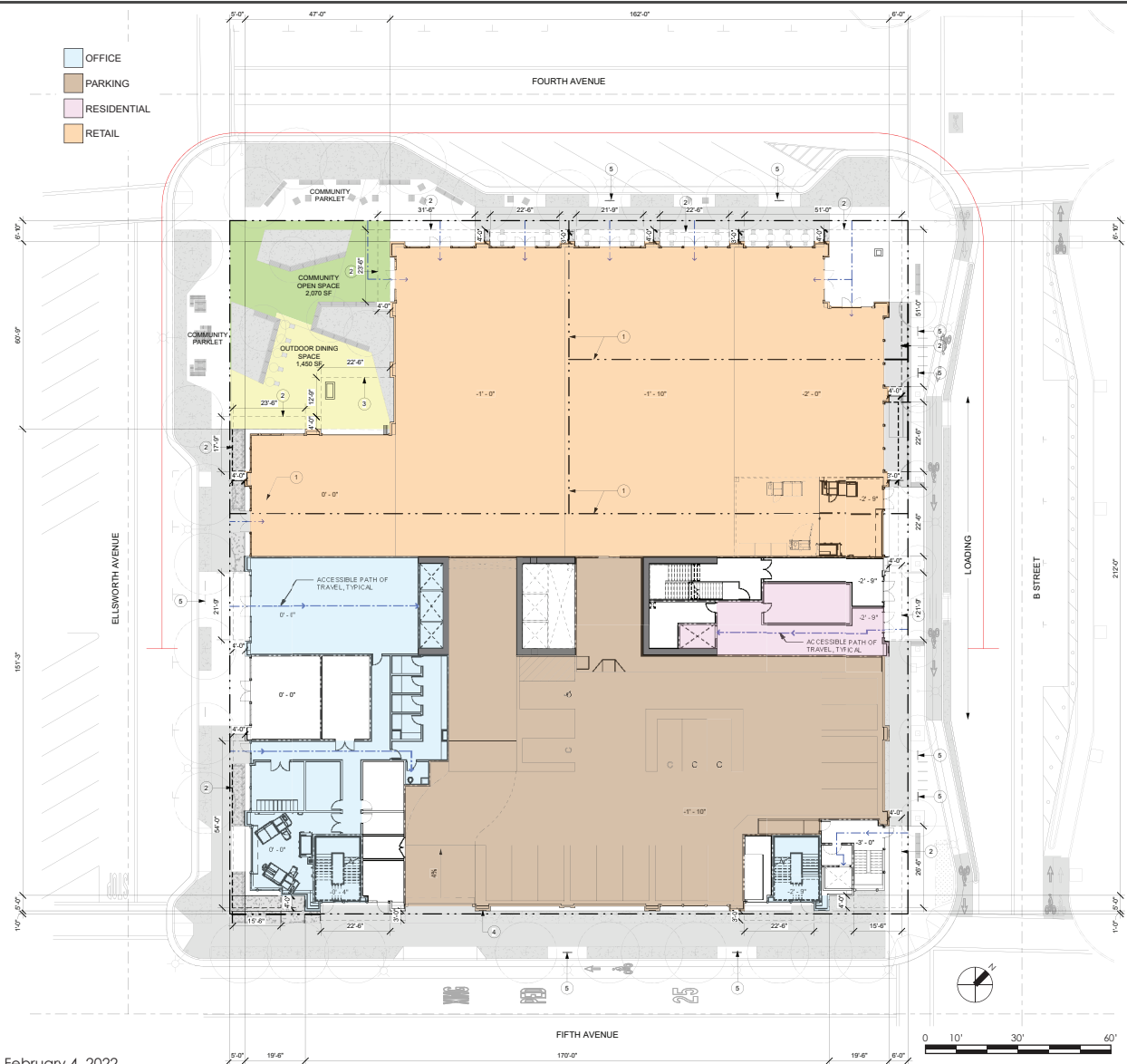
The project would include an approximately 500-kilowatt (kW), 755-horsepower (hp) diesel emergency backup generator on-site. The proposed generator would be run periodically for testing purposes and in the event of a power outage

The proposed floor area ratio (FAR) for the site would be 3.1, meaning there would be three feet of building floor area for each foot of lot area, excluding the below grade parking. The proposed building would reach a maximum height of approximately 75 feet. The proposed site plan, floor plans, and conceptual building elevations are shown in Figure 3.2-1 through Figure 3.2-9.

### **3.2.2      Site Access and Parking**

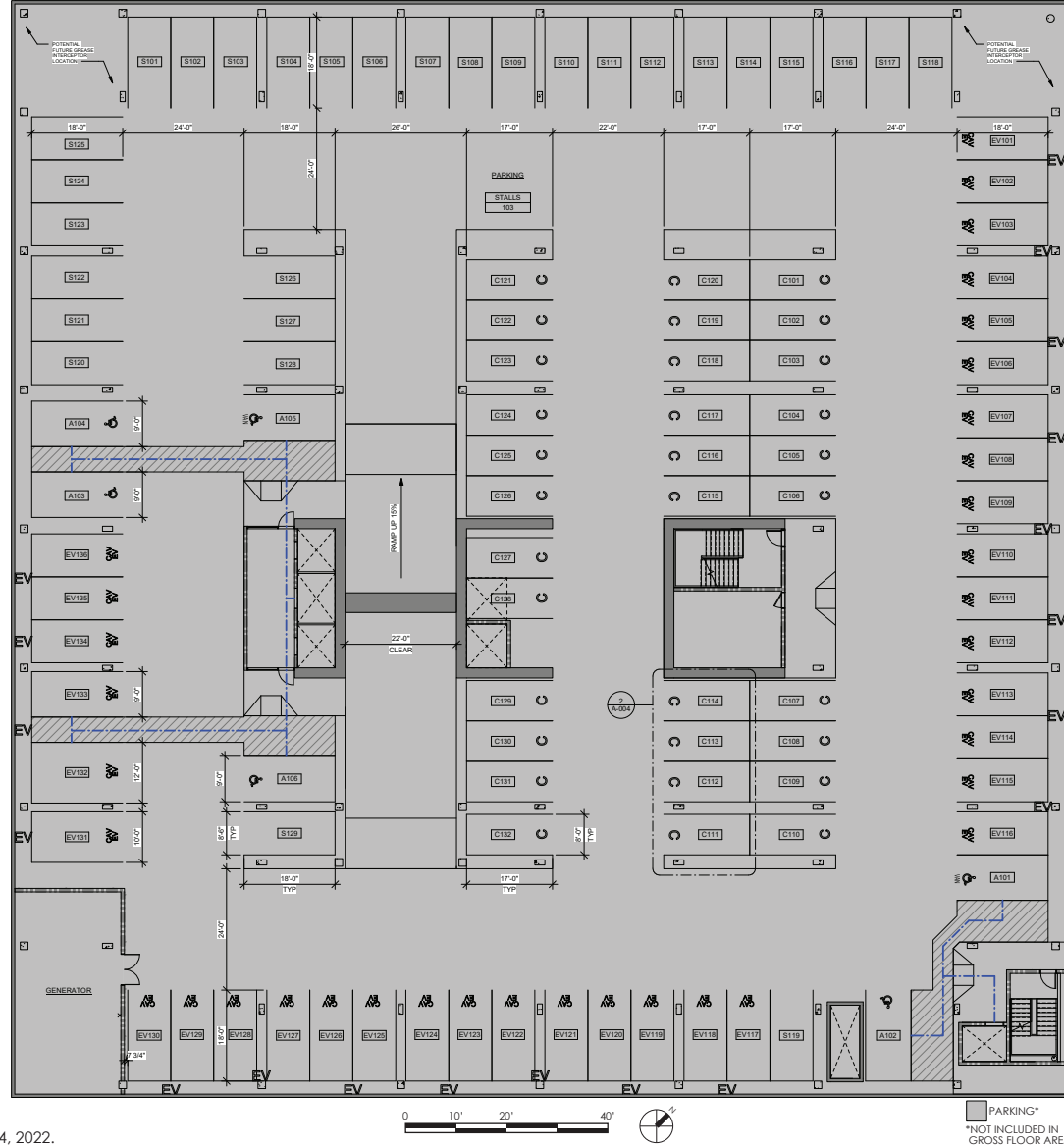
Vehicle access to the site would primarily be provided via a parking garage entrance on E. 5<sup>th</sup> Avenue. From this garage entrance, vehicles would have access to covered parking on the ground floor and the two basement levels. The project would include approximately 221 total parking spaces. Out of the 221 total parking spaces, approximately 33 spaces would include electric vehicle (EV) charging stations. The parking spaces in the proposed garage would be reserved for the proposed office and retail uses on-site. Designated parking spaces would not be reserved for the proposed affordable housing units. The project would also include a truck loading/unloading zone along S. B Street. The project would result in the loss of 22 total on-street parking spaces by removing six spaces from E. 4<sup>th</sup> Avenue, eight spaces from E. 5<sup>th</sup> Avenue, and eight spaces from S. Ellsworth Avenue. The project would retain approximately five existing uncovered surface parking spaces along the project frontages of S. Ellsworth Avenue and seven spaces along E. 4<sup>th</sup> Avenue.

The project would include a total of 38 bicycle spaces. Out of the 38 total bicycle spaces, 21 bicycle storage spaces would be long-term spaces split between two bicycle storage rooms within the proposed building. The remaining 17 bicycle spaces would be short-term spaces provided via ground-level bike racks on all four sides of the proposed building. Pedestrian access to the ground floor of the proposed building would be provided via several entrances along E. 4<sup>th</sup> Avenue, S. B Street, and S. Ellsworth Avenue.



PROPOSED SITE PLAN

FIGURE 3.2-1



Source: Korth Sunseri Hagey Architects, February 4, 2022.

REPRESENTATIVE PARKING FLOOR PLAN (B1 & B2)

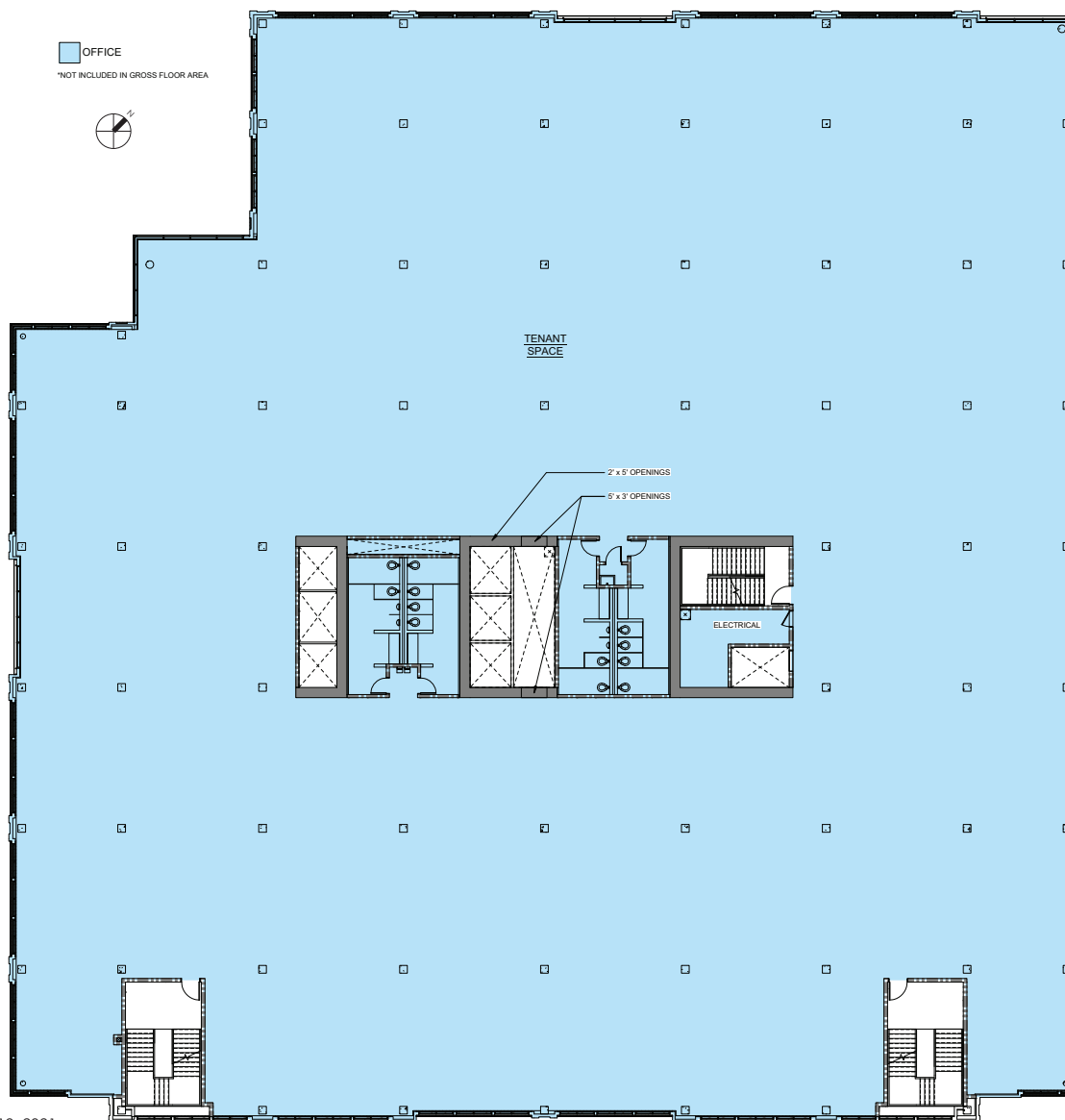
FIGURE 3.2-2



Source: Korth Sunseri Hagey Architects, February 4, 2022.

LEVEL 1 FLOOR PLAN

FIGURE 3.2-3



Source: Korth Sunseri Hagey Architects, March 19, 2021.

LEVEL 2 FLOOR PLAN

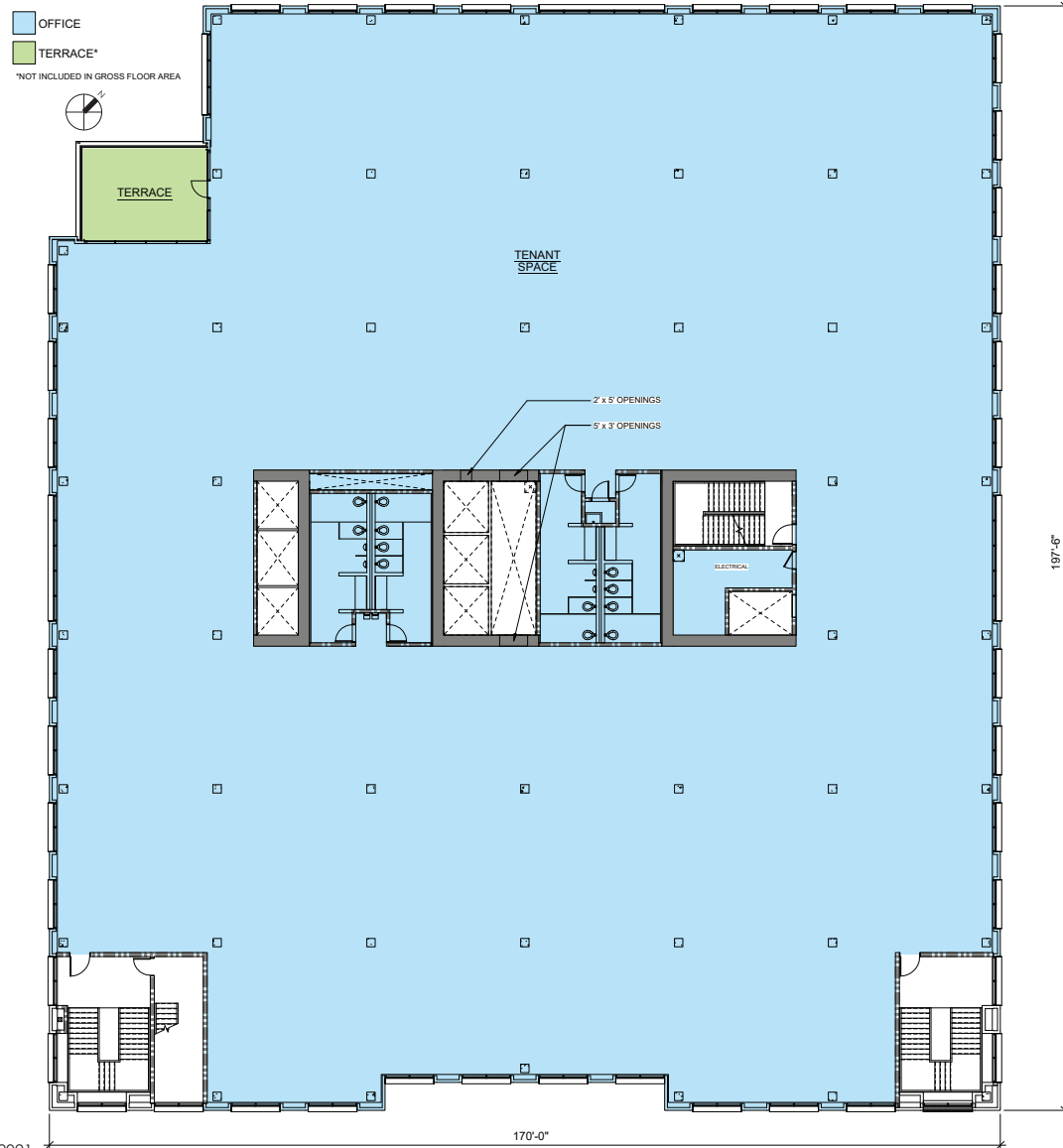
FIGURE 3.2-4



Source: Korth Sunseri Hagey Architects, March 19, 2021.

LEVEL 3 FLOOR PLAN

FIGURE 3.2-5



Source: Korth Sunseri Hagey Architects, March 19, 2021.

LEVEL 4 FLOOR PLAN

FIGURE 3.2-6







SOUTH ELEVATION (5TH STREET)



NORTH ELEVATION (4TH STREET)

Source: Korth Sunseri Hagey Architects, February 4, 2022.





WEST ELEVATION (ELLSWORTH AVENUE)



EAST ELEVATION (B STREET)

Source: Korth Sunseri Hagey Architects, February 4, 2022.

### **3.2.3      Landscaping and Trees**

There is one existing tree on-site and 38 street trees located around the perimeter of the project site. The project would remove all 39 existing trees, none of which are considered Heritage Trees under the City's Protected Trees Ordinance (Municipal Code Chapter 13.40). The project would plant 37 new trees (33 street trees and four trees on-site), resulting in a net decrease of two trees in total. Landscaping would be provided around the perimeter of the proposed building, in the community open space, along the third-floor terrace, and along portions of the perimeter of the rooftop.

### **3.2.4      Off-Site Improvements**

- Remove and replace curb, gutter, sidewalk, curb extensions, and ADA curb ramps along all project intersections.
- Curb to curb pavement restoration (grind & overlay) and striping along all frontages including intersections.
- Street lighting along all frontages.
- Landscaping including, tree wells, street trees and Green Infrastructure along frontages.
- New 18" Storm Drain line installation along the length of the project boundary on S. B Street and S. Ellsworth Avenue and portions of 5<sup>th</sup> and 4<sup>th</sup> Avenue. (see Figure 2.7-3)
- Extend existing 105-foot commercial loading zone along S. B Street to 120 feet
- New Class II bicycle facility on 5<sup>th</sup> Avenue

### **3.2.5      Green Building Measures**

The project would be designed for energy efficiency and water conservation in accordance with the latest California Green Building Standards Code (CALGreen). This includes mandatory installation of low-flow plumbing fixtures and low-water use landscaping. In addition, photovoltaic panels would be installed on the rooftop, Energy Star appliances would be provided in the units, and windows would utilize low-emissivity glass. The project would conform to the City's Reach Code (currently Municipal Code Chapter 23.24), which requires new mixed-use buildings to be all-electric with a higher energy efficiency than what is required by CALGreen standards.

### **3.2.6      Construction**

It is anticipated that the project would be constructed over an approximate 20-month period. It is estimated that construction of the project would require the export of approximately 25,828 cubic yards of soil due to excavation on-site to a maximum depth of approximately 25 feet below ground surface (bgs). Construction equipment would be staged on the project site, however, the construction fenceline and construction material delivery trucks would encroach on the public right-of-way of the streets bounding the project site while parked. Bike lane access on S. B Street would be maintained throughout construction. Construction hours in the City of San Mateo are between 7:00 AM to 7:00 PM Monday through Friday, 9:00 AM to 5:00 PM on Saturdays, and 12:00 PM to 4:00 PM on Sundays and holidays.

## SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

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This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project’s impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact AIR-1 answers the first checklist question in the Air Quality section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM AIR-3.1 refers to the first mitigation measure for the third impact in the Air Quality section.

## 4.1 AESTHETICS

### 4.1.1 Environmental Setting

#### 4.1.1.1 *Regulatory Framework*

##### State

##### Senate Bill 743

Senate Bill (SB) 743 was adopted in 2013 and requires lead agencies to use alternatives to level of service (LOS) for evaluating transportation impacts, specifically vehicle miles traveled (VMT). SB 743 also included changes to CEQA (CEQA Guidelines Section 21099) that apply to transit-oriented developments, as related to aesthetics and parking impacts. Under SB 743, a project's aesthetic impacts will no longer be considered significant impacts on the environment if:

- The project is a residential or mixed-use residential project, and
- The project is located on an infill site within a transit priority area.<sup>2</sup>

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process. The proposed mixed-use building is located on an infill site and the project site is within a half-mile of the San Mateo Caltrain station as well as multiple bus routes with frequent headways and thus, is considered within a transit priority area. Therefore, SB 743 would apply to the proposed project. The discussion of aesthetic impacts in the following section is for informational purposes only and does not make a determination of significance under CEQA, as the project's aesthetic impacts are deemed less than significant by statute.

##### Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. In San Mateo County, there are three state-designated scenic highways, including the segment of California State Route 1 (SR-1) between south of Half Moon Bay to the Santa Cruz County line (approximately nine miles west from the project site), the Interstate 280 (I-280) segment near the City of San Bruno to Santa Clara County line (approximately 2.9 miles west from the project site), and the California State Route 35 (SR-35) segment between

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<sup>2</sup> An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Office of Planning and Research. "CEQA Review of Housing Projects Technical Advisory." Accessed April 13, 2022. [https://opr.ca.gov/docs/20190208-TechAdvisory-Review\\_of\\_Housing\\_Exemptions.pdf](https://opr.ca.gov/docs/20190208-TechAdvisory-Review_of_Housing_Exemptions.pdf).

State Route 92 (SR-92) intersection to Santa Cruz County Line (approximately four miles west from the project site). There are no state-designated scenic highways in the City of San Mateo.<sup>3</sup>

## Local

### County of San Mateo General Plan

The County of San Mateo General Plan states that Alameda de las Pulgas (approximately one mile southwest), Crystal Springs Road (approximately 0.3 miles west), Polhemus Road (approximately 2.6 miles southwest), and State Route 92 (approximately 5.4 miles southwest) are County-designated scenic roads.<sup>4</sup>

### City of San Mateo 2030 General Plan

The City of San Mateo General Plan does not designate any scenic roadways in the City as locally scenic. The City of San Mateo 2030 General Plan contains goals and policies related to Urban Design and City Image that are applicable to the proposed project. It describes *corridors* as the way residents and visitors most commonly see the City and suggests that a well-designed corridor should lead to a destination, provide a sense of orientation, be attractive and project a positive image of the City. The relevant policies are listed below.

<b>Policies</b>	<b>Description</b>
UD 2.2	<i>Building Scale.</i> Ensure that new multi-family developments respect the existing scale of the neighboring buildings by providing a change in the building face at spacings common to existing buildings and by stepping down building height towards the street to more closely match the height of existing buildings.
UD 2.3	<i>Style and Materials.</i> Encourage the design of new multi-family developments in areas with a dominant building style or dominant type of exterior building materials to complement the style and incorporate the common materials of the area.
UD 2.7	<i>Respect Existing Scale.</i> Encourage new commercial development to respect the scale of surrounding buildings by providing breaks in the building face at spacings common to buildings in the area and by stepping back upper floors.
UD 2.9	<i>Pedestrian Oriented Design.</i> On retail commercial projects, designate pedestrian activity as a priority through the design and provision of adequate sidewalk widths, locating windows along ground floor street facades, trees and awnings, and human scale construction materials and features.
UD 2.16	<p><i>Design and Placement of Solar Access and Panels.</i> Encourage applicants to incorporate solar energy systems into their projects. Building owners can minimize non-renewable heating and cooling methods and maximize solar heat gain by using solar panels and innovative building design features such as the use of overhangs, having south-facing windows and planting trees that provide shade. Important considerations in the design and placement of solar panels include:</p> <ol style="list-style-type: none"> <li>Building placement and adjacencies should be considered such that they do not unreasonably affect the solar access of neighboring residential properties.</li> <li>Solar panels and other roof-mounted equipment should be integrated into building design so as to not detract from the appearance of a home and reduce obtrusiveness.</li> <li>Roof-mounted solar energy equipment and panels should be located below ridgelines and on sides of roof and away from street view wherever possible. Non-glare and non-reflective type panels should be utilized.</li> </ol>

<sup>3</sup> California Department of Transportation. Scenic Highways. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed October 18, 2022.

<sup>4</sup> San Mateo County. *General Plan*. November 1986.



<b>Policies</b>	<b>Description</b>
	d. The design and placement of roof-mounted solar panels should account for the heights of existing trees and future growth. This applies to both trees on-site and neighboring properties, including Heritage trees and street trees.
C/OS 6.4	Retain the maximum feasible number of trees and preserve the character of stands or groves of trees in the design of new or modified projects.
C/OS 14.10	When master planning or significantly redeveloping existing facilities, develop an image plan that includes the effective use of signage, color schemes, lighting and plant material which meets both aesthetic and maintenance needs.

### City of San Mateo Zoning Ordinance

The City's Zoning Ordinance, Title 27 in the Municipal Code, provides standards for the physical development of the City. The City's Site Plan and Architectural Review (SPAR) process applies to new building construction, projects involving historic buildings within the Downtown Specific Plan area, and duplexes. SPAR establishes the following specific findings that must be made to allow approval of new building construction:

- The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood;
- The development will not be detrimental to the harmonious and orderly growth of the City;
- The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare;
- The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the Zoning Ordinance, Building Code, or other Municipal Codes that exist on the site; and
- The development will not adversely affect matters regarding police protection, crime prevention, and security.

#### **4.1.1.2      *Existing Conditions***

The project site is currently developed with a Draeger's Market and a parking garage on the ground floor and below-grade level. The project site also contains landscaping along the perimeter of the existing building and parking lot. Street trees also line the boundaries of the project site. The Draeger's Market building is two stories tall and is characterized by a largely flat roof, awnings, glass doors, a covered balcony on the northwest side of the second floor, and limited windows.

The project site is located in a highly urbanized area. Surrounding development to the northwest, northeast, and southwest of the project consists primarily of single-story commercial buildings occupied by restaurants, retail stores, and offices. A six-story multi-family residential building neighbors the project site to the southeast, across E. 5<sup>th</sup> Avenue. Street. Existing views from the project site are limited to the surrounding development, trees, and landscaping due to the urban nature of the area and the relatively flat topography. Views of the existing Draeger's Market building and the surrounding vicinity are provided in Photos 1 through 6.





**Photo 1:** View of existing Draeger's Market from E. 4th Avenue.



**Photo 2:** View of existing Draeger's Market from parking lot along S. Ellsworth Avenue.

Source: Google Earth.



**Photo 3:** View of commercial buildings across E. 4th Avenue.



**Photo 4:** View of commercial building across S. Ellsworth Avenue.

Source: Google Earth.





**Photo 5:** View of multi-family residential building across E. 5th Avenue.



**Photo 6:** View of commercial buildings across S. B Street.

Source: Google Earth.

The project site is not located in a designated scenic view corridor and is not near any scenic vistas.<sup>5</sup> The San Francisco Bay is not visible from the site. As discussed above, the City does not contain any officially state-designated scenic highways, or City-designated scenic roadways. The site is not located near a state scenic highway or County-designated scenic highway.<sup>6</sup> The nearest officially designated state scenic highway is I-280, located approximately three miles west of the project site. The project site is not visible from I-280 at this distance.

#### 4.1.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? <sup>7</sup> If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The project site and surrounding parcels to the north and west of the project site were designated as Downtown Retail Core and Central Parking and Improvement District (CPID) Parking Facility by the DASP. Surrounding parcels to the south and east of the project site had various designations including High Density Multi-Family, Parks/Downtown Plaza, and CPID Parking Facility. Thus, the project vicinity was assumed by the DASP to have a visual character typical of a developed urban setting. As previously described, the existing visual character of the project vicinity is characterized by urban development. The circumstances evaluated by the DASP IS/MND have not changed with regards to aesthetics.

The DASP IS/MND determined that the policies and guidelines of the DASP and individual project-level review of development throughout the Downtown Area would ensure that buildout of the

<sup>5</sup> City of San Mateo. *2030 General Plan*. 2011.

<sup>6</sup> California Department of Transportation. State Scenic Highway System Map. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed April 13, 2022.

<sup>7</sup> Public views are those that are experienced from publicly accessible vantage points.

DASP would have a less than significant aesthetics impact. As described above, pursuant to SB 743, which was enacted after the adoption of the DASP, the project's aesthetic impacts are considered to be less than significant by statute since the project is a mixed-use residential project and is located on an infill site within a transit priority area. Therefore, the project would have the same level of impact as disclosed in the DASP IS/MND.

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<b>Impact AES-1:</b>	The project would not have a substantial adverse effect on a scenic vista. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The project site is not located within or near any scenic view corridors or scenic vistas and therefore, the project would not have a substantial adverse effect on a scenic vista. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact AES-2:</b>	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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As previously discussed, the project site is not within visible distance from a state scenic highway. The nearest state scenic highway, I-280, is located approximately three miles west of the project site. The nearest County-designated scenic is Crystal Springs Road, located approximately 0.3 miles west of the project site. The project site is not visible from Crystal Springs Road due to the surrounding development. Therefore, the project would not substantially damage scenic resources within a state scenic highway. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact AES-3:</b>	The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project would not conflict with applicable zoning and other regulations governing scenic quality. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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While the mass, scale, and building height of the proposed building would be greater than the existing development on site, the project would not be out of scale with existing development in the Downtown area, nor conflict with an established architectural pattern or unified neighborhood character, as the area is a mix of design styles and uses. The proposed mixed-use building would be similar in terms of mass and scale to the adjacent multi-family residential building across E. 5<sup>th</sup> Avenue. The proposed building would reach a maximum height of 75 feet, as allowed by AB 1763 and if approved by the City Council.

As proposed, the mixed-use building would be characterized by flat roofs, outdoor upper story terraces, large windows, living walls, and a community open space on the ground level. The exterior of the proposed building would consist of a variety of building materials including red brick, glass, wood, painted aluminum, and concrete. A conceptual rendering of the proposed building is shown in Figure 4.1-1. Landscaping would also be provided around the perimeter of the proposed building, in the community open space, along the third-floor terrace, and along portions of the perimeter of the rooftop.

Additionally, the final building designs would be subject to the City's Site Plan and Architectural Review (SPAR) process. While the proposed project would change the visual character of the site and the surrounding area, the building design and exterior materials would be selected in a manner that ensures congruency with adjacent buildings and neighborhoods. Therefore, implementation of the proposed project would not result in significant impacts to visual character and quality, nor conflict with zoning and other regulations governing scenic quality. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact AES-4:</b>	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The project will be subject to the SPAR process prior to submittal of construction drawings for a building permit. This review would ensure that the proposed design and construction materials are consistent with community standards for multi-family development, and would not adversely affect the visual quality of the area, or create a substantial new source of light and glare.

The project would include lighting along the perimeter of the proposed mixed-use building. According to the project lighting plan, lighting fixtures would include LED pole lights, LED downlights, and LED strips. New lighting sources would be installed on the site in conformance with City's design guidelines. At the time of final design review, a lighting plan will be reviewed by the City, to ensure that lighting is directed downward and will not spill over onto adjacent properties or otherwise be highly visible. **[Same Impact as Approved Project (Less than Significant Impact)]**





Source: Korth Sunseri Hagey Architects, February 4, 2022.

CONCEPTUAL RENDERING

FIGURE 4.1-1

## 4.2 AGRICULTURE AND FORESTRY RESOURCES

### 4.2.1 Environmental Setting

#### 4.2.1.1 *Regulatory Framework*

##### State

##### Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.<sup>8</sup>

##### California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.<sup>9</sup>

##### Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.<sup>10</sup> Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.<sup>11</sup>

#### 4.2.1.2 *Existing Conditions*

The project site is currently developed with a Draeger's market and is surrounded by urban uses. The project site is designated as Downtown Retail Core under the City's General Plan and is zoned CBD/R (Central Business District/Residential Overlay District – Mixed Use). The San Mateo County Important Farmlands 2018 Map designates the project site as "Urban and Built-Up Land", defined as

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<sup>8</sup> California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed April 7, 2022. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

<sup>9</sup> California Department of Conservation. "Williamson Act." <http://www.conservation.ca.gov/dlrp/lca>.

<sup>10</sup> Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).

<sup>11</sup> California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed April 7, 2022. <http://frap.fire.ca.gov/>.



land with at least six structures per 10 acres. Common examples of “Urban and Built-Up Land” are residential, institutional, industrial, commercial, landfill, golf course, airports, and other utility uses.<sup>12</sup> The site is not under a Williamson Act contract and there are no existing agricultural or forestry resources on or in the vicinity of the site.<sup>13</sup>

#### 4.2.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND determined that no farmlands or lands under a Williamson Act contract exist within the San Mateo Downtown Area and thus, determined that buildout of the DASP would have no impact on agricultural resources. Impacts to forestry resources were not discussed in the DASP IS/MND, as consideration of forestry resources was not part of the CEQA Guidelines Appendix G Checklist at the time.

<sup>12</sup> California Natural Resources Agency. *San Mateo County Important Farmland 2018*. September 2019. Accessed April 7, 2022. <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanMateo.aspx>

<sup>13</sup> California Department of Conservation, Division of Land Resource Protection. *San Mateo County Williamson Act FY 2006/2007*. 2012.

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**Impact AG-1:** The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **[Same Impact as Approved Project (No Impact)]**

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The proposed project would redevelop a parcel that is designated as “Urban and Built-Up Land” on maps prepared by the California Resources Agency for San Mateo County. Therefore, no farmland would be converted to non-agricultural use as a result of project implementation. **[Same Impact as Approved Project (No Impact)]**

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**Impact AG-2:** The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **[Same Impact as Approved Project (No Impact)]**

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The project site is zoned CBD/R (Central Business District/Residential Overlay District – Mixed Use). The project site is not under a Williamson Act contract. Therefore, the project will not conflict with existing zoning for an agricultural use or a Williamson Act contract. **[Same Impact as Approved Project (No Impact)]**

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**Impact AG-3:** The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **[Same Impact as Approved Project (No Impact)]**

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The project site is not zoned, or adjacent to land zoned, for forest land, timberland, or Timberland Production. Therefore, the project would not conflict with existing zoning or require rezoning of forest land or timberland uses. **[Same Impact as Approved Project (No Impact)]**

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**Impact AG-4:** The project would not result in a loss of forest land or conversion of forest land to non-forest use. **[Same Impact as Approved Project (No Impact)]**

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The project site is located in an urbanized area of the City and does not contain any forest lands. Therefore, no forest land would be lost as a result of the project. **[Same Impact as Approved Project (No Impact)]**

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**Impact AG-5:** The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **[Same Impact as Approved Project (No Impact)]**

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The project site is located in an urbanized area of the City. The project would not result in impacts to agricultural lands or forest lands in the surrounding region. **[Same Impact as Approved Project (No Impact)]**

## 4.3 AIR QUALITY

The following discussion is based, in part, on an Air Quality and Health Risk Assessment prepared for the project by Ramboll US Consulting, Inc. (Ramboll), dated July 2022. A copy of this report is included in Appendix B of this Addendum.

### 4.3.1 Environmental Setting

#### 4.3.1.1 *Background Information*

##### **Criteria Pollutants**

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O<sub>3</sub>), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO<sub>x</sub>), and lead.<sup>14</sup> Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 4.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

<b>Table 4.3-1: Health Effects of Air Pollutants</b>		
<b>Pollutants</b>	<b>Sources</b>	<b>Primary Effects</b>
Ozone (O <sub>3</sub> )	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	<ul style="list-style-type: none"><li>• Aggravation of respiratory and cardiovascular diseases</li><li>• Irritation of eyes</li><li>• Cardiopulmonary function impairment</li></ul>
Nitrogen Dioxide (NO <sub>2</sub> )	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	<ul style="list-style-type: none"><li>• Aggravation of respiratory illness</li><li>• Reduced visibility</li></ul>
Fine Particulate Matter (PM <sub>2.5</sub> ) and Coarse Particulate Matter (PM <sub>10</sub> )	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	<ul style="list-style-type: none"><li>• Reduced lung function, especially in children</li><li>• Aggravation of respiratory and cardiorespiratory diseases</li><li>• Increased cough and chest discomfort</li><li>• Reduced visibility</li></ul>
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	<ul style="list-style-type: none"><li>• Cancer</li><li>• Chronic eye, lung, or skin irritation</li><li>• Neurological and reproductive disorders</li></ul>

High O<sub>3</sub> levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO<sub>x</sub>. These precursor pollutants react under certain meteorological conditions to form high O<sub>3</sub> levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

<sup>14</sup> The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

reduce O<sub>3</sub> levels. The highest O<sub>3</sub> levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM<sub>10</sub>) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>). Elevated concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> are the result of both region-wide emissions and localized emissions.

### **Toxic Air Contaminants**

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).<sup>15</sup> Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

### **Sensitive Receptors**

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

#### **4.3.1.2 *Regulatory Framework***

##### **Federal and State**

###### **Clean Air Act**

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O<sub>3</sub>, CO, SO<sub>x</sub>, NO<sub>x</sub>, and lead.

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<sup>15</sup> California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed July 18, 2022. <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

### Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in addition to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO<sub>x</sub>.

## **Regional**

### 2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.<sup>16</sup>

### CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

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<sup>16</sup> BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

## Local

### City of San Mateo General Plan

Various policies and actions of the City of San Mateo General Plan have been adopted for the purpose of avoiding or mitigating air quality impacts resulting from planned development within the City, including the following, which are applicable to the subject project:

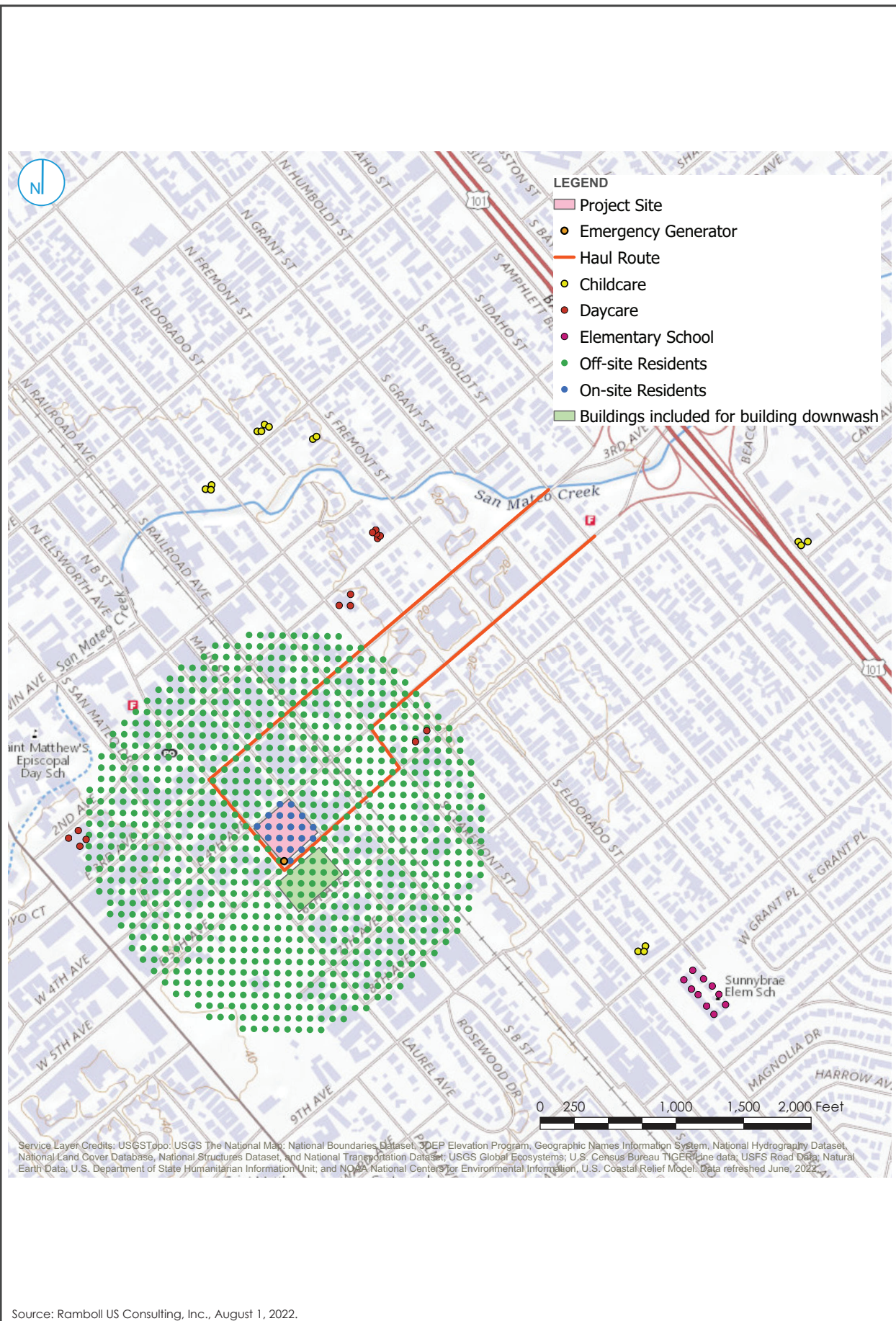
<b>Policies</b>	<b>Description</b>
LU 8.9	<p>The City shall mitigate air quality impacts generated during construction activities by the following measures:</p> <ul style="list-style-type: none"><li>• Use of appropriate dust control measures, based on project size and latest BAAQMD guidance, shall be applied to all construction activities within San Mateo.</li><li>• Applicants seeking demolition permits shall demonstrate compliance with applicable BAAQMD requirements involving lead paint and asbestos containing materials (ACM's) designed to mitigate exposure to lead paint and asbestos.</li><li>• Utilization of construction emission control measures recommended by BAAQMD as appropriate for the specifics of the project (e.g., length of time construction and distance from sensitive receptors). This may include the utilization of low emission construction equipment, restrictions on the length of time of use of certain heavy-duty construction equipment, and utilization of methods to reduce emissions from construction equipment (alternative fuels, particulate matter traps and diesel particulate filters).</li></ul>
LU 8.11	<p>The City shall require that when new development that would be a source of TAC's is proposed near residences or sensitive receptors, either adequate buffer distances shall be provided (based on recommendations and requirements of CARB and BAAQMD), or filters or other equipment/solutions shall be provided to reduce the potential exposure to acceptable levels.</p> <p>When new residential or other sensitive receptors are proposed near existing sources of TAC's, either adequate buffer distances shall be provided (based on recommendations and requirements of the California Air Resources Control Board and BAAQMD), or filters or other equipment/solutions shall be provided to the source to reduce the potential exposure to acceptable levels.</p>

#### **4.3.1.3      *Existing Conditions***

The Bay Area is considered a non-attainment area for ground-level O<sub>3</sub> and PM<sub>2.5</sub> under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM<sub>10</sub> under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O<sub>3</sub> and PM<sub>10</sub>, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O<sub>3</sub> precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>, and apply to both construction period and operational period impacts.

Sensitive receptors within the project area include residences immediately south of the project site, across E. 5<sup>th</sup> Avenue. There are additional residences at farther distances from the project site as well such as the Safari Kid preschool located at 521 E. 5<sup>th</sup> Avenue, approximately 810 feet northeast of the project site. These receptors, and others located farther from the project site, are shown in Figure 4.3-1.





LOCATIONS OF SENSITIVE RECEPTORS

FIGURE 4.3-1



### 4.3.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2030 General Plan EIR Prior Conclusions The DASP IS/MND did not evaluate criteria air pollutants or TAC emissions associated with buildout of the DASP. However, these impacts were addressed in the 2030 General Plan EIR. The 2030 General Plan EIR determined that construction activities associated with buildout of the General Plan would result in a potentially significant impact that would be mitigated to a less than significant level through mitigation measures MM 1a through MM 1c, which require implementation of BAAQD dust control measures for all construction projects within San Mateo and implementation of BAAQMD emission control measures as appropriate for the specifics of each individual project. Examples of BAAQMD emission control measures identified in MM 1c include utilization of low emission construction equipment, restrictions on the length of time of use of certain heavy-duty construction equipment, and utilization of methods to reduce emissions from construction equipment (alternative fuels, particulate matter traps and diesel particulate filters).

The 2030 General Plan EIR also determined that development under the General Plan would result in new sources of TACs, which would be a potentially significant impact. The 2030 General Plan EIR determined that with implementation of mitigation measure MM 4.5.3, which requires new developments near sensitive receptors to provide adequate buffer distances or provide equipment filters or other solutions to reduce the potential exposure to acceptable levels based on BAAQMD and CARB recommendations. Mitigation Measure MM 2 from the 2030 General Plan EIR would similarly require buffers or controls for new sources of odors near sensitive receptors.

The 2030 General Plan EIR determined that CO emissions from increased traffic associated with General Plan buildout would be a less than significant impact.

#### 4.3.2.1 *Thresholds of Significance*

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of San Mateo has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and PM<sub>2.5</sub>. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 4.3-2 below.

Table 4.3-2: BAAQMD Air Quality Significance Thresholds			
Pollutant	Construction Thresholds	Operation Thresholds	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG, NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	Single Source	Combined Cumulative Sources	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual PM <sub>2.5</sub>	0.3 µg/m <sup>3</sup>	0.8 µg/m <sup>3</sup> (average)	

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**Impact AIR-1:** The project would not conflict with or obstruct implementation of the applicable air quality plan. [Same Impact as Approved Project (Less than Significant Impact)]

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#### **Clean Air Plan**

The proposed project would not conflict with the 2017 Clean Air Plan (CAP) because construction and operational emissions (described further below) would be less than the BAAQMD CEQA Air Quality Guidelines impact thresholds shown in Table 4.3-2 above. Because the project would not exceed the BAAQMD impact thresholds, it would not result in significant impacts due to the generation of operational-related criteria air pollutants and/or precursors. Thus, the project is not

required to incorporate project-specific control measures listed in the 2017 CAP. Further, the project is considered urban infill and would be located near transit with regional connections. Implementation of the project would not prevent BAAQMD or partner agencies from continuing progress toward attaining State and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. For these reasons, the project would not result in a significant impact related to inconsistency with the 2017 CAP. **[Same Impact as Approved Project (Less than Significant Impact)]**

### Regional Criteria Pollutant Emissions

The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to estimate emissions from construction and operation of the project. The project land use types and size, and anticipated construction schedule were input to CalEEMod. The model output from CalEEMod along with construction and operational inputs can be found in Appendix B.

#### Construction Period Emissions

CalEEMod provided annual emissions for construction including both on-site and off-site construction activities. On-site activities are primarily made up of construction equipment emissions, while off-site activity includes worker, hauling, and vendor traffic. The project construction schedule and equipment usage assume the project would take approximately 20 months, or 464 construction workdays, to construct. Average daily emissions were computed by dividing the total construction emissions by the number of construction days. Table 4.3-3 shows average daily construction emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub> exhaust, and PM<sub>2.5</sub> exhaust during construction of the project.

<b>Table 4.3-3: Average Construction Emissions Per Day</b>				
<b>Year</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>PM<sub>10</sub> (Exhaust)</b>	<b>PM<sub>2.5</sub> (Exhaust)</b>
	<b>Lbs./day</b>			
2023	0.81	8.9	0.40	0.31
2024	2.8	6.7	0.31	0.23
BAAQMD Thresholds*	54	54	82	54
<b>Exceeds Thresholds?</b>	No	No	No	No
*Thresholds are from BAAQMD Guidance for Assessing and Mitigating Air Quality Impacts. For PM, this excludes construction fugitive emissions.				

As shown in Table 4.3-3, above, project construction would not exceed BAAQMD's thresholds of significance for construction criteria pollutant emissions. Therefore, project construction criteria pollutants emissions would be a less than significant impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

## Operation Period Emissions

The BAAQMD operational emissions screening size for mid-rise apartments is 494 dwelling units, for general office building is 346,000 square feet, and for retail (supermarket) is 42,000 square feet. The project consists of 10 dwelling units, 104,554 square feet of offices, and 17,658 square feet of retail use; therefore, the project is well below both operational criteria pollutant screening levels and the operational criteria pollutant emissions level is assumed to be less than significant. Additionally, the baseline emissions from the site's current 60,965 square-foot commercial use would serve to reduce the net emissions of the project. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Carbon Monoxide**

According to the 2017 BAAQMD CEQA Guidelines, the Project would result in less-than-significant localized CO concentrations if it meets the following criteria:

1. Is consistent with county and local congestion management plans, and
2. Does not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour.

Based on the traffic volume data provided by the traffic analysis prepared for the project, (see Section 4.17 Transportation and Appendix L), the project would generate fewer vehicle trips per hour during morning and evening peak hours compared to the existing land uses on the project site. Thus, operational impacts from Project CO emissions would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact AIR-2:</b>	The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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Per the BAAQMD CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. As discussed above, the proposed project is below the applicable screening levels, and would not result in any air pollutant emissions exceeding BAAQMD's significance thresholds. As a result, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact AIR-3:</b>	The project would not expose sensitive receptors to substantial pollutant concentrations. <b>[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]</b>
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### Construction Dust

Construction activities, particularly during demolition, site preparation, basement garage excavation and grading would temporarily generate fugitive dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub>. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. As required by mitigation measure MM 1a of the General Plan EIR, all construction projects are required to implement BAAQMD's dust control measures. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are implemented to reduce these emissions.

**Standard Measures:** The following standard measures reflect BAAQMD best management practices and would be implemented by the project to reduce potential impacts from fugitive dust.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- Construction grading activities shall be discontinued in wind conditions that in the opinion of the Public Works Construction Inspector cause excessive neighborhood dust problems.
- All haul trucks transporting soil, sand, or other loose material to and from the project site shall be covered in accordance with Section 23114 of the California Vehicle Code.
- 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.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- 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.
- 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.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.



Implementation of the standard conditions above would reduce fugitive dust particulates, reducing the project impacts to a less than significant level, consistent with the determination of the 2030 General Plan EIR. **[Same Impact as Approved Project(Less than Significant Impact)]**

### Community Health Risk Impacts

The project would introduce new sources of TACs during construction that would affect nearby sensitive receptors. Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC.

Operational sources of TACs would include the proposed 500 kW, 755 hp emergency generator and project-generated vehicle traffic. The proposed emergency generator would operate on a diesel engine and would be periodically run for testing purposes and in the event of a power outage. BAAQMD allows emergency generators to run for up to a maximum of 50 hours of non-emergency operation during testing and maintenance. BAAQMD recommends analyzing TAC emissions from roadways with over 10,000 vehicles per day. As documented in the traffic analysis, Appendix L, the project is expected to result in a net reduction of approximately 3,600 daily vehicle trips compared to the existing lands uses on-site. Therefore, operational vehicle emissions were not included in this health risk assessment.

Community risk impacts were addressed by predicting increased cancer risk, the increase in annual PM<sub>2.5</sub> concentrations and computing the Hazard Index (HI) for non-cancer health risks. Sensitive receptors in the project vicinity include residences south of the project site, across E. 5<sup>th</sup> Avenue. There are additional residences at farther distances from the project sit as well as the Safari Kid preschool located at 521 E. 5<sup>th</sup> Avenue, approximately 810 feet northeast of the project site (see Figure 4.3-1). Table 4.3-4 shows the project's community health risk impacts calculated at the locations of the maximally exposed individual student (daycare child, [MEIS]) and the maximally exposed individual resident (MEIR). The locations of the MEIS and MEIR are shown in Figure 4.3-2.

<b>Table 4.3-4: Project Construction and Operational Community Health Risk Impacts</b>						
<b>Source Category</b>	<b>MEIR*</b>			<b>MEIS</b>		
	<b>Excess Lifetime Cancer Risk (per million)</b>	<b>Chronic HI</b>	<b>Annual Average PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>	<b>Excess Lifetime Cancer Risk</b>	<b>Chronic HI</b>	<b>Annual Average PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>
Off-road construction equipment and on-road construction vehicles (unmitigated)	43.15	0.03	0.05	0.44	<0.01	<0.01
Off-road construction	6.71	<0.01	0.01	0.07	<0.01	<0.01

<b>Table 4.3-4: Project Construction and Operational Community Health Risk Impacts</b>						
<b>Source Category</b>	<b>MEIR*</b>			<b>MEIS</b>		
	<b>Excess Lifetime Cancer Risk (per million)</b>	<b>Chronic HI</b>	<b>Annual Average PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>	<b>Excess Lifetime Cancer Risk</b>	<b>Chronic HI</b>	<b>Annual Average PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>
equipment and on-road construction vehicles (mitigated)						
Emergency generator	2.37	<0.1	<0.01	0.01	<0.01	<0.01
<b>Significance Threshold</b>	10	1	0.3	10	1	0.3
<b>Unmitigated Total</b>	<b>46</b>	0.03	0.05	0.45	<0.01	<0.01
<b>Mitigated Total</b>	9.1	<0.01	0.01	0.08	<0.01	<0.01
<b>Exceeds Thresholds?</b>	<b>Yes</b>	No	No	No	No	No
*To give a conservative analysis, the MEIR was assumed to be a child (assumes a higher breathing rate and age-sensitivity factor).						

As shown in Table 4.3-4, the cancer risk from project construction and operation at the MEIR receptor is calculated to be 46 cases in 1 million, which would exceed the BAAQMD's threshold of 10 in 1 million. The other community health risk impacts would be below BAAQMD's thresholds. Mitigation Measure MM 4.5.3 from the 2030 General Plan EIR requires that new developments that propose a new source of TACs near sensitive receptors implement BAAQMD and CARB-recommended buffer distances or equipment filters/solutions to reduce the potential exposure to acceptable levels. Mitigation Measure MM 1c under the 2030 General Plan EIR also requires the utilization of BAAQMD construction emission control measures that are appropriate for the specifics of the project.

**Mitigation Measure:** The project will be required to implement the following mitigation measure to reduce cancer risk impacts at the off-site MEIR.

**MM AIR-3.1:** Prior to issuance of a demolition permit, the applicant shall submit a construction management plan to the Building Division that demonstrates that all cranes, forklifts, generator sets, and welders used in project construction shall be equipped with Tier 4 diesel engines or better (e.g., natural gas generators or electric welders).

Prior to issuance of a demolition permit, the applicant shall also submit an emissions reduction plan to the Planning Division that details the equipment to be used during construction and be signed by a qualified air quality specialist,

verifying that the equipment included in the plan meets the standards set forth in this measure (i.e., Tier 4 or better).

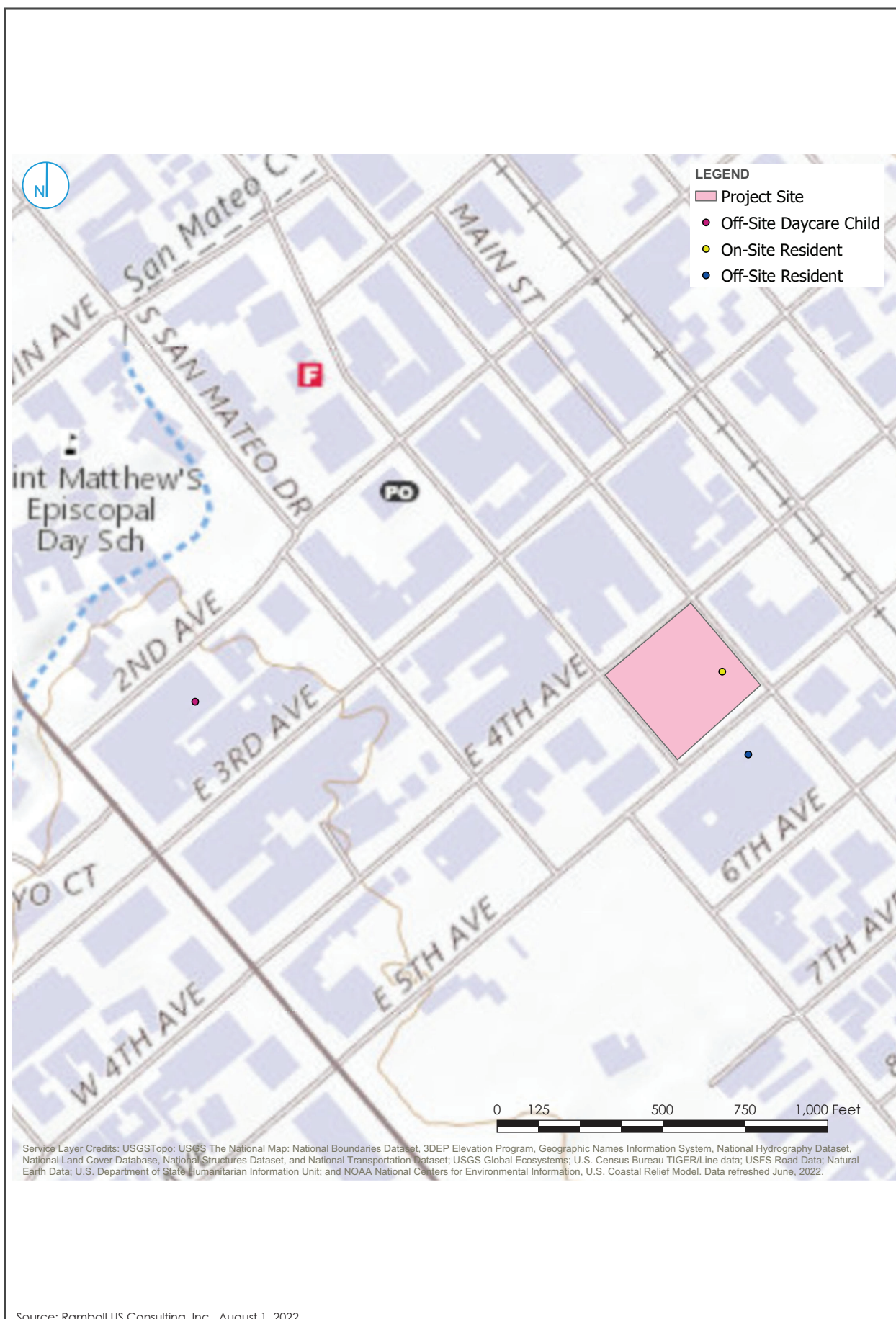
Alternatively, if use of Tier 4 equipment is not available, the applicant may propose use of equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices. Alternatively, the project may also use electrical or non-diesel fueled equipment. All construction vehicles shall be properly maintained and equipped with exhaust mufflers that meet State standards.

The construction management plan and emissions reduction plan are subject to review and approval of the Community Development Director, or his/her designee.

With implementation of MM AIR-3.1, the cancer risk per million associated with construction equipment and vehicle emissions would be reduced to 6.71 resulting in a total cancer risk of 9.1 when combined with the emissions of the proposed emergency generator. Consistent with MM 1c and MM 4.5.3 of the General Plan EIR, MM AIR-3.1 would involve the use of engine filters on construction equipment to meet the appropriate CARB standards and reduce TAC emissions to a less than significant level. Therefore, with implementation of MM AIR-3.1, the project would have a less than significant community health risk impact. [Same Impact as Approved Project (**Less than Significant Impact with Mitigation Incorporated**)]

#### Cumulative Community Health Risk Impacts

Cumulative TAC impacts are analyzed by combining the community risk impacts of the project and nearby sources of TACs within 1,000 feet of the project site. TAC sources include rail lines, highways, busy surface streets (>10,000 average daily trips or ADT), and stationary sources identified by BAAQMD. There are no roadways with daily traffic between 10,000 and 30,000 vehicles per day within 1,000 feet of the MEIRs so the impacts from non-major street, non-highway roadways were not calculated. The primary contributor to the cumulative PM<sub>2.5</sub> concentration at the off-site MEIR is a lumber company with woodwork operation, located about 850 feet from the off-site MEIR. The results of the cumulative community health risk assessment are summarized below in Table 4.3-5.



<b>Table 4.3-5: Impacts from Combined Sources at Off-Site MEIR</b>				
<b>Source</b>		<b>Cancer Risk (per million)</b>	<b>Chronic HI</b>	<b>Annual PM<sub>2.5</sub> (µg/m³)</b>
<b>Project Impacts</b>				
Project Construction and Operation	Unmitigated	<b>46</b>	0.03	0.05
	Mitigated	9.1	0.03	0.05
<b>Cumulative Sources</b>				
Stationary Sources		1.1	<0.01	1.1
Highway		6.7	--	0.15
Major Streets		0.14	--	<0.01
Railways		8.2	--	0.02
<b>BAAQMD Cumulative Thresholds</b>		<b>&gt;100</b>	<b>&gt;10.0</b>	<b>&gt;0.8</b>
Cumulative Total – Project Unmitigated		62	0.03	<b>1.4</b>
<b>Exceeds Threshold?</b>		No	No	<b>Yes</b>
Cumulative Total – Project Mitigated*		25	0.01	<b>1.3</b>
<b>Exceeds Threshold?</b>		No	No	<b>Yes</b>
*Project construction mitigation measures are described in MM AIR-3.1.				

As previously stated, the primary contributor to the cumulative PM<sub>2.5</sub> concentration is an off-site lumber company. This stationary source contributes approximately 1.1 µg/m³ (80 percent) of the cumulative PM<sub>2.5</sub> concentration and exceeds the BAAQMD cumulative threshold of 0.8 µg/m³ as an individual contributor. If this stationary source were not operational, there would be no cumulative impact associated with the project and the rest of the cumulative sources. Further, the project's contribution from construction activities would be temporary and are below the single source (project level) thresholds, as shown in Table 4.3-4. Therefore, the project would not result in a considerable contribution to a cumulatively significant health risk impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact AIR-4:** The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable by adjacent receptors; however, the odors would be localized and temporary and would not substantially affect people off-site. The project does not propose any use that would be a significant source of odors. For these reasons, implementation of the proposed project would not result in significant long-term or short-term odor



impacts, affecting a substantial number of people. [Same Impact as Approved Project (**Less than Significant Impact**)]

### 4.3.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. Although it is not mandated by CEQA, additional analyses may be undertaken to disclose the impacts the existing environment may pose to future receptors at the site of a project, and jurisdictions may require this as a policy. The City of San Mateo's General Plan Policy LU 8.11 requires such additional analysis to determine if a project will expose future residents to harmful levels of TACs. The City of San Mateo relies on the BAAQMD threshold established for cumulative sources when determining a site's acceptable exposure to TACs.

The residential component of the project itself would be considered a sensitive receptor. There is a potential that future residents could be exposed to TAC emissions. Per BAAQMD guidance, all TAC sources within 1,000 feet of a proposed sensitive receptor need to be identified and analyzed. If emissions of TAC concentrations at a new sensitive receptor generated from all TAC sources in a 1,000-foot radius result in the exceedance of an excess cancer risk level of more than 100 in one million, or a non-cancer HI greater than 10, the project would result in a significant impact. The BAAQMD CEQA Guidelines also consider exposure from all TAC sources in a 1,000-foot radius to annual PM<sub>2.5</sub> concentrations that exceed 0.8 µg/m<sup>3</sup> to be significant.

A health risk assessment was completed to assess the impact that existing TAC sources would have on the new proposed sensitive receptors that the project would introduce. As described under Impact AIR-3, the primary contributor to the cumulative PM<sub>2.5</sub> concentration in the project vicinity is a lumber company with woodwork operation. The health risk impacts to the proposed on-site residents are summarized in Table 4.3-6. The maximum cancer risks, PM<sub>2.5</sub> concentration, and non-cancer health impacts (hazard index) do not exceed their respective BAAQMD significance thresholds. Therefore, the proposed project would be in compliance with General Plan Policy LU 8.11 by not exposing future receptors at the project site to harmful levels of TACs.

<b>Table 4.3-6: Health Risk Impacts to On-Site Receptors</b>			
<b>Source</b>	<b>Cancer Risk (per million)</b>	<b>Chronic HI</b>	<b>Annual PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>
Stationary Sources	0.89	<0.01	0.02*
Highway	6.8	--	0.15
Major Streets	0.14	--	<0.01
Railways	9.3	--	0.02
Project Operation	2.8	<0.01	<0.01
Total	20	<0.01	0.19
<b>BAAQMD Cumulative Thresholds</b>	<b>&gt;100</b>	<b>&gt;10.0</b>	<b>&gt;0.8</b>
Exceeds Thresholds?	No	No	No

\*Annual PM<sub>2.5</sub> exposure would be lesser for on-site receptors than the off-site MEI (see Table 4.3-5) because the project site is farther away from the lumber mill that represents that largest stationary source of PM<sub>2.5</sub> in the project vicinity.

## 4.4 BIOLOGICAL RESOURCES

The following discussion is based, in part, on a Tree Inventory, Assessment, and Protection Report prepared for the project by Monarch Consulting Arborists, dated July 2020. A copy of this report is included in Appendix C of this Addendum.

### 4.4.1 Environmental Setting

#### 4.4.1.1 *Regulatory Framework*

##### **Federal and State**

##### Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To “take” a listed species, as defined by the State of California, is “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill” these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

##### Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.<sup>17</sup> Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

##### Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to

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<sup>17</sup> United States Department of the Interior. “Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take.” Accessed April 7, 2022. <https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf>.

regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

### Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

## **Local**

### City of San Mateo General Plan

Various policies and actions of the City of San Mateo General Plan have been adopted for the purpose of avoiding or mitigating biological resource impacts resulting from planned development within the City, including the following, which are applicable to the subject project:

<b>Policies</b>	<b>Description</b>
C/OS 6.1	Preserve heritage trees in accordance with the City's Heritage Tree Ordinance.
C/OS 6.4	Retain the maximum feasible number of trees and preserve the character of stands or groves of trees in the design of new or modified projects.
C/OS 6.6	Require street tree planting as a condition of all new developments in accordance with the adopted Street Tree Master Plan, El Camino Real Master Plan, or Hillsdale Station Area Plan, as applicable.
C/OS 6.7	Encourage the planting of new street trees throughout the City and especially in gateway areas such as Third Avenue, Fourth Avenue, El Camino Real (SR 82), Hillsdale Boulevard, and 42 <sup>nd</sup> Avenue; encourage neighborhood participation in tree planting programs; explore non-City funded tree planting programs.

### City of San Mateo Protected Tree Ordinance

The Protected Tree Ordinance (Chapter 13.40 of the Municipal Code) was adopted in May 2021 and replaces the prior Street Trees and Heritage Trees Ordinances. The Protected Tree Ordinance establishes regulations for the protection of trees within the City, particularly for Street Trees and Heritage Trees. Street Trees are defined as any woody perennial plant having a single main axis or stem capable of achieving ten feet or more in height, growing along or within public right of way or planted within public right of way or a designated planting easement. Heritage Trees are defined as any one of the following:

- Any oak (*Quercus spp.*) tree with a trunk that has a diameter of ten inches or more (31.4 inches in circumference) measured at 54 inches above natural grade;
- Any other tree with a trunk diameter of fifteen inches (47.1 inches in circumference) or more, measured at 54 inches above natural grade.
- Trees with more than one stem (arising at or below 54 inches) shall be measured at the smallest diameter point below the main union of all stems unless the union occurs below grade, in which case each stem shall be measured as a stand-alone tree. For oak trees, if one stem is ten inches or more in diameter, the tree will constitute one Heritage Tree. For all other species, if one stem is fifteen inches or more in diameter, the tree will constitute one Heritage Tree.

- Any tree or stand of trees designated by resolution of the City Council to be of special historical value or of significant community benefit; or
- A stand of trees, the nature of which makes each dependent on the others for survival.

The removal of either a Street Tree or Heritage Tree requires a permit from the Director of Parks and Recreation or his or her designee. Exceptions apply for Planning Applications subject to Chapter 27.71. Per SMMC 13.40.020#(b), “a person or entity who has received approval of a planning application [..], need only to obtain a site development permit pursuant to Chapter 23.40 from the Planning Division for the Removal and/or Major Pruning of Protected Trees.”

### City of San Mateo Site Development Code

The City’s Site Development Code (Chapter 23.40 of the Municipal Code) establishes administrative procedures, regulations, required approvals, and performance standards for site grading, construction on slopes, and removal of major vegetation. The regulations apply to site development occurring within any of the following provisions:

- Grading will exceed an area of 5,000 square feet and 5,000 cubic feet (185 cubic yards);
- Grading will exceed a volume of 550 cubic yards;
- Grading, regardless of quantity, where, in the opinion of the Building Official and/or City Engineer, includes special physical conditions which necessitate the application of this chapter to protect public health and safety;
- Construction is proposed on a slope of 15 percent or greater; and/or within slope setbacks as defined in Municipal Code 23.40.030; and/or
- Removal of major vegetation (trees over six inches in diameter) is proposed.

### Chapter 27.71 Landscape for Planning Applications

Chapter 27.71 of the Municipal Code establishes requirements and guidelines for the appropriate design of landscaping and the preservation of existing trees in proposed developments. The intent of this chapter is to provision the use of landscaping to develop and maintain neighborhood character, soften architecture by use of plant materials where appropriate, buffer conflicting uses, screen parking areas, create comfortable outdoor living and walking spaces, mitigate air pollution and ensure that future developments are made water efficient. The landscaping plan for the proposed project would be required to meet the minimum standards set forth by Chapter 27.71.

#### **4.4.1.2      *Existing Conditions***

##### **Habitat**

The project site is located in a developed urban habitat. Urban habitats include street trees, landscaping, and lawns, and provide food and shelter for wildlife able to adapt to the modified environment. Since the original native vegetation of the area is generally not present, native species of wildlife have been supplanted by species that are more adapted to an urbanized area.

Most of the vegetation in the vicinity of the site consists of landscape trees, shrubs, manicured lawns and non-native herbaceous species. Birds and mammals that could occur in the project area typically include introduced species adapted to human habitation, including the starling (*Sturnus vulgaris*), rock dove (*Columba livia*), house sparrow (*Passer domesticus*), house mouse (*Mus musculus*), and



Norway rat (*Rattus norvegicus*). Native species (not endangered or listed on the special-status species list) that could occur in the area include the western toad (*Bufo boreas*), western fence lizard (*Sceloporus occidentalis*), Brewer's blackbird (*Euphagus cyanocephalus*), house finch (*Carpodacus mexicanus*), western scrub jay (*Aphelocoma californica*), yellow-billed magpie (*Pica nuttalli*), and American crow (*Corvus brachyrhynchos*).<sup>18</sup>

The project site is almost entirely paved with asphalt/concrete and is occupied by a Draeger's market. Vegetation on the site consists of shrubs and trees planted along the perimeter and in parking lot planters. There are no undisturbed areas or sensitive habitats on the site, and the site does not contain any streams, waterways, or wetlands.

### Special Status Species

Special status plant and animal species are afforded special recognition and/or protection by federal, state, or local resource agencies or organizations. There are 21 special status plant and 21 special status animal species that have been identified in the California Natural Diversity Database (CNDDB) as occurring in or within one mile of the City.<sup>19</sup> The project site does not contain designated critical habitat for any listed plant or animal species in the area because of the degraded nature of habitat on the site, the lack of associated native species or potential habitat, and the absence of specific microhabitat variables such as soil type, elevation, or hydrology. Therefore, special status species are unlikely to occur on the site.

### Trees

The tree survey of the project site identified a total of 39 trees within the boundaries of the project site. Out of the 39 trees identified, 38 are considered Street Trees and none are considered Heritage Trees under the City's Protected Tree Ordinance. The one tree that is not considered a street tree is an olive tree located within a planter bed next to the western corner of the existing parking lot. The species and quantities of the trees on-site, and their suitability for retention, are summarized below in Table 4.4-1.

Table 4.4-1: Summary of Existing Trees			
Species	Number of Trees	Number of Heritage Trees	Suitability for Retention
Olive ( <i>Olea europaea</i> )	11	0	Fair to Good
Hackberry ( <i>Celtis occidentalis</i> )	17	0	Very Poor to Fair
Tulip poplar ( <i>Liriodendron tulipifera</i> )	5	0	Very Poor to Good
Brisbane box ( <i>Lophostemon confertus</i> )	6	0	Fair to Good
<b>Total</b>	<b>39</b>	<b>0</b>	<b>--</b>

<sup>18</sup> City of San Mateo. *General Plan EIR*. Page 4.9-9. July 2009.

<sup>19</sup> City of San Mateo *General Plan EIR*. Page 4.9-13. July 2009.

#### 4.4.2

#### Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND identified two principal biological resources within the downtown area: Central Park and San Mateo Creek. The DASP IS/MND determined that preservation policies included in the DASP would mitigate any potential impacts to Central Park and

San Mateo Creek. The DASP IS/MND also stated that the City's Heritage Tree Ordinance would mitigate impacts on downtown vegetation as redevelopment takes place. The 2030 General Plan EIR states that migratory birds may use natural habitats within the City and that buildout of the General Plan would have a potentially significant impact on migratory bird corridors. The 2030 General Plan EIR determined that implementation of the General Plan policies and mitigation measures included within the 2030 General Plan EIR would mitigate impacts to migratory birds to a less than significant level.

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<b>Impact BIO-1:</b>	The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. <b>[Same Impact as Approved Project (Less Than Significant With Mitigation Incorporated)]</b>
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As previously discussed, the project site is unlikely to host any special status species due to a lack of suitable habitat and its location within the City's urban Downtown Area. However, the existing trees could provide nesting habitat for special status bird species, including migratory birds and raptors. The project would remove the 39 existing trees on-site, therefore, construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

**Mitigation Measures:**

**MM BIO-1.1:** Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the applicant shall submit a phasing plan to the City's Planning Division with a schedule of both on-site and off-site demolition and construction activities to review the activities that may occur during the nesting season subject to the satisfaction of the Community Development Director, or his/her designee. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 through August 31 (inclusive).

**MM BIO-1.2:** If any demolition and construction are scheduled during the nesting season, between February 1 and August 31 (inclusive), the applicant shall engage a qualified ornithologist to complete a pre-construction survey for nesting birds to ensure that no nests are disturbed during demolition or construction. During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. This survey shall be completed no more than 14 days prior to the initiation of any construction or demolition activities during the early part of the breeding season (February 1 through April 30 inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31 inclusive).

If an active nest is found sufficiently close to work areas to be disturbed by construction (typically 300 feet for raptors and 100 feet for other species), the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest to ensure that bird nests shall not be disturbed during project construction.

Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the City's Planning Division subject to the satisfaction of the Director of Community Development, or his/her designee should demolition and construction activities occur during the nesting season.

The proposed project, with implementation of the above mitigation measures, would reduce impacts to nesting birds (if present) to a less than significant level. Although MM BIO 1.1 and MM BIO-1.2 are not measures directly required by the General Plan EIR or DASP IS/MND, they are standard measures required for all construction projects to comply with federal and state law (MBTA and the CDFW Code). Therefore, implementation of MM BIO-1.1 and MM BIO-1.2 does not represent a substantial change in circumstances or increase in the severity of environmental effects compared to what was disclosed in the General Plan EIR or DASP IS/MND. **[Same Impact as Approved Project (Less Than Significant With Mitigation Incorporated)]**

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<b>Impact BIO-2:</b>	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. <b>[Less Impact than Approved Project (No Impact)]</b>
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There is no riparian habitat on or in the vicinity of the project site. The project site is located in an urbanized area within downtown San Mateo. Therefore, the project would not significantly impact riparian habitat or any other sensitive natural community. The DASP IS/MND identified that buildout of the DASP would have a less than significant impact on riparian habitat and sensitive natural communities. Such habitats existing along San Mateo Creek but not within or adjacent to the project site. Therefore, the project would have less of an impact than the DASP. **[Less Impact than Approved Project (No Impact)]**

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<b>Impact BIO-3:</b>	The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. <b>[Less Impact than Approved Project (No Impact)]</b>
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There are no state or federally protected wetlands on or adjacent to the project site.<sup>20</sup> Therefore, the project would not have a substantial adverse effect on wetlands. The DASP IS/MND determined that buildout of the DASP would have a less than significant impact on wetlands, such as San Mateo

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<sup>20</sup> U.S. Fish and Wildlife Service. *National Wetlands Inventory Surface Waters and Wetlands*. Accessed April 8, 2022. <https://www.fws.gov/wetlands/data/mapper.html>.

Creek. The project would not impact any wetlands, resulting in a lesser impact than the DASP. **[Less Impact than Approved Project (No Impact)]**

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<b>Impact BIO-4:</b>	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. <b>[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]</b>
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The project site is located within an urban area of San Mateo. The project site is not located within a known regional wildlife movement corridor or any other sensitive biological area. As previously stated, tree removal during development could disturb nesting habitat for migratory birds. With the implementation of the measures contained within MM-BIO-1.1 and MM BIO-1.2, impacts to migratory birds would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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<b>Impact BIO-5:</b>	The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. <b>[Same Impact as Approved Project(Less than Significant Impact)]</b>
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The project proposes to remove 39 existing trees, including 38 Street Trees. None of the existing trees proposed for removal are considered Heritage Trees. Given that all the existing trees within the project boundaries are proposed for removal, no tree protection measures are required during project construction.

**Condition of Approval:** The following condition of approval would be applied to the proposed project due to the removal of 38 existing Street Trees.

Prior to issuance to of building permits for demolition, shoring, foundation, or site development (whichever occurs first), the applicant shall obtain a Site Development Permit for tree removal from the Planning Division for removal of existing trees with a diameter of six inches or larger at 54” above grade. The Site Development Permit for tree removal shall authorize the applicant to replace on-site and street trees equivalent or greater than the Landscape Unit (LU) value of trees to be removed by planting on-site and street trees, pay a fee in lieu of planting trees at the rate established in the annual Comprehensive Fee Schedule upon permit issuance, or a combination of both. Adherence to the Condition of Approval described above would ensure that the project is in compliance with the City’s Protected Trees Ordinance and Site Development Code as it pertains to tree removal. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact BIO-6:</b>	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. <b>[Less Impact than Approved Project (No Impact)]</b>
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The City of San Mateo has not established a habitat conservation plan or a natural community conservation plan, nor is it located within the boundaries of an approved local, regional, or state habitat conservation plan. The proposed project would, therefore, not be in conflict with the



implementation of any such plans. The DASP IS/MND determined that buildout of the DASP would result in less than significant impacts associated with habitat conservation plans. The project site is not within the boundaries of any such plan and thus, would result in a lesser impact than the DASP.  
**[Less Impact than Approved Project (No Impact)]**

## 4.5 CULTURAL RESOURCES

The following discussion is based, in part, on a Cultural Resources Review prepared for the project by Basin Research Associates, dated May 2022. A copy of this report is on file with the City of San Mateo.

### 4.5.1 Environmental Setting

#### 4.5.1.1 *Regulatory Framework*

##### **Federal and State**

##### National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

##### California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1<sup>21</sup>, a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.<sup>21</sup>

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource’s eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

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<sup>21</sup> California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” Accessed August 31, 2020.  
<http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.

## California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

### Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

## **Local**

### City of San Mateo 2030 General Plan

Various policies and actions of the City of San Mateo General Plan have been adopted for the purpose of avoiding or mitigating cultural resource impacts resulting from planned development within the City, including the following, which are applicable to the subject project:

<b>Policies</b>	<b>Description</b>
C/OS 7.1	Preserve, to the maximum extent feasible, archaeological sites with significant cultural, historical, or sociological merit.
C/OS 8.5	Foster public awareness and appreciation of the City's historic, architectural, and archaeological resources.

#### **4.5.1.2      *Existing Conditions***

### **Archaeological Context**

A prehistoric and historic site records and literature search for the project site and a 1,000-foot radius was completed by staff of the California Historical Resources Information System (CHRIS), Northwest Information Center (NWIC), located at Sonoma State University. Three cultural resource reports were identified that included the project site and/or were adjacent to the project site. None of the three reports identified any archaeological resources on or adjacent to the project site. Twenty-eight (28) additional studies on file with the CHRIS/NWIC have been completed within the project search radius of 1,000 feet. Eighty-eight (88) cultural resources have been recorded within the project

search radius. These resources primarily consist of historic district buildings but also include prehistoric resources.

The project site is considered to be within a zone of medium sensitivity to archaeological resources due to its proximity to San Mateo Creek, which is located approximately 0.3-mile north of the project site at its nearest point. Several archaeological sites have been recorded along San Mateo Creek. Resources found at these sites have included various Native American artifacts. No known Native American villages or use areas have been identified in or adjacent to the project block.

As discussed further in Section 4.9 Hazards and Hazardous Materials, the site has undergone substantial disturbance from installation of fuel tanks, removal of the tanks, remediation soils on-site, and construction of the basement level parking garage currently in use on approximately two-thirds of the site, which extends to 12 feet below grade. For these reasons, the site has been substantially disturbed and any resources in the shallow surface soils may have been disturbed by prior site activities. Nonetheless, the potential for cultural resources to be present on-site remains.

### **Historical Context**

In 1776, Colonel Juan Bautista de Anza and Father Pedro Font led an expedition of colonists from Monterey to present-day San Francisco and camped at the banks of San Mateo Creek in the present-day City of San Mateo. The Juan Batista de Anza National Historic Trail places their northward route along present-day El Camino Real. As mapped by the National Park Service (USNPS), the project is located along the trail corridor.

No notable or significant historic resources or potential resources have been identified on the project site. The project site is not within the City's Downtown Historic District. The Downtown Historic District boundary begins in the block directly north of the project site, approximately 250 feet away. The Downtown Historic District is an area with a high concentration of historic structures. These structures contribute to the identity and character of the Downtown Area and the City as a whole. The Zoning Code includes regulations pertaining to the preservation of these historic structures.

The nearest historic building was identified at 505 S. B street, approximately 150 feet east of the project site, across the S. B Street/E. 5<sup>th</sup> Avenue intersection. The existing Draeger's market on-site was constructed after 1996.<sup>22</sup> Thus, the existing building is less than 50 years old and is not eligible for consideration as a historic resource.

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<sup>22</sup> Geosync Consultants. Phase I Environmental Site Assessment: 200-222 East 4<sup>th</sup> Avenue. May 2, 2019.

## 4.5.2

## Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND stated that the downtown area is of particular importance and interest with respect to historic structures. The DASP IS/MND determined that with implementation of preservation policies in the DASP and General Plan, and with project-level CEQA analysis, impacts to historic resources would be less than significant. The DASP IS/MND identified the northern third of the downtown area as an area of high sensitivity to archaeological resources, especially along San Mateo Creek. The DASP determined that compliance with General Plan policies, CEQA, and the State Public Resources Code would mitigate potential impacts to archaeological resources to a less than significant level. The General Plan EIR prescribes standard conditions of approval developed by the City regarding the discovery of archaeological resources during construction activities (i.e., halting construction activities, notifying the Chief of Planning, retaining a qualified archaeologist to evaluate the find, and contacting local Native American organizations)

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**Impact CUL-1:** The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **[Less Impact than Approved Project (Less than Significant Impact)]**

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The existing building is not eligible for consideration as a historic resource, given that it is less than 50 years old. There are no known historic resources on the project site. The USNPS maps the project block within the Juan Batista de Anza National Historic Trail, as described previously under Existing Conditions. However, the project site does not contain any Hispanic-era features or other distinguishing resources that enhance the historic value of the Historic Trail. Thus, the project would not adversely change the significance of the Historic Trail. As previously described, the nearest historic building is located approximately 150 feet east of the project site and the City's Downtown Historic District is located approximately 250 feet north of the project site. The project would not result in a physical adverse change in any nearby historic buildings. As described further in Section 4.13 Noise, construction vibration would not cause any damage to buildings within the project



vicinity. Therefore, the project would not cause an adverse change in the significance of a historical resource. The DASP IS/MND determined that buildout of the DASP would result in a less than significant impact on historical resources with mitigation. No mitigation is required for the proposed project, therefore, the project would have a lesser impact than the DASP. **(Less than Significant Impact)**

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<b>Impact CUL-2:</b>	The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. <b>[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]</b>
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As previously described, there are no known archeological resources within or adjacent to the project site. The project site is considered to be within an area with medium sensitivity to archaeological resources. Archaeological resources have been discovered along San Mateo Creek and in other various locations in the project area. Thus, it is possible that buried archaeological resources could be encountered during earth-moving activities of project construction, particularly due to the excavation and grading activities associated with the construction of the underground garage. No subsurface testing is recommended given that the soils on-site have been previously disturbed by the existing development, including the existing below-grade garage that covers approximately two-thirds of the site. Development of the project could result in impacts to buried prehistoric or historical archaeological deposits. This would be a potentially significant impact.

#### **Mitigation Measures**

**MM CUL-2.1:** Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the project applicant shall hire a qualified Professional Archaeologist to develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for the treatment of cultural resources as well as procedures to follow in the event of a cultural resources discovery. This training program shall be given to the crew before ground disturbing work commences and shall include handouts to be given to new workers.

**MM CUL-2.2:** The applicant shall note on all construction plans that require ground disturbing activities that there is a potential for exposing buried cultural resources including prehistoric Native American burials.

**MM CUL-2.3:** If any prehistoric or significant historic period cultural materials are exposed during construction grading and/or excavation whether on-site or off-site, the applicant shall halt all construction activities within 50 feet of the find, and the Professional Archaeologist shall provide identification, evaluation, and further recommendations consistent with CEQA and City of San Mateo requirements.

If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, the applicant shall notify the

Community Development Director, or his/her designee, and provide avoidance, preservation in-place, recordation, additional archaeological testing and data recovery measures to reduce impacts to a less than significant level. The applicant shall also complete a formal Archaeological Monitoring Plan (AMP) and/or Archaeological Treatment Plan (ATP) that includes data recovery if significant archaeological deposits are exposed during ground disturbing construction. The applicant shall submit the AMP and/or ATP to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the applicant in consultation with the California Office of Historic Preservation and the City of San Mateo.

Implementation of the mitigation measures described above would ensure that the proposed project does not result in significant impacts to archaeological resources that may be encountered during construction. Mitigation Measures MM CUL-2.1 through 2.3 are consistent with standard measures required by the General Plan EIR. **[Same Impact as Approved Project(Less Than Significant With Mitigation Incorporated)]**

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<b>Impact CUL-3:</b>	The project would not disturb any human remains, including those interred outside of dedicated cemeteries. <b>[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]</b>
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As described above, the site has no known archaeological resources, including human remains. In the unlikely event human remains are unearthed during project construction, damage to or destruction of significant archaeological remains would be a potentially significant impact.

**Mitigation Measures:** The project will be required to implement the following mitigation measure to reduce potential impacts to buried human remains to a less than significant level:

**MM CUL-3.1:** In the event that human remains are discovered during excavation and/or grading whether on-site or within the public right-of-way, the applicant shall halt all activity within a 50-foot radius of the find and notify the Community Development Director, or his/her designee. The applicant shall also immediately notify San Mateo County Coroner to have a determination made as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. Treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws (i.e., Native American burials, Chapter 1492, Section 7050.5 to the Health and Safety Code, Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code). If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

With implementation of MM CUL-3.1, any potential impacts from incidental discoveries of human remains would be reduced to a less than significant level. MM CUL-3.1 is required for all construction projects pursuant to Section 7050.5(b) of the California Health and Safety Code and CEQA Guidelines Section 15064.5. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

## **4.6 ENERGY**

### **4.6.1 Environmental Setting**

#### **4.6.1.1 *Regulatory Framework***

##### **Federal and State**

##### **Energy Star and Fuel Efficiency**

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

##### **Renewables Portfolio Standard Program**

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

##### **Executive Order B-55-18 To Achieve Carbon Neutrality**

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO<sub>2</sub> from the atmosphere through sequestration.

##### **California Building Standards Code**

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.<sup>23</sup> Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.<sup>24</sup>

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<sup>23</sup> California Building Standards Commission. "California Building Standards Code." Accessed September 9, 2022. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

<sup>24</sup> California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed September 9, 2022. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>.

## California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

## Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.<sup>25</sup>

## **Local**

### City of San Mateo General Plan

Various policies and actions of the City of San Mateo General Plan have been adopted for the purpose of avoid or mitigating energy impacts resulting from planned development within the City, including the following:

<b>Policies</b>	<b>Description</b>
C/OS 13.6	Establish management and operating practices that are environmentally, socially and economically sustainable.
UD 2.14	Require new development and building alterations to conform with the City's Sustainable Initiative Plan and subsequent City Council adopted goals, policies, and standards pertaining to sustainable building construction.

### City of San Mateo Climate Action Plan

The City of San Mateo adopted a community-wide climate action plan (CAP) on April 6, 2015, which updates and consolidates the City's existing Sustainable Initiatives Plan, GHG Emissions Reduction Plan, and Climate Action Plan for Municipal Operations and Facilities, based on the vision of San Mateo residents, businesses, and local government. The goal was to prepare a CAP that serves as an updated and Qualified GHG Reduction Strategy consistent with BAAQMD GHG Plan Level Guidance and CEQA Guidelines Section 15183.5. The CAP was developed through a robust public process that engaged the San Mateo Sustainability Commission, staff, and the community.

While the primary focus of the CAP is to achieve GHG reductions in alignment with regional, state and national targets, several reduction measures in the CAP have the added benefit of increasing

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<sup>25</sup> California Air Resources Board. "The Advanced Clean Cars Program." Accessed September 9, 2022. <https://www.arb.ca.gov/msprog/acc/acc.htm>.



energy efficiency and establishing renewable energy sources in new development. Reduction measures that are applicable to the energy demand of the proposed project are listed below:

- Reduction Measure RE 5: Renewable energy systems for new nonresidential buildings.
- Reduction Measure AF 2: Provide EV charging stations with designated parking spaces capable of meeting the California Green Building Code Voluntary Standards.

#### **4.6.1.2      *Existing Conditions***

Total energy usage in California was approximately 6,956.6 trillion British thermal units (Btu) in the year 2020, the most recent year for which this data was available.<sup>26</sup> Out of the 50 states, California is ranked second in total energy consumption and 49<sup>th</sup> in energy consumption per capita. The breakdown by sector was approximately 21.8 percent (1,507.7 trillion Btu) for residential uses, 19.6 percent (1,358.3 trillion Btu) for commercial uses, 24.6 percent (1,701.2 trillion Btu) for industrial uses, and 34 percent (2,355.5 trillion Btu) for transportation.<sup>27</sup> This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

### **Electricity**

Electricity in San Mateo County in 2020 was consumed primarily by the non-residential sector (60 percent), with the residential sector consuming 40 percent. In 2020, a total of approximately 4,167 GWh of electricity was consumed in San Mateo County.<sup>28</sup>

Peninsula Clean Energy (PCE) is a public and locally controlled electricity provider for the County of San Mateo. Electricity provided by PCE is delivered through PG&E transmission lines. Commercial and residential customers in San Mateo County are included in the PCE service area and can choose to have 50 to 100 percent of their electricity supplied from carbon-free and renewable sources. Customers are automatically enrolled in the ECOplus plan, which generates its electricity from 100 percent carbon-free sources, with at least 50 percent from renewable sources. Customers have the option to enroll in the ECO100 plan, which generates its electricity from 100 percent carbon-free, renewable sources.<sup>29</sup>

The existing Draeger's Market uses electricity on-site for lighting, air conditioning, appliances, and water usage. The existing Draeger's Market uses approximately 2.4 million kilowatt-hours (kWh) of electricity per year, according to CalEEMod.<sup>30</sup>

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<sup>26</sup> United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed September 5, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>27</sup> Ibid.

<sup>28</sup> California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed September 9, 2022. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

<sup>29</sup> Peninsula Clean Energy. "Frequently Asked Questions." Accessed September 9, 2022. <https://www.peninsulacleanenergy.com/faq/>.

<sup>30</sup> ECORP Consulting, Inc. *Greenhouse Gas Emissions Assessment – 222 East 4<sup>th</sup> Avenue Project. Attachment A: CalEEMod Output Files – Greenhouse Gas Emissions*. September 2022.

## Natural Gas

PG&E provides natural gas services within the City of San Mateo. In 2022, approximately 2.5 percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.<sup>31</sup> In 2020 California used 2,144 trillion Btu of natural gas.<sup>32</sup> In 2020, San Mateo County used less than one percent of the state's total consumption of natural gas.<sup>33</sup>

The existing Draeger's Market uses approximately 2.4 million kilo-Btu of natural gas per year.<sup>34</sup>

## Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.<sup>35</sup> The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 25.4 mpg in 2020.<sup>36</sup> Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.<sup>37,38</sup>

Vehicles traveling to and from the existing Draeger's Market generate approximately 7,448,877 VMT per year.<sup>39</sup> Assuming the EPA average fuel economy estimate of 22.0 miles per gallon this would equate to approximately 338,585 gallons of vehicle fuel consumed annually by vehicles traveling to and from the Draeger's Market.

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<sup>31</sup> California Gas and Electric Utilities. 2022 *California Gas Report*. Accessed September 9, 2022. [https://www.socalgas.com/sites/default/files/Joint\\_Utility\\_Biennial\\_Comprehensive\\_California\\_Gas\\_Report\\_2022.pdf](https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf)

<sup>32</sup> United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed September 5, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>33</sup> California Energy Commission. "Natural Gas Consumption by County." Accessed September 9, 2022. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

<sup>34</sup> ECORP Consulting, Inc. *Greenhouse Gas Emissions Assessment – 222 East 4<sup>th</sup> Avenue Project. Attachment A: CalEEMod Output Files – Greenhouse Gas Emissions*. September 2022.

<sup>35</sup> California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed September 9, 2022. <https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

<sup>36</sup> United States Environmental Protection Agency. "The 2021 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1010U68.pdf>

<sup>37</sup> United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed September 9, 2022. <http://www.afdc.energy.gov/laws/eisa>.

<sup>38</sup> United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed September 9, 2022. <https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026>

<sup>39</sup> ECORP Consulting, Inc. *Greenhouse Gas Emissions Assessment – 222 East 4<sup>th</sup> Avenue Project. Attachment A: CalEEMod Output Files – Greenhouse Gas Emissions*. September 2022.

## 4.6.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2030 General Plan EIR Prior Conclusions. Energy was not evaluated as an environmental resource in the DASP IS/MND, as the CEQA Appendix G checklist did not include an energy section at the time of preparation. The 2030 General Plan EIR included a discussion of energy consumption as part of chapter 4.13 Energy and Climate Change, evaluating the General Plan's contribution to global climate change, and concluding that policies included in the General Plan would reduce the City's contribution to global climate change and demand on available energy supplies to a less than cumulatively considerable contribution. The discussion below provides an analysis for the proposed mixed-use building.

<b>Impact EN-1:</b>	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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### Construction

The anticipated construction schedule assumes the project would be built over a period of approximately 20 months. The project would require demolition, excavation, site preparation, grading, trenching, building construction, paving, and the building interior. The overall construction schedule and process is designed to be efficient in order to avoid excess monetary costs. That is, equipment and fuel would not be used wastefully on the site because of the added expense associated with renting, maintaining, and fueling equipment. Energy is consumed during construction because the use of fuels and building materials are fundamental to construction of new buildings; however, energy would not be wasted or used inefficiently by project construction equipment. Therefore, construction of the proposed project would not consume energy in a manner that is wasteful, inefficient, or unnecessary.

## Operation

### Electricity and Natural Gas

The proposed mixed-use building would use approximately 143 billion net new kilowatt-hours of electricity per year compared to existing conditions according to CalEEMod.<sup>40</sup> The project would be 100 percent electric and would not use any natural gas energy.

The energy use increase is likely overstated, however, because the estimates for energy use do not take into account the efficiency measures which would be incorporated into the project. The project would be subject to energy conservation requirements in the CBC (Title 24, Part 6, of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and CALGreen (Title 24, Part 11 of the California Code of Regulations). Adherence to Title 24 and CBC requirements would ensure that the project would not result in wasteful and inefficient use of non-renewable resources due to building operation.

### Vehicle Fuel

Vehicle fuel would be consumed via vehicles traveling to and from the proposed mixed-use building. With incorporation of the proposed TDM Plan (described further in Section 4.17 Transportation) which would achieve a 25 percent trip reduction as required by the Downtown Specific Plan, the project would generate approximately 3,082,883 VMT annually, a net decrease of approximately 4,365,994 annual VMT compared to existing conditions.<sup>41</sup> Assuming the EPA average fuel economy estimate of 22.0 miles per gallon this would equate to a net decrease of approximately 198,454 gallons of vehicle fuel consumed annually by vehicles traveling to and from the project site. The TDM Plan prepared for the project would encourage the use of transit, bicycle, and pedestrian facilities over vehicles. As a result, energy in the form of gasoline consumption would not be used wastefully, inefficiently, or unnecessarily. [Same Impact as Approved Project (**Less than Significant Impact**)]

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<b>Impact EN-2:</b>	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. [ <b>Same Impact as Approved Project (Less than Significant Impact)</b> ]
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The City of San Mateo CAP contains GHG reduction measures which focus on increasing renewable energy production and improving energy efficiency. As discussed further in Section 4.8 Greenhouse Gas Emissions, the project would be consistent with the City's CAP. In accordance with Section 23.24.030 of the San Mateo Municipal Code, the project would be required to provide solar panels as part of the project. Compliance with these measures, in addition to the City's green building measures and Title 24 of the California Code, would ensure that the project provides opportunities for on-site renewable energy generation and has a high overall operational energy efficiency. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. [**Same Impact as Approved Project (Less than Significant Impact)**]

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<sup>40</sup> ECORP Consulting, Inc. *Greenhouse Gas Emissions Assessment – 222 East 4<sup>th</sup> Avenue Project. Attachment A: CalEEMod Output Files – Greenhouse Gas Emissions*. September 2022.

<sup>41</sup> Ibid.

## **4.7 GEOLOGY AND SOILS**

The following discussion is based, in part, on a Geotechnical Investigation prepared for the project by Cornerstone Earth Group, dated December 2019. A copy of this report is included in Appendix D of this Addendum.

### **4.7.1 Environmental Setting**

#### **4.7.1.1 *Regulatory Framework***

##### **State**

##### **Alquist-Priolo Earthquake Fault Zoning Act**

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

##### **Seismic Hazards Mapping Act**

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

##### **California Building Standards Code**

The CBC prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

##### **California Division of Occupational Safety and Health Regulations**

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

## Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

### **Local**

#### City of San Mateo General Plan

Various policies and actions of the City of San Mateo General Plan have been adopted for the purpose of avoiding or mitigating geology and soils impacts resulting from planned development within the City, including the following:

<b>Policies</b>	<b>Description</b>
S 1.1	Require a site specific geotechnical engineering studies, subject to the review and approval of the City Engineer and Building Official, for development proposed on sites identified in Figure S-2 of the City's General Plan as having a moderate or high potential for ground failure. Permit development in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, or contribute to, the hazardous condition on the site or on adjacent properties.
S 1.3	Require erosion control measures for all development sites where grading activities are occurring, including those having landslide deposits, past erosion problems, the potential for storm water quality impacts, or slopes of 15 percent or greater which are to be altered. Control measures shall retain natural topographic and physical features of the site if feasible.
C/OS 3.2	Regulate the location, density, and design of development throughout the City in order to preserve topographic forms and to minimize adverse impacts on vegetation, water, and wildlife resources.

#### City of San Mateo Site Development Code

The City's Site Development Code (Chapter 23.40 of the City of San Mateo Municipal Code) establishes administrative procedures, regulations, required approvals, and performance standards for site grading, construction on slopes, and removal of major vegetation. In general, a planning application and a subsequent site development permit are required for development where grading exceeds 5,000 square feet in area; grading exceeds a volume of 550 cubic yards; removal of major vegetation (trees over 6 inches in diameter) is proposed; and construction is proposed on a slope of 15 percent or greater or within slope setbacks as defined in Municipal Code 23.40.030. The intent of the ordinance is to protect public and private lands from erosion and earth movement, minimize the risk of injury to persons and damage to property, and ensure that each development relates to adjacent lands to minimize physical problems.



#### **4.7.1.2      *Existing Conditions***

##### **Regional Geology**

The San Francisco Peninsula is a relatively narrow geologic formation at the north end of the Santa Cruz Mountains separating the Pacific Ocean from San Francisco Bay. This represents one mountain range in a series of northwesterly-aligned mountains forming the Coast Ranges geomorphic province of California that stretches from the Oregon border nearly to Point Conception. The San Andreas Fault is the dominant structure in the system, nearly spanning the length of California, and capable of producing the highest magnitude earthquakes. Many other subparallel or branch faults within the San Andreas system are equally active and nearly as capable of generating large earthquakes. The project site is located on the flatlands surrounding San Francisco Bay west of the present tidal flats. The site is mapped as coarse-grained alluvium and alluvial fan and fluvial deposits, underlain by sandstone with interbedded siltstone and shale.

##### **Subsurface Conditions**

Cornerstone Earth Group took soil samples on-site to observe the subsurface conditions. Soils encountered on-site generally consisted of undocumented fill over alluvial soil. The undocumented fill was encountered to a depth of five feet below ground surface (bgs) and consisted of sandy lean clay and clayey sand. The underlying alluvial soil was encountered to a depth of 60 feet bgs, the maximum depth explored, and consisted of very stiff to hard sandy lean clay with gravel, sandy lean clay, and lean clay with sand. Several prominent layers of medium dense to dense clayey sand with gravel and dense to very dense, poorly graded sand with gravel were encountered at depths of five to 22 feet.

One plasticity index test was performed on a representative sample of the foundation bearing soil. Test results were used to evaluate the expansion potential of the soils. The test results indicated that the soils have a low expansion potential to wetting and drying cycles. The medium dense sandy soil encountered above the design groundwater depth of 18 feet (see discussion below) was also evaluated for potential for seismic compaction. The results indicated that seismic compaction of the sandy soil could result in approximately one inch of settlement at the ground surface after strong seismic shaking.

##### **Groundwater**

Groundwater was encountered on-site at depths of 31 to 32 feet bgs. All measurements were taken at the time of drilling and may not represent the stabilized levels that can be higher than the initial levels encountered. Historic high groundwater at the site is mapped at a depth of 18 feet. Additionally, groundwater monitoring wells in the vicinity of the site (e.g., within approximately 600 feet), indicate depths to groundwater to be about 17 to 21.5 feet bgs. Therefore, a design groundwater depth of 18 feet can be assumed. Fluctuations in groundwater levels occur due to many factors including seasonal fluctuation, underground drainage patterns, regional fluctuations, and other factors.

## Seismicity and Seismic Hazards

### Earthquakes and Fault Rupture

The project site is located within the seismically active San Francisco Bay region. The faults in this region are capable of generating earthquakes of magnitude 7.0 or higher.<sup>42</sup> Major faults in the area include the San Andreas Fault, approximately 3.2 miles west of the site, the Monte Vista-Shannon Fault, approximately 9.1 miles southeast of the site, and the San Gregorio Fault, approximately 10.2 miles west of the site. During an earthquake, very strong ground shaking could occur at the project site.

The project site is not located within an Alquist-Priolo Special Studies Zone.<sup>43</sup> Since no active faults are known to cross the project site, fault rupture is not anticipated to occur at the site.

### Liquefaction Potential

The project site is not mapped within a liquefaction hazard zone<sup>44</sup> and is within a zone mapped as having a very low to low susceptibility to liquefaction by the Association of Bay Area Governments.<sup>45</sup> Cornerstone Earth Group screened the site for liquefaction by testing soils samples and found that the dense to very dense sandy layers encountered below the design groundwater depth of 18 feet are not susceptible to liquefaction.

### Lateral Spreading

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. San Mateo Creek, the nearest creek to the project site, is approximately 0.3 miles north of the project site. Additionally, the potential for liquefaction at the site is negligible, as described above. Therefore, the potential for lateral spreading to occur and/or impact the proposed improvements at the site is also considered to be negligible.

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<sup>42</sup> United State Geological Survey. "The San Andreas and Other Bay Area Faults". Accessed October 18, 2022. <https://earthquake.usgs.gov/earthquakes/events/1906calif/virtualtour/bayarea.php#:~:text=The%20San%20Andreas%20Fault%20and,Creek%2C%20and%20San%20Gregorio%20Faults>.

<sup>43</sup> California Geological Survey. "Earthquake Zones of Required Investigation". Accessed May 19, 2022. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>.

<sup>44</sup> Ibid.

<sup>45</sup> ABAG. "Hazard Viewer". Accessed May 19, 2022. <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>

## 4.7.2

## Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND determined that geologic hazards associated with new development would be mitigated to a less than significant level by compliance with General Plan Policy S 1.1, which requires sites in areas of geologic hazards to acquire site specific

geotechnical and engineering studies subject to the review and approval of the City Engineer and Building Official.

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<b>Impact GEO-1:</b>	The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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### **Fault Rupture**

The project site is not located within an Alquist-Priolo Earthquake Fault Zone, making fault rupture at the site unlikely. While existing faults are located within 10 miles of the site, the proposed project is outside of the fault rupture zone, and significant impacts from fault ruptures are not anticipated to occur. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Seismic Ground Shaking**

The project site is located within the seismically active San Francisco Bay region. Faults in this region are capable of generating earthquakes of magnitude 7.0 or higher. Major faults in the area include the San Andreas Fault, Monte Vista-Shannon Fault, and the San Gregorio Fault. During an earthquake, very strong ground shaking could occur at the project site which could damage buildings and other proposed structures and threaten residents and occupants of the proposed development. The proposed building would be designed and constructed in accordance with the City of San Mateo's requirements and seismic design guidelines in the current California Building Code. Additionally, a site-specific geotechnical investigation has been prepared for the project; the report includes project design and construction recommendations to address seismic ground-shaking. With adherence to the California Building Code and the recommendations of the geotechnical report, the proposed project would not result in significant impacts related to seismic ground shaking. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Liquefaction**

The proposed project site is not located within a liquefaction hazard zone, according to maps prepared for the San Mateo Quadrangle by the CGS. The geotechnical investigation prepared for the project concluded that the soils on-site are not susceptible to liquefaction. Thus, the proposed project would not result in significant impacts related to liquefaction. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Lateral Spreading**

Lateral spreading is often associated with liquefaction. The project site is not susceptible to liquefaction. Additionally, there are no adjacent bodies of water, channels, or excavations in the vicinity of the site that would increase the potential of lateral spread occurrence. It is not anticipated that lateral spread or other seismic-induced hazards would substantially impact the proposed project or nearby uses. **[Same Impact as Approved Project (Less than Significant Impact)]**

## Landslides

The topography of the project site is relatively flat, and there are no hillsides nearby. The project would not exacerbate any existing landslide risks and there are no risks of landslides impacting the project. Therefore, the project is not susceptible to future landslides, on or off the site. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact GEO-2:</b>	The project would not result in substantial soil erosion or the loss of topsoil. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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Ground disturbance related to demolition, excavation, grading, and construction activities from the proposed project is expected, potentially resulting in an increased exposure of soil to wind and water erosion. Development on the project site could result in significant amounts of soil erosion if managed improperly. The City of San Mateo's Municipal Code and Site Development Code outline procedures to be followed to prevent significant soil erosion during construction activities.

**Conditions of Approval:** In accordance with the General Plan and the City's Municipal Code, Site Development Code 23.40.040, the following conditions of approval would reduce potential impacts from erosion to a less than significant level.

- For construction activities that will disturb one (1) acre or more, the project applicant shall obtain coverage under the General Construction Activity Storm Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB) for stormwater discharges associated with construction activity. To obtain coverage, the project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit must be provided to the Public Works Department along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the STOPPP Construction permit.

The applicant must obtain a Stormwater Pollution Prevention (STOPPP) Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program in accordance with San Mateo Municipal Code Chapter 7.39.170. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made.

The project would reduce post-construction soil erosion by managing stormwater runoff in compliance with the MRP. With adherence to the conditions of approval mentioned above, and the policies and regulations outlined in Section 4.10, Hydrology and Water Quality, the project would not substantially increase soil erosion on-site or contribute to the loss of topsoil. **[Same Impact as Approved Project (Less Than Significant Impact)]**

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**Impact GEO-3:** The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **[Same Impact as Approved Project (Less than Significant Impact)]**

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As discussed under Impact GEO-1, the project would not be susceptible to landslides, lateral spreading, or liquefaction, and would not risk exacerbating any geologic or seismic hazards. The soils on-site do have the potential for up to approximately one inch of settlement at the ground surface after strong seismic shaking; however, based on the upper 25 feet of soil being removed for excavation of the basement levels, the remaining seismic sand settlement that could occur would be negligible. Additionally, the project would adhere to the recommendations of the geotechnical investigation regarding building and foundation design to reduce the potential for adverse effects related to soil instability to occur. Therefore, the project would not result in a significant impact related to unstable soils or geologic units. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact GEO-4:** The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **[Same Impact as Approved Project (Less than Significant Impact)]**

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A plasticity index test was performed on a soil sample collected on-site and it was determined that the soils on-site have a low expansion potential. Therefore, the project would not be located on expansive soil that would create substantial risks to life or property. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact GEO-5:** The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **[Same Impact as Approved Project (No Impact)]**

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The project site is located within an urbanized area of San Mateo where sewers are available to dispose of wastewater from the project site. The project would not involve the use of septic tanks or alternative wastewater disposal systems; therefore, no impacts related to septic systems would occur. **[Same Impact as Approved Project (No Impact)]**

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**Impact GEO-6:** The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **[Same Impact as Approved Project (Less than Significant Impact)]**

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No unique geologic features or paleontological resources have been identified at the project site. The City of San Mateo General Plan Environmental Impact Report (EIR) did not identify any known paleontological resources in the City of San Mateo. Given that the project would involve excavation for the proposed below-grade parking garage, it is possible, though unlikely, that the project would encounter previously undiscovered paleontological resources or unique geological features. The City



of San Mateo has developed conditions of project approval that address the potential for discovery of paleontological resources as a result of development in the City.

**Conditions of Approval:** The following conditions of approval shall be adhered to by the project to reduce impacts to any paleontological resources inadvertently discovered at the project site:

- In the event of the discovery of paleontological resources (fossils) on the project site or in the public right-of-way, the applicant shall halt all construction activities within 50 feet of the discovery, notify the Planning Manager and/or Project Planner, and retain a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, prepare a written report documenting the find and recommending further courses of action, and submit a summary of findings to the Project Planner. Following City acceptance of the report and proposed recommendations, the applicant shall incorporate the recommendations of the paleontologist when continuing construction.

Application of the above-listed conditions of approval would ensure that significant impacts to paleontological resources are reduced to a less than significant level. **[Same Impact as Approved Project (Less Than Significant Impact)]**

## 4.8 GREENHOUSE GAS EMISSIONS

The following discussion is based, in part, on a Greenhouse Gas Emissions Assessment prepared for the project by ECORP Consulting, Inc., dated September 2022 and a copy of the City's Climate Action Plan Consistency Checklist completed by the project applicant. Copies of these reports are included in Appendix E and Appendix F of this Addendum, respectively.

### 4.8.1 Environmental Setting

#### 4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO<sub>2</sub> equivalents (CO<sub>2</sub>e). The most common GHGs are carbon dioxide (CO<sub>2</sub>) and water vapor but there are also several others, most importantly methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO<sub>2</sub> and N<sub>2</sub>O are byproducts of fossil fuel combustion.
- N<sub>2</sub>O is associated with agricultural operations such as fertilization of crops.
- CH<sub>4</sub> is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF<sub>6</sub> emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

#### **4.8.1.2      *Regulatory Framework***

### **State**

#### **Assembly Bill 32**

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO<sub>2</sub>e (MMTCO<sub>2</sub>e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO<sub>2</sub>e.

#### **Senate Bill 375**

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2050. Plan Bay Area 2050 establishes a course for reducing per capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

#### **Assembly Bill 1279**

AB 1279, also known as the California Climate Crisis Act, declares the policy of the state both to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter, and to ensure that by 2045, statewide anthropogenic GHG emissions are reduced to at least 85 percent below the 1990 levels. AB 1270 requires the State Air Resources Board to work with relevant state agencies to ensure that updates to the Climate Change Scoping Plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies in California, as specified. AB 1279 requires the State Air Resources Board to submit an annual report, as specified.

## **Regional and Local**

### 2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

### CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

### City of San Mateo Sustainable Initiatives Plan

The Sustainable Initiatives Plan (2007) addresses several areas of environmental responsibility for the City, including citywide sources of GHG emissions, impacts from new developments and construction, city planning, waste and resource management, and all modes of transportation. The plan also addresses ways to engage the public and businesses in creating solutions to the environmental challenges. The Sustainable Initiatives Plan contains two sets of actions in regard to climate change: a proactive approach, which reduces GHG emissions and therefore lessens the impacts on global warming, and the adaptive approach, which serves to ensure that the City is prepared for the inevitable change.

### City of San Mateo Greenhouse Gas Emissions Reduction Program

The City prepared a Greenhouse Gas Emissions Reduction Program (2010) to summarize the City of San Mateo's GHG emissions and the actions being taken to mitigate those emissions. The emissions reduction program seeks to meet the requirements of the BAAQMD's Draft CEQA Guidelines and the corresponding criteria for a Qualified GHG Emissions Reduction Strategy as defined by the BAAQMD. The Greenhouse Gas Reduction Program calculates the GHG emissions reduction target and the impact of programs to achieve the target, consistent with state guidance.

The program demonstrates the City's ability to reduce its GHG emissions to 1990 levels by 2020 or approximately 28 percent below "business-as-usual" (BAU) forecasts in 2020. Based on a 2005 inventory prepared by the City, in order to achieve these emissions reduction targets, San Mateo would have to reduce its GHG emissions by 201,983 metric tons of CO<sub>2</sub>e by 2020. To remain on track to reach its 2050 target, the City would have to reduce its emissions by 458,560 metric tons of CO<sub>2</sub>e by 2030. This information was updated in the Climate Action Plan (CAP), as described below.

### City of San Mateo Climate Action Plan

The City adopted an updated CAP in April 2020, which updates and consolidated the various City's GHG reduction efforts based on the vision of San Mateo residents, businesses, and local government.

The CAP provides the framework for San Mateo to reduce its community-wide GHG emissions in a manner consistent with state reduction targets and goals for 2030 and 2050.

A CAP is a comprehensive strategy for a community to reduce emissions of GHGs, which, according to scientific consensus, are primarily responsible for causing climate change. The CAP identifies a strategy, reduction measures, and implementation actions the City will use to achieve targets consistent with state recommendations of 4.3 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e) per person by 2030 and 1.2 MTCO<sub>2</sub>e per person by 2050. The City CAP includes five key pieces:

1. An inventory of the annual GHG emissions attributable to San Mateo based on the types of activities occurring within the community and guidance from various protocols and agencies.
2. A forecast of what GHG emissions are likely to look like in 2030 and 2050 based on expected population and economic growth as predicted in the City's General Plan; with the consideration of major CO<sub>2</sub>e emission reduction policies.
3. A reduction target, which identifies a goal for reducing GHG emissions by 2030 and 2050.
4. Reduction strategies, which describe the actions the community intends to take to achieve the reduction target. Each strategy identifies the amount of GHGs that will be reduced once the strategy is implemented. The CAP also estimates benefits of existing programs.
5. An implementation and monitoring program to track progress toward the reduction target and the status of the reduction strategies. A CAP consistency checklist for future development projects is included in the implementation program.

As part of the CAP, the City developed a CAP consistency checklist for land use projects. The checklist is a streamlined tool that identifies the CAP's mandatory requirements and provides an opportunity for project applicants to demonstrate project consistency with GHG reduction measures and actions in the CAP. The checklist is also an opportunity to identify additional project characteristics that support the GHG reduction targets and programs in the CAP. The project applicant completed the CAP consistency checklist for the proposed project. A copy of this checklist is included in Appendix F.

#### City of San Mateo General Plan

Applicable General Plan policies related to greenhouse gasses include, but are not limited to, the following listed below.

<b>Policies</b>	<b>Description</b>
UD 2.14	Require new development and building alterations to conform with the City's Sustainable Initiative Plan and subsequent Council adopted goals, policies, and standards pertaining to sustainable building construction.

#### 4.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns.

The existing Draeger's Market on-site generate GHGs via energy used for building lighting, air conditioning, appliances, and water use. GHGs are also generated by existing vehicle traffic traveling to and from the project site.

#### 4.8.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. At the time the DASP IS/MND was prepared, no statewide thresholds for GHG emissions existed, each jurisdiction established its own thresholds of significance. GHG emissions were discussed in the air quality section of the DASP IS/MND. Estimated GHG emissions from DASP buildout were quantified and compared against CARB's 2020 GHG emissions limit for the whole of California. The DASP IS/MND also discussed City policies and plans that would reduce GHG emissions from new development and vehicle traffic. The DASP IS/MND determined that buildout of the DASP would have a less than significant impact.

General Plan EIR Conclusions. The General Plan EIR included a discussion of GHG emissions in its energy and climate change section. Estimated GHG emissions from 2006 existing conditions and buildout of the General Plan were quantified and compared against the City's reduction goals for 2020 and 2050 (which were based on statewide emission reduction goals). The General Plan EIR also discussed the General Plan's consistency with recommended GHG reduction measures published by the Governor's Office of Planning and Research (OPR). The General Plan EIR determined that with implementation of the General Plan policies, buildout of the General Plan would result in a less than cumulatively considerable contribution to the worldwide climate change impact due to GHG emissions.

The GHG emissions section has since been added to the CEQA checklist, providing statewide guidance on the significance thresholds to be used in evaluating GHG emissions impacts. The



discussion below provides an analysis of the project's GHG emissions using the most current thresholds of significance.

#### 4.8.2.1 *Thresholds of Significance*

The BAAQMD's CEQA Air Quality Guidelines do not use quantified thresholds for projects that are in a jurisdiction with a qualified GHG reductions plan (i.e., a Climate Action Plan). The City CAP is a qualified GHG Reduction Strategy. The 2020 City CAP is the most recent update after the 2015 CAP and is written to align with the goals of SB 32. The CAP addresses estimate emissions beyond 2020, as informed by the post-2020 GHG reduction targets of SB 32 and EO S-3-05. Therefore, project compliance with the CAP adequately establishes project compliance with statewide GHG reduction goals for the year 2030 associated with SB 32, and with statewide GHG reduction goals for the years beyond 2030.

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**Impact GHG-1:** The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

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GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic within the project vicinity, energy and water usage, and solid waste disposal. Emissions for the proposed project are discussed below and were analyzed using the methodology recommended in the BAAQMD CEQA Air Quality Guidelines.

#### **Construction Emissions**

Construction-related activities that would generate GHG emissions include worker commute trips, haul trucks carrying supplies and materials to and from the project site, and off-road construction equipment (e.g., dozers, loaders, excavators). Table 4.8-1 summarizes the project's construction GHG emissions.

<b>Table 4.8-1: Construction-Related GHG Emissions</b>	
<b>Emissions Source</b>	<b>CO<sub>2</sub>e (Metric Tons/Year)</b>
Construction Year 1	348
Construction Year 2	623
Construction Year 3	71
Total Construction Emissions	1,042
Source: CalEEMod version 2020.4.0.	

Neither the City nor BAAQMD have an adopted threshold of significance for construction-related GHG emissions, though BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction. As previously discussed in the Energy section, the overall construction schedule and process is designed to be efficient in order to avoid excess

monetary costs. That is, equipment and fuel would not be used wastefully on the site because of the added expense associated with renting, maintaining, and fueling equipment. Additionally, equipment idling would be limited per the required BAAQMD construction BMPs as described in Section 4.3 Air Quality.

### Operational Emissions

The project would emit long-term operational GHGs through the use of energy on-site for building lighting, air conditioning, water use, and appliances. GHGs would also be emitted from vehicle traffic traveling to and from the project site. The project's operational GHG emissions are summarized in Table 4.8-2, below.

<b>Table 4.8-2: Operational-Related GHG Emissions</b>	
<b>Emission Source</b>	<b>CO<sub>2</sub>e (Metric Tons/Year)</b>
<b>Proposed Project</b>	
Area Source	0
Energy*	0
Mobile	1,008
Waste	101
Water	24
<b>Total</b>	<b>1,133</b>
<b>Existing On-Site Land Uses</b>	
Area Source	0
Energy*	134
Mobile	2,385
Waste	173
Water	10
<b>Total</b>	<b>2,702</b>
<b>Net Total</b>	
Area Source	0
Energy	-134
Mobile	-1,377
Waste	-72
Water	+14
<b>Total</b>	<b>-1,569</b>
Source: CalEEMod version 2020.4.0.	

Table 4.8-2: Operational-Related GHG Emissions	
Emission Source	CO <sub>2</sub> e (Metric Tons/Year)
<p>Notes: Emission projections predominately based on CalEEMod model defaults for San Mateo County. Emissions projections account for baseline and project trip generation rates identified by Kittelson &amp; Associates (2022).</p> <p>*Project energy use accounts for compliance with the City’s Reach Code, which prohibits the use of natural gas. Project electricity would be supplied by PCE from 100 percent carbon-free sources. Existing energy use accounts for the current use of natural gas appliances.</p>	

As shown in Table 4.8-2, the project would result in a net decrease of approximately 1,569 MTCO<sub>2</sub>e per year as compared to existing conditions. Therefore, the project would not generate a substantial amount of GHG emissions. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact GHG-2:** The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **[Same Impact as Approved Project (Less than Significant Impact)]**

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### San Mateo Climate Action Plan

A specific project proposal is considered consistent with the City CAP if it complies with the “required” GHG reduction measures in the adopted CAP. The required GHG reduction measures applicable to the proposed project, which the project would comply with, include the following:

- **Reduction Measure BE 1:** *All new development: The project does not have natural gas connections, and does not have any natural gas appliance or other equipment installed.* The project does not have any natural gas connections and no natural gas appliances installed. The project would conform to the City’s Reach Code (Municipal Code Chapter 23.24), which also requires new mixed-use buildings to be all-electric (no natural gas infrastructure).
- **Reduction Measure RE 2:** *All new developments with residential units: The project includes an on-site renewable energy system that meets or exceeds the minimum requirements of the California State Building Code:* The project is required, per California state law, to meet the minimum requirements of the 2019 California State Building Code for project approval. In addition, Section 23.24.030 of the City Municipal Code states “New residential buildings four stories or more shall provide a minimum of a three-kilowatt photovoltaic system”. The proposed building included in the project would be required to comply with this provision of the Municipal Code. As described in the Planning Application for the proposed project, the roof will contain 1,000 square feet of five-kilowatt solar panels.
- **Reduction Measure EE 3:** *All new developments with residential units: The project includes trees that provide shade to residences:* Landscaping would be provided around the perimeter of the proposed building, in the community open space, along the third-floor terrace, and along portions of the perimeter of the rooftop.
- **Reduction Measure CF 1(a):** *All new development with dedicated off-street parking: The project includes parking spaces with installed EV chargers or are pre-wired for EV chargers, consistent with state and any local regulations:* Out of the 239 total proposed parking spaces,

approximately 36 spaces would include electric vehicle (EV) charging stations as currently shown by the project plans. The project will be required to provide proof of consistency with Reduction Measure CF 1(a) at the time of issuance of a building permit.

- **Reduction Measure ST 6:** *New developments of at least six multifamily units and/or 10,000 square feet of nonresidential space- Implement TDM strategies to comply with the appropriate trip reduction target identified in applicable area plans and San Mateo Citywide TDM Plan:* As part of the TDM Plan, the project is proposing bicycle storage rooms with capacity for 21 bikes and additional bike racks for 17 bikes. Additionally, the project site is located approximately 65 feet from a SamTrans bus stop located at the corner of South Ellsworth and East 4<sup>th</sup> Avenue. This accessibility to mass transit would result in fewer vehicle trips and VMT compared to the statewide average and encourage walking and non-automotive forms of transportation, thus resulting in the reduction of transportation-related emissions. Further, the project is also located within easy access to numerous restaurants, markets, and other services in the vicinity of the project site. These services are conveniently located for future residents of the proposed project, which will further reduce the number of vehicle trips. Additionally, the project site would be located within an area surrounded by other off-site nonresidential and residential uses. The project includes bike storage, which would encourage residents to bike rather than drive, when feasible. Lastly it is noted, as shown in Table 4.8-2, there would be a net decrease in operational vehicle-related GHG emissions of 1,377 MTCO<sub>2</sub>e per year compared with the existing baseline.
- **Reduction Measure ST 7:** *All new development: Be located along El Camino Real, within one-half mile of any Caltrain station, or in the Rail Corridor Transit Oriented Development or Hillsdale Station Area Plan areas:* The project site would be located less than one-half mile (0.3 mile) from the nearest Caltrain station (the San Mateo Station), located at 385 First Avenue.
- **Reduction Measure SW 1:** *All developments with multifamily units or nonresidential space: provide an area of sufficient space to store and allow access to a compost bin;* the project plans show access to composting.

The project would comply with all applicable and feasible reduction measures included in the CAP. A copy of the City's CAP Consistency Checklist completed by the project applicant is included in Appendix F of this Addendum.

## **BAAQMD 2017 Clean Air Plan**

### **Transportation and Mobile Source Control Measures**

The BAAQMD identifies transportation and mobile source control measures as part of the Clean Air Plan to reduce emissions from these sources. The transportation control measures are designed to reduce emissions from motor vehicles by reducing vehicle trips and VMT in addition to vehicle idling and traffic congestion. The project is consistent with the Clean Air Plan's transportation and mobile source control measures in that it would redevelop an urban infill site, is located in close proximity to high-quality transit (Caltrain and SamTrans), provide bike storage facilities, and is located near existing retail, shops, markets, offices, and other urban lands uses with convenient pedestrian access facilities.

## Land Use and Local Impact Measures

The BAAQMD Clean Air Plan includes Land Use and Local Impact Measures to ensure that planned growth is focused in a way that protects the people and environment from exposure of emissions associated with stationary and mobile sources and to promote mixed-use, compact development to reduce motor vehicle travel. The Land Use and Local Impact Measures identified by the BAAQMD are not specifically applicable to the proposed project as they relate to actions the BAAQMD will take to reduce impacts from goods movement and health risks in affected communities at the plan level. However, the project would be in support of these measures given that it is a mixed-use development within an urban infill area surrounded by residential and commercial uses. The project would locate additional residential land uses in close proximity to existing offsite office, commercial, and residential uses. Therefore, the project would provide future project residents with the potential work opportunities and commercial service options within the site and in close proximity to the site. Additionally, the project would locate potential employment opportunities for residents already living in the vicinity. The location efficiency of the project site would result in synergistic benefits that would reduce vehicle trips and VMT compared to the statewide average and would result in corresponding reduction of transportation related GHG emissions.

The project would increase housing density in the vicinity over current conditions. Increased density reduces emissions associated with transportation as it reduces the distance people travel for work or services and provides a foundation for the implementation of other strategies to reduce GHG emissions.

## Energy and Climate Control Measures

The Clean Air Plan also includes Energy and Climate Control Measures, which are designed to reduce ambient concentrations of emissions of CO<sub>2</sub>. Implementation of these measures is intended to promote energy conservation and efficiency in buildings throughout the community, promote renewable forms of energy production, reduce the “urban heat island” effect by increasing reflectivity of roofs and parking lots, promote the planting of (low volatile organic compound-emitting) trees to reduce biogenic emissions, lower air temperatures, provide shade, and absorb air pollutants. The proposed project would increase landscaping throughout the project site which would help reduce the urban heat-island effect.

The project is consistent with the 2017 Clean Air Plan. The proposed project would conform to the project-applicable control measures in the Clean Air Plan and would not disrupt or hinder the implementation of any other control measures.

## **ABAG Final Plan Bay Area 2050**

Plan Bay Area establishes GHG emissions goals for automobiles and light-duty trucks, a potent source of GHG emissions attributable to land use development. The project site is located in an area identified as the “San Mateo Downtown Priority Development Area” in Plan Bay Area 2050. Therefore, Plan Bay Area 2050 considers the project location to be included in an area near high-quality transit and within a communities poised to accommodate additional growth, and therefore encourages urban growth in the project area. Furthermore, the project is proposed within a built environment (infill development). The project will increase density and land use diversity in the vicinity over current conditions. Increased density potentially reduces emissions associated with

transportation as it reduces the distance people travel for work or services and provides a foundation for the implementation of other strategies such as enhanced transit services.

For these reasons, the project is consistent with Plan Bay Area. Based on the project's proximity to public transportation, availability of bike storage space and proximity to retail stores, it can be assumed that regional mobile emissions will decrease in line with the goals of Plan Bay Area with implementation of the proposed project. **[Same Impact as Approved Project (Less than Significant Impact)]**



## **4.9 HAZARDS AND HAZARDOUS MATERIALS**

The following discussion is based, in part, on a Phase I Environmental Site Assessment prepared for the project by Geosyntec Consultants, Inc.(May 2019),a Pre-Construction Site Investigation Report prepared by RMD Environmental Solutions(July 2021), a Response to City Questions letter also prepared by RMD Environmental Solutions (October 2022), and an Environmental Document Review letter prepared by Cornerstone Earth Group, Inc. Copies of these reports are included in Appendix G through Appendix J of this Addendum, respectively.

### **4.9.1 Environmental Setting**

#### **4.9.1.1 *Regulatory Framework***

##### **Overview**

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

##### **Federal and State**

#### **Federal Aviation Regulations Part 77**

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

#### **Comprehensive Environmental Response, Compensation, and Liability Act**

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the

environment. Over five years, \$1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.<sup>46</sup>

### Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.<sup>47</sup>

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<sup>46</sup> United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed April 11, 2022. <https://www.epa.gov/superfund/superfund-cercla-overview>.

<sup>47</sup> United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed April 11, 2022. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

## Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).<sup>48</sup>

## Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

## California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The San Mateo County Department of Environmental Health reviews CalARP risk management plans as the CUPA.

## **Regional and Local**

### City of San Mateo Emergency Operations Plan

The City of San Mateo has prepared an emergency operations plan to ensure the most efficient use of resources to protect the community and its property before, during, and after a natural, technological, or man-made emergency. This plan confirms the City's emergency organization, assigns tasks, presents policies and general procedures, and coordinates planning within various emergency management functions utilizing the Standardized Emergency Management System (SEMS) in alignment with the National Incident Management System. The objective of this plan is to integrate and coordinate all San Mateo facilities and personnel into an effective team that can prevent, protect, respond to, and recover from emergencies. The emergency operations plan is an extension of the State Emergency Plan and the San Mateo County Operational Area Plan.

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<sup>48</sup> California Environmental Protection Agency. "Cortese List Data Resources." Accessed April 11, 2022. <https://calepa.ca.gov/sitecleanup/corteselist/>.

## City of San Mateo General Plan

Applicable General Plan policies related to hazardous materials include, but are not limited to, the following listed below.

<b>Policies</b>	<b>Description</b>
LU 4.33	Manage toxic and hazardous wastes by following the goals and policies contained in the Safety Element
S 4.1	Maintain the City's emergency readiness and response capabilities.
S 5.2	Adopt by reference all goals, policies, implementation measures, and supporting data contained in the San Mateo County Hazardous Waste Management Plan
S 5.3	Promote on-site treatment of hazardous wastes by waste generators to minimize the use of hazardous materials and the transfer of waste for off-site treatment.
S 5.4	Restrict the transportation of hazardous materials and waste to truck routes designated to Circulation Policy C-1.3, and limit such transportation to non-commute hours.
S 5.10	Require the clean-up of contaminated sites indicated on the Hazardous Waste and Substances Sites List published by the Department of Toxic Substance Control and/or the Health Department in conjunction with substantial site development or redevelopment, where feasible.

## City of San Mateo Fire Code

The City Municipal Code has a Building and Construction Fire Code for all development and construction activities within the City of San Mateo. The Fire Code requires compliance with the California Fire Code and Uniform Fire Code and was adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion.

### **4.9.1.2      *Existing Conditions***

#### **Site History**

The project site was occupied as early as 1888 by a residential land use until 1920. A gas station and two auto repair/gas stations were present on-site by 1950 and by 1951, the Levy Brothers leased the site and developed a department store that operated until 1985. By 1985 all three of the gas stations/auto repair shops had been replaced by parking lots. The Levy Brothers department store building was vacant from 1985 until at least 1988. No changes were apparent at the site between 1985 and 1995. In 1996, the Levy Brothers department store was demolished and construction began on the Draeger's Market building.

Underground storage tanks (USTs) associated with the former gas stations were removed from the project site in 1988. Soil sampling conducted as part of the tank removals identified a low concentration of total recoverable petroleum hydrocarbons (TRPH) at 60 milligrams per kilogram (mg/kg) in the area of the excavation. In 1993, one hydraulic lift associated with one of the auto repair shops was also removed. TPH concentrations were detected in the soils around the excavation and approximately 20 cubic yards were removed.

TPH was detected in the on-site soils in 1994 and 1995 as well as detection of lead in one groundwater sample. During construction of the Draeger's Market building, TPH-impacted soil was

detected during excavation and was off-hauled. Confirmation sampling did not identify the presence of TPH in soil that would warrant further investigation or remedial actions. In addition, no TPH or volatile organic compounds (VOC) were identified in groundwater on-site. In 1997, the County of San Mateo Health Service Agency (CSMHSA) issued a closure letter stating that the site investigation for the impacted surface soils from past operations at the site was complete.

### **Database Records Search**

Geosyntec conducted a records review of federal, state, and local environmental databases for any environmental conditions with the potential to impact or have impacted the soil, soil vapor, and/or groundwater at the project site. The project site is listed on the State Water Board's Geotracker database, a component of the Cortese List. This listing is associated with the site's history, as previously described above. The project site was also found to be listed on the following additional databases:

- California Environmental Reporting System Hazardous Waste Sites (CERS HAZ);
- San Mateo Certified Unified Program Agency (SANMATEO CUPA);
- Facility Registry Service/Facility Index (FINDS/FRS);
- Hazardous Waste Manifest Data (HAZNET);
- RCRA Non-Generators (RCRA NON GEN);
- Delisted County Records (DELISTED COUNTY); and
- Leaking Underground Fuel Tank Reports (LUST).

The project site's listings on the databases listed above are related to releases from the USTs historically present on-site, the excavation and off-site disposal of contaminated soils, and recordkeeping violations. Several facilities within a quarter mile of the project site were also found to be listed on various environment databases. These off-site listings are summarized below:

- Wardrobe Cleaners/Park's Wardrobe Cleaners, 333/335/344 E. 4<sup>th</sup> Avenue: Tetrachloroethene (PCE) was detected in groundwater at concentrations above environmental screening levels (ESLs) at this facility, located approximately 200 feet northeast of the project site. This facility is an open remediation site. This facility is located downgradient to the project site with respect to groundwater flow direction; however, there is potential that vapors from the VOCs associated with this facility may migrate and could affect the project site.
- Blue Ribbon Cleaners, 37 E. 3<sup>rd</sup> Avenue and 22 2<sup>nd</sup> Avenue: This facility is located approximately 1,000 feet southwest of the project site and is listed in the Environmental Risk Information Services (ERIS) under the DRYCLEANERS database, but no additional information is provided. Based on the lack of documented spills and distance from the project site, this facility has low potential to have impacted the subsurface at the project site.
- A-1 Cleaners/New A-1 Cleaners, 17 E. 4<sup>th</sup> Avenue: This facility is located approximately 965 feet southwest of the project site. Detections of PCE and breakdown products have occurred downgradient from this facility, which was known to have used PCE in its dry cleaning operations from 1987 to 2008. CSMHSA requested voluntary soil and groundwater sampling

in the facility vicinity to determine if it has released PCE to soil and groundwater, however, it does not appear that the facility has prepared a work plan to conduct such sampling. Given the fact that this facility is located upgradient of the project site, it may impact the subsurface at the project site.

- R NU IT Cleaners, 200 E. 2<sup>nd</sup> Avenue: This facility is located approximately 710 feet northwest of the project site. This facility's cleanup status is listed as "Refer: Other Agency as of 7/29/1994" on the DTSC's Envirostor database with no other available information. Based on the cross-gradient of this facility with respect to the groundwater flow direction, this facility is not considered a concern for the project site.
- Sunrise Cleaners, 233 Baldwin Avenue: This facility is located approximately 1,600 feet northwest of the project site. Dry-cleaning operations at this facility reportedly used PCE as part of daily operations beginning in the late 1960s. No major violations or reports of releases or spills have been reported for this facility. According to the GeoTracker database, this facility is currently being remediated. Based on the cross-gradient groundwater flow direction, this facility is not considered concern for the project site.

### **Subsurface Conditions**

Soil borings were completed in the existing underground parking garage in March 2021 by RMD Environmental Solutions. The garage floor was estimated to be approximately 12 feet below bgs and the soil borings were taken at depths varying between 14 and 43 feet below the floor of the existing garage. Groundwater samples were also taken during soil boring collection. TPH and various VOCs were detected in the soil samples, however, none of the concentrations exceeded Tier 1 ESLs, the San Francisco Bay RWQCB's most stringent screening level to be protective of human health and the environment. Metals detected in the soil samples included arsenic, chromium, and vanadium. Arsenic and Vanadium were detected above the Tier 1 ESL; however, they were found to be in concentrations below the background levels for the project area. Thus, these metals are not considered a concern because they were found to be in smaller concentrations than what is typical for California soils. Soils throughout the State of California have naturally-occurring metals above the Tier 1 ESLs and thus, these regional background levels, as opposed to the Tier 1 ESLs, are applicable for these metals. Soluble threshold limit concentration and toxicity characteristic leaching procedure extractions were performed for the chromium detected in the soil samples. The results indicated a non-hazardous classification for soil disposal.

TPH, benzene, and chloroform were the only constituents detected in the groundwater samples. TPH as diesel (TPHd) exceeded the Tier 1 ESL, which is based on odor/nuisance, in one sample. Chloroform exceeded the Tier 1 ESL, which is based on vapor intrusion, in one sample. Despite exceeding the Tier 1 ESLs, the concentrations of TPHd and chloroform on-site are not expected to require remediation action because benzene, naphthalene, and other VOCs were determined to be below Tier 1 ESLs or absent from the project site. Additionally, according to RMD Environmental Solutions, the presence of chloroform on-site was found at relatively low concentrations and is likely attributed to potable water as a result of organic matter present in raw water supplies.

## 4.9.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan EIR Prior Conclusions. The DASP IS/MND determined that buildout of the DASP would have no impact associated with hazards and hazardous materials because hazardous materials would be controlled by existing regulations such as the San Mateo County Hazardous Waste Management Plan and existing agencies such as the San Mateo County



Environmental Health Department. The DASP IS/MND stated that cleanup of contaminated sites is required by law, enforced by the appropriate regulatory agencies, and is facilitated by General Plan policies.

The 2030 General Plan EIR included a list of known Cortese List sites within the City. The project site was included in this list and was noted as having a status of “Completed – Case Closed”. The 2030 General Plan EIR determined that impacts from buildout of the General Plan associated with hazards and hazardous materials would be less than significant given the existing regulations and the policies of the General Plan. Notably, Policy S 5.10 of the General Plan requires the clean-up of contaminated sites indicated on the Hazardous Waste and Substances Sites List published by the DTSC and/or Health Department in conjunction with substantial site development or redevelopment.

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<b>Impact HAZ-1:</b>	The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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Operation of the proposed project would likely include the on-site use and storage of cleaning supplies and maintenance chemicals in small quantities. The small quantities of cleaning supplies and maintenance chemicals used on-site would not post a risk to adjacent land uses as they would be below thresholds that require Fire Marshall review and approval. The project would not create a significant hazard to the public or environment due to the use, transport or storage of these chemicals. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact HAZ-2:</b>	The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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### Project Construction

As discussed in Section 4.9.1.2 Existing Conditions, the project site has a history of subsurface contamination and subsequent remediation due to the gas stations/auto repair shops that previously occupied the site. Additionally, contamination from nearby former and current dry-cleaning facilities may affect the project site. The project site itself, following remediation and construction of the Draeger’s market, is considered a closed case by the CSMHSA and the March 2021 soil sampling on-site revealed that soils on-site are generally expected to meet acceptable criteria for non-hazardous waste characterization. The project would not be required to remediate soils on-site given that 25,828 cubic yards of soil would be removed from the project site and the remaining soils would be capped by the proposed mixed-use building. Although concentrations of chloroform and TPHd were found over the Tier 1 ESLs at the project site, these would not pose a threat to the public or the environment. The purpose of the Tier 1 ESL is to provide a threshold that is protective of indoor air from vapor intrusion. While there is potential for these contaminants to vaporize into outdoor air during construction activities, inhalation of VOCs in outdoor air is considered negligible for on-site and off-site receptors because they would immediately disperse in the ambient air. The Tier 1 ESLs also pertain to the protection of potable water. Groundwater on-site would not be used for drinking water purposes and thus, the contaminants within the groundwater do not pose a risk. The project is

conditioned to require the preparation and implementation of a Construction Soil Management Plan (SMP), that would be reviewed and enforced by the CSMHSA, as is typical for projects located on sites with a history of contamination. Specifically, the condition would require the following measures.

### **Conditions of Approval**

- Prior to conducting earthwork activities at the project site, a Site Management Plan (SMP) and Health and Safety Plan (HSP) shall be prepared. The purpose of these documents will be to establish appropriate management practices for handling impacted soil, soil vapor and groundwater that may be encountered during construction activities. Based on the history of the project site, areas of impacted soil, soil vapor, and/or groundwater may be encountered during construction activities. The SMP shall be submitted to the County of San Mateo Health Service Agency (CSMHSA) for review, and CSMHSA approval shall be obtained prior to commencing earthwork activities at the project site. Proof of CSMHSA approval shall be provided to the City Community Development Department prior to issuance of an excavation permit. Prior to dewatering during project construction, a Discharge Plan shall be prepared and submitted to the Director of Public Works for approval. The Discharge Plan shall include the carbon treatment of groundwater on-site to remediate the presence of TPHd prior to discharge to the storm or sanitary sewer drains.

With implementation of the conditions of approval described above, the project would not create a significant hazard to the public or the environment during construction. Implementation of these conditions of approval would be consistent with the assumptions of the DASP IS/MND and the General Plan EIR. The project site was a known contaminated site as noted in the General Plan EIR. Cleanup of contaminated sites in coordination with a regulatory agency is required by General Plan Policy S 5.10. Therefore, implementation of these conditions with oversight provided by the CSMHSA would not represent a new impact or new mitigation than was previously analyzed by the DASP IS/MND and the General Plan EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Project Operation**

As discussed under Impact HAZ-1, operation of the proposed project would not involve the use, transport, or disposal of hazardous materials. Therefore, operation of the project would not result in a hazardous materials impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact HAZ-3:</b>	The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. <b>[Same Impact as Approved Project (No Impact)]</b>
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The nearest school to the project site is Sunnybrae Elementary School, located approximately 0.4 miles southeast of the project site. There are no new schools proposed for construction within the

City.<sup>49</sup> Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **[Same Impact as Approved Project (No Impact)]**

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**Impact HAZ-4:** The project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 but would not create a significant hazard to the public or the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The project site is listed on the Geotracker database, a resource included on the Cortese List (the list compiled by CalEPA pursuant to Government Code Section 65962.5), as well as several other hazardous materials databases. However, the project site has been listed as a closed case since 1997 because the CSMHSA determined that the subsurface conditions on-site did not require further investigation or remediation after contaminated soils onsite were excavated and off-hauled during the development of the existing Draeger's Market. This listing is considered historical because there are no continuing or ongoing concerns in regard to the issues that gave rise to the initial Cortese listing and because regulatory closure was issued. The proposed mixed-use development would include excavation to a depth of approximately 25 feet, which is deeper than the existing single-level of below grade parking under the existing Draeger's Market. However, as previously discussed under Impact HAZ-2, construction activities would not pose a risk to the public or the environment because any contaminants that vaporize on-site would be outside and would dissipate into the ambient air, and thus considered negligible. Additionally, implementation of the conditions of approval described under Impact HAZ-2 would ensure that any contaminated soils and groundwater encountered on-site are properly handled and disposed of as necessary. Therefore, while the project would be located on a site included on the Cortese List, the project would not create a significant hazard to the public or the environment with the implementation of the standard conditions noted under Impact HAZ-2. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact HAZ-5:** The project would not be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **[Same Impact as Approved Project (No Impact)]**

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The project site is located approximately 4.3 miles southeast of the San Francisco International Airport, the nearest airport to the project site. It is located beyond the outer boundary of safety compatibility zones, and outside of the CNEL noise contour for the airport.<sup>50</sup> Therefore, future development of the site would not result in a safety hazard for people related to airport activities. **[Same Impact as Approved Project (No Impact)]**

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<sup>49</sup> City of San Mateo. "Current and Upcoming Projects". Accessed April 12, 2022.

<https://www.cityofsanmateo.org/1970/Current-Upcoming-Projects>

<sup>50</sup> City/County Association of Governments of San Mateo County, *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*. November 2012

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**Impact HAZ-6:** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

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Development of the proposed project would not physically interfere with an adopted emergency response or evacuation plan. During construction and operation of the proposed project, roadways would not be permanently blocked such that emergency vehicles would be unable to access the site or surrounding sites. Compliance with the California Building and Fire Code requirements as amended by the City of San Mateo would ensure that proposed project would not impair or interfere with the implementation of an adopted emergency response plan or emergency evacuation plan. **[Same Impact as Approved Project (Less Than Significant Impact)]**

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**Impact HAZ-7:** The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **[Same Impact as Approved Project (No Impact)]**

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The proposed project site is located in a heavily urbanized area of downtown San Mateo. There are no areas susceptible to wildfire in the project vicinity. Therefore, the project would not expose people or structures to substantial risk as a result of potential wildfires. **[Same Impact as Approved Project (No Impact)]**

## **4.10 HYDROLOGY AND WATER QUALITY**

### **4.10.1 Environmental Setting**

#### **4.10.1.1 *Regulatory Framework***

##### **Federal and State**

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

##### **National Flood Insurance Program**

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

##### **Statewide Construction General Permit**

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

##### **Regional**

##### **San Francisco Bay Basin Plan**

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff

discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

### Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2022 (effective July 1, 2022) to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.<sup>51</sup> Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or (3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).<sup>52</sup>

### Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

## **Local**

### San Mateo Countywide Water Pollution Prevention Program

The San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) was established in 1990 to reduce the pollution carried by stormwater into local creeks, San Francisco Bay, and the Pacific Ocean. The program is a partnership of the City/County Association of Governments (C/CAG), each incorporated city and town in the county, and the County of San Mateo, which share a common National Pollutant Discharge Elimination System permit. The SMCWPPP includes

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<sup>51</sup> MRP Number CAS612008

<sup>52</sup> The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

pollution reduction activities for construction sites, illegal discharges and illicit connections, new development, and municipal operations. The program also includes a target pollutant reduction strategy and monitoring program

### City of San Mateo General Plan

The San Mateo General Plan contains the following policies related to stormwater drainage.

<b>Policies</b>	<b>Description</b>
S 2.5	Implement the improvements identified in the City of San Mateo’s seven watershed areas to improve and maintain drainage capacity adequate to convey water during a typical storm event. Include consideration of creek maintenance and an education and/or enforcement program to minimize illegal dumping of debris and chemicals.
LU 4.4.5	Continue to implement the San Mateo Countywide Stormwater Pollution Prevention Program to ensure compliance with the National Pollutant Discharge Elimination (NPDES) permit. <ol style="list-style-type: none"> <li>1. Prevent water pollution from point and non-point sources.</li> <li>2. Minimize stormwater runoff and pollution by encouraging low-impact design features, such as pervious parking surfaces, bioswales and filter strips in new development.</li> <li>3. Encourage the use of drought-tolerant and native vegetation in landscaping.</li> </ol>

### San Mateo Municipal Code

Chapter 7.39 in the San Mateo Municipal Code addresses stormwater management and the control of non-stormwater discharges in the City of San Mateo. Included in this section is the City’s requirement for a SWPPP, consistent with the State Water Resources Control Board’s NPDES Construction General Permit requirements and in coordination with the SMCWPPP.

#### **4.10.1.2      *Existing Conditions***

##### **Hydrology and Drainage**

The City of San Mateo Public Works Department operates and maintains the storm drainage system in the City. The City of San Mateo is divided into four (4) major drainage basins: the North Shoreview Pump Stations (also referred to as the North San Mateo complex), San Mateo Creek complex, the Marina Lagoon complex, and the Third and Detroit watershed, which are each comprised of numerous stream channels, culverts, and storm drainage piping systems The project site is within the San Mateo Creek complex.<sup>53</sup>

The project site is largely covered by the existing building and pavement, although there is some landscaping present along the perimeter of the existing Draeger’s Market and parking lot. Stormwater that does not infiltrate into site landscaping flows into the City’s existing storm drains which convey stormwater flows to the City’s stormwater system.

##### **Groundwater**

The project site is located within the San Mateo Groundwater Basin, San Mateo Plain Subbasin. Groundwater flow in the area is generally northeast toward the San Francisco Bay. Groundwater was

<sup>53</sup> City of San Mateo. *General Plan EIR. Figure 4.8-1.* July 2009.



encountered on-site during soil boring at depths ranging from approximately 29 to 52 bgs.<sup>54</sup> As described in Section 4.7 Geology and Soils, historic high groundwater at the site has been mapped at a depth of 18 feet bgs and groundwater monitoring wells in the vicinity have indicated depths to groundwater to be about 17 to 21.5 bgs. Therefore, a design groundwater depth of 18 feet bgs can be assumed.

### **Flooding**

The nearest creeks to the project site are San Mateo Creek, approximately 0.3 miles north of the project site, and Leslie Creek, approximately 0.8 miles southeast of the project site. Both of these creeks are channelized above or below ground in the area of the project site. Both of these creeks flow easterly towards the San Francisco Bay, which is located approximately 1.1 miles northeast of the project site at its nearest point.

The project site is not located within a 100-year flood hazard zone. According to the Flood Insurance Rate Map (FIRM) prepared for the project area by the Federal Emergency Management Agency (FEMA), the project site is located within Zone X, which is defined as an “area of minimal flood hazard”.<sup>55</sup> Areas with Flood Zone X have a 0.2 percent annual chance of flooding, with average depths of less than one foot or with drainage areas less than one square mile.

### **Dam Failure**

There are five dams that present flood risks to the City of San Mateo. These dams are Crystal Springs, San Andreas, Laurel Creek, and East Laurel Creek, and Tobin Creek (located in Hillsborough, CA). Dam hazard maps included in the City of San Mateo General Plan EIR (Figure 4.8-4) show that the project site is within the Crystal Springs dam failure inundation hazard zone.

### **Seiche and Tsunami**

A seiche is defined as a standing wave generated by rapid displacement of water within an enclosed body of water (such as a reservoir, lake, or bay) due to an earthquake that triggers land movement within the water body or landsliding into or beneath the water body.

A tsunami is a large tidal wave caused by an underwater earthquake or volcanic eruption. Tsunamis affecting the Bay Area can result from offshore earthquakes within the Bay Area.

In the City of San Mateo, these tsunami and seiche events are most hazardous in the shoreline areas. Since the site is approximately 1.1 miles from the San Francisco Bay and is not immediately adjacent to the Bay, the site will not likely be subject to inundation due to seiches and tsunamis.

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<sup>54</sup> RMD Environmental Solutions. *Pre-Construction Site Investigation Report – 222 East 4<sup>th</sup> Avenue, San Mateo, California*. July 7, 2021.

<sup>55</sup> FEMA. *Flood Insurance Rate Map, Community Panel No. 06081C0154G*. Map. Effective Date: April 5, 2019. <https://msc.fema.gov/portal/search?AddressQuery=222%20East%204th%20Avenue%2C%20San%20Mateo#searchresultsanchor>

#### 4.10.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND stated that new development may result in additional paved surfaces, though much of the plan area was already developed at the time the IS/MND was prepared. Increased paved surfaces may impact water quality and increase runoff due to storm water runoff. The DASP IS/MND determined that impacts to hydrology and water quality

would be reduced to a less than significant level through conformance with the State General Construction Activity NPDES permit, General Plan policies, and DASP policies.

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<b>Impact HYD-1:</b>	The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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### **Construction Impacts**

Construction activities, such as grading and excavation, have the potential to result in temporary impacts to surface water quality in adjacent waterways. When disturbance to the soil occurs, sediments may be dislodged and discharged into the storm drainage system after surface runoff flows across the site. The proposed project would disturb approximately 1.1 acres, which is above the one-acre threshold requiring compliance with the State of California Construction General Permit.

The proposed project would be required to comply with the NPDES General Permit for Construction Activities due to the scale of soil disturbance. A NOI and SWPPP would be prepared by a qualified professional prior to commencement of construction. Additionally, the proposed project would be required to comply with Chapter 7.39 of the San Mateo Municipal Code, thereby ensuring it complies with local and regional regulations regarding the reduction of pollutants in stormwater.

As noted above in Section 4.9 Hazards and Hazardous Materials, contaminants in the site soil require that MM HAZ-2.2 be implemented during dewatering, with carbon treatment of groundwater required to remediate the presence of TPHd prior to discharge to the storm or sanitary sewer drains.

**Conditions of Approval:** The following conditions, based on RWQCB requirements and City of San Mateo Standard Conditions of Approval, shall be implemented by the project in order to reduce potential construction-related water quality impacts:

- Construction best management practices (BMPs) shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during site excavation, grading, and construction. In accordance with the City's standards, these BMPs will include, but will not be limited to:
  - Avoid or minimize excavation and grading activities during wet weather, unless the City approves a winter erosion control plan submitted by the applicant.
  - Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction.
  - Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed.
  - Protect existing storm drain inlets in the project area from sedimentation with filter fabric fences gravel bags block and gravel filters.
  - Cover and stabilize stockpiled soil and materials with tarps, geotextile fabric, hydroseeding and/or erosion control blankets

- Install berms or silt fencing around stockpiled materials to prevent stormwater runoff from transporting sediment off-site
- The applicant shall comply with the Stormwater Pollution Prevention Program (STOPPPP) Construction permit requirements and prepare a Stormwater Pollution Prevention Plan (SWPPP) (San Mateo Municipal Code Section 7.39).
- The design groundwater level on-site is assumed to be 18 feet bgs. The project would excavate to a depth of approximately 25 feet to accommodate the proposed below-grade parking garage. Therefore, it is likely that the project would require dewatering of subsurface groundwater during construction. In accordance with the City's Municipal Code (SMMC 7.38.150), the Director of Public Works may approve the discharge of ground waters to the sanitary sewer if the source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. As required by MM HAZ-2.2 to be implemented during dewatering, carbon treatment of groundwater shall be required to remediate the presence of TPHd prior to discharge to the storm or sanitary sewer drains. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the Public Works Department.

Construction of the proposed project, with implementation of the above measures in accordance with the City's Municipal Code and General Plan policies, as well as MM HAZ-2.2, would not result in significant construction-related water quality impacts. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Post-Construction Impacts**

The project would result in approximately 46,665 square-feet of impervious surface area (94 percent) and approximately 2,802 square-feet of pervious surface area on-site (six percent). The project would replace more than 5,000 square-feet of impervious surfaces; therefore, the project is required to design and construct stormwater treatment controls to treat post-construction stormwater runoff in accordance with Provision C.3 of the MRP.

The following conditions of approval, based on RWQCB requirements and City of San Mateo Standard Conditions of Approval, shall be implemented by the project in order to reduce potential post-construction water quality impacts:

#### **Conditions of Approval:**

- The project applicant shall obtain coverage under the General Construction Activity Storm Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB) for stormwater discharges associated with construction activity. To obtain coverage, the project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit must be provided to the Public Works Department along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the STOPPPP Construction permit.

- In accordance with the Director of Public Works Groundwater Discharge Policy, discharge of contaminated groundwater to the sanitary sewer is only allowed on a temporary basis and will not be permitted for a period greater than six months. Discharges for longer than six months must obtain an NPDES permit from the State Water Board to discharge to the storm drain system. No discharge to the storm drain is allowed without prior approval from the Public Works Department. All discharges to the sanitary sewer (contaminated and uncontaminated) require a Waste Discharge Permit and must comply with the City's discharge limits.

The project shall implement site design and source control BMPs for minimizing the volume of runoff and pollution in runoff to the extent practicable, per the MRP. These BMPs may include the following:

- Disconnected downspouts that are directed into landscape areas;
- Minimization of impervious surfaces and increased use of permeable pavement where feasible;
- Location of all storm drain inlets to be stenciled with, "No Dumping! Flows to Bay" to discourage illegal dumping;
- Location and design of trash enclosures (all shall be covered) and materials handling areas;
- Use of effective, site-specific erosion and sediment control methods during post-construction periods.

By adhering to the standard conditions described above and complying with the requirements of the MRP, the proposed project would have a less than significant impact on post-construction water quality. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact HYD-2:** The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The project is not expected to encounter groundwater during construction; however, it is possible that the project would require dewatering. Groundwater on-site is known to exist at a depth of approximately 29 feet bgs. The project would excavate to a depth of approximately 23 feet to accommodate the proposed below-grade parking garage. Given the fact that groundwater on-site generally exists several feet below the anticipated depth of excavation, any dewatering that may be required would be relatively minor. Project operation would not establish new groundwater sources or result in a substantial depletion of aquifers relied upon for local water supplies. For these reasons, the proposed project would not result in a significant impact on groundwater supplies or interfere substantially with groundwater recharge. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact HYD-3:** The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **[Same Impact as Approved Project (Less than Significant Impact)]**

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Given that the project site is already developed and contains limited amounts of pervious surface area, the proposed redevelopment would not substantially alter the drainage pattern of the project site by adding impervious surfaces. The project would not alter the course of a waterway. The project would be required to manage erosion during construction in accordance with the City's Site Development Code 23.40.040 (refer to Impact GEO-2) and the Construction General Permit. Stormwater runoff from the project's impervious surfaces would be directed towards flow-through planters and media filters that would treat and reduce the stormwater runoff entering the City's storm drainage system. The project would not create substantial new sources of polluted runoff upon adherence to the MRP and Construction General Permit. The project would, therefore, not substantially alter the drainage pattern of the site or area in a manner which would result in on or offsite erosion, flooding, or runoff impacts. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact HYD-4:** The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The project site is designated as Flood Zone X, an area of minimal flood hazard. The project is not located within a 100-year flood hazard area.

The proposed project is located within the dam failure inundation area for the Lower Crystal Springs dam. In the event of collapse of the Lower Crystal Springs Reservoir, the project site would be detrimentally impacted by inundation from the released flows; however, the California Division of Safety of Dams (DSOD) reviews and annually inspects dams statewide for potential failure in the event of major seismic activity. The DSOD has evaluated the Lower Crystal Springs dam for potential failure during an earthquake with a maximum magnitude of 8.3 on the Richter scale, and determined that potential for dam failure would be low.<sup>56</sup> Although the potential for inundation from dam failure remains, it is highly unlikely. Furthermore, the project would not exacerbate the risk of dam failure.

The project site is not located adjacent to any large bodies of water (i.e., the San Francisco Bay), nor is the project located within a designated tsunami inundation zone. Seiches and tsunamis would be unlikely to affect the project due to its location approximately 1.1 miles inland from the San Francisco Bay. For this reason, and those discussed above, the proposed project would not risk

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<sup>56</sup> County of San Mateo. *Hazard Vulnerability Assessment*. January 2016.

release of pollutants due to project inundation. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact HYD-5:** The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The project site is located in the San Mateo Plain subbasin of the Santa Clara Valley groundwater basin. The San Mateo Plain subbasin has not been identified as medium- or high-priority groundwater basin by the California Department of Water Resources; therefore, a Groundwater Sustainability Plan does not need to be prepared for the subbasin per the requirements of the Sustainable Groundwater Management Act.<sup>57</sup> Thus, the proposed project would not conflict with a sustainable groundwater management plan.

The RWQCB updates its Water Quality Control Plan for the Basin Plan triennially to reflect current conditions and track progress towards meeting water quality objectives. The proposed project would comply with the SMCWPPP, the MRP, the Construction General Permit, and the Conditions of Approval discussed in this section, thereby ensuring construction-period and post-construction water quality impacts do not occur. By adhering to these policies and regulations the proposed project would not prevent the RWQCB from attaining the water quality objectives set forth in the Basin Plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<sup>57</sup> California Department of Water Resources. "Basin Prioritization". <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>. Accessed April 13, 2022.

## **4.11 LAND USE AND PLANNING**

### **4.11.1 Environmental Setting**

#### **4.11.1.1 *Regulatory Framework***

##### **State**

##### **AB 1763**

AB 1763 amended the State Density Bonus Law, which encourages cities to offer bonuses and incentives to housing developers that will “contribute significantly to the economic feasibility of lower income housing in proposed housing developments.” (Gov. Code § 65917.) In addition to other changes to the State Density Bonus Law, AB 1763 requires a density bonus to be provided to a developer who agrees to construct a housing development in which 100 percent of the total units are for lower income households. Such a development that is within a half-mile of a major transit stop shall receive a bonus allowing a height increase of up to three additional stories, or 33 feet. The City’s Downtown Specific Plan has a normally allowed height limit of 55 feet. Under AB 1763, a qualifying development may reach a maximum height of 88 feet.

##### **Local**

##### **City of San Mateo General Plan**

The City of San Mateo 2030 General Plan was adopted in 2010, and serves as the guiding document for development, current or planned, within the limits of the city. The General Plan contains the seven elements required by state law, including land use, circulation, housing, public safety, natural resources conservation, open space, and noise. An Urban Design element has also been included in the General Plan, focusing on preserving the city image conveyed by focal points, corridors, and gateways, and discussing the design of future residential and commercial areas. The 2030 General Plan reflects the community’s long-term vision, and provides the framework for land use decisions on a broad scale. The City of San Mateo has established eight major policy strategies in the 2030 General Plan:

1. Increase housing opportunities while maintaining the character of existing single-family and low density neighborhoods.
2. Maintain the commitment to strengthening the Downtown as a major commercial, residential and cultural center.
3. Concentrate major new development near transportation and transit corridors.
4. Beautify and improve El Camino Real
5. Improve design quality and maintain established height limits.
6. Develop a strategy to limit traffic congestion.
7. Increase open space and recreational opportunities.
8. Establish and maintain San Mateo as a sustainable city

Various policies and actions of the City of San Mateo 2030 General Plan have been adopted for the purpose of avoiding or mitigating land use impacts resulting from planned development within the City, including the following:



<b>Policies</b>	<b>Description</b>
LU 1.1	Plan for land uses, population density, and land use intensity as shown on the Land Use, Height and Building Intensity and City Image Plans for the entire planning area. Design the circulation system and infrastructure to provide capacity for the total development expected in 2030. Review projections annually and adjust infrastructure and circulation requirements as required if actual growth varies significantly from that projected.
LU 1.4	Adopt and maintain the development intensity/density limits as identified on the Land Use Map and Building Intensity Plan, and as specified in Policy LU 6A.2. Development intensity/density shall recognize natural environmental constraints, such as flood plains, earthquake faults, debris flow areas, hazards, traffic and access, necessary services, and general community and neighborhood design. Maintain a density and building intensity range, with densities/intensities at the higher end of the range to be considered based on provision of public benefits such as affordable housing, increased open space, public plazas or recreational facilities, or off-site infrastructure improvements.
LU 1.5	Maintain maximum building height limits contained in Appendix C, and as specified in Policy LU 6A.2, closely matched with the Land Use categories and Building Intensity standards.
LU 1.8	Facilitate housing production by allowing commercial mixed use development which includes multi-family dwellings in all non-residential land use categories except service commercial, manufacturing/ industrial and parks/open space.
LU 1.20	As a high priority support code enforcement to ensure that all uses are in compliance with City codes and conditions of development approval.
LU 2.4	Establish Downtown San Mateo as the social, cultural, and economic center of the City with a wide range of office, medical, residential, entertainment, and retail uses at high intensities and densities while encouraging pedestrian activity and bicycle connectivity to adjacent neighborhoods.
LU 6A.1	The City shall not approve any specific plan, rezoning, permit, subdivision, variance, or other land use permit which is not consistent with and does not implement the General Plan. Specific Plan and zoning ordinances were amended so as to conform to the General Plan by the end of 1992.
LU 6A.2	Maintain Building Height and Building Intensity maps/plans which delineate development intensity in the form of building heights and FARs in a manner which implements the height, intensity, density and design standards in the General Plan, consistent with the Building Heights and Intensities maps/plans as amended by initiative in November 1991 and November 2004.

### City of San Mateo Zoning Ordinance

The Zoning Ordinance is the primary tool for implementing the policies of the General Plan and address physical development standards and criteria for the City. Government Code Section 65860 requires municipalities to maintain consistency between their zoning ordinance and their adopted general plan. One of the purposes of zoning is to implement the land use designations set forth in the general plan. Existing zoning in the City includes 23 districts and provides development standards for land uses. Although the two are distinct documents, the San Mateo General Plan and Zoning Ordinance are closely related, and State law mandates that zoning regulations be consistent with the General Plan maps and policies.

### City of San Mateo Downtown Area Plan

The Downtown Area Plan provides a framework to examine the future direction and decision making for the City's downtown. The policies in this document provide overall direction and are used to evaluate private development projects and to guide the City's actions regarding public improvements

and public owned land in the Downtown. Policies in the Downtown Area Plan that are relevant to the proposed project are included below.

Policies	Description
I.3	Establish the 3 <sup>rd</sup> & 4 <sup>th</sup> Avenue corridors as a main entry and connection to the Downtown core areas and utilize the natural landscaping of San Mateo Creek and Central Park to define the boundaries of the downtown. Create major entry features to the City at: (1) 3 <sup>rd</sup> /4 <sup>th</sup> Avenues from El Camino, (2) from the north and south of B Street to the retail core, and (3) from east of the railroad tracks.
II.10	Facilitate housing production by allowing multi-family dwellings as part of mixed use developments in all downtown commercial and office land use categories, except areas designated service commercial and parks/open space in the General Plan.
III.9	Continue to implement the Gateway Design Standards.
V.8	On a case-by-case basis, consider parking reductions for projects with 0.5 mile of the Downtown Transit Center.

#### 4.11.1.2 *Existing Conditions*

The project site is designated as Downtown Retail Core under the City's Downtown Area Plan and is zoned CBD/R (Central Business District/Residential Overlay District – Mixed Use). The Downtown Area Plan generally describes the Downtown Retail Core designation as a good mix of ground floor retail uses that will contribute to foster retail vitality and downtown's pedestrian-oriented environment. The San Mateo Municipal Code states that the purpose of the CBD District is to encourage the development and re-use of existing downtown structures as a center for retail, cultural, entertainment, and community services uses. Pedestrian activity should be strongly encouraged at the ground floor level, while upper floor office and residential uses should be encouraged to promote active daytime and nighttime use of the downtown area. The Residential Overlay District requires that residential development on properties zoned CBD/R be subject to /R density standards.

#### 4.11.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan Prior Conclusions. The DASP IS/MND determined that no land use/planning impacts would occur as a result on buildout of the DASP because the DASP is consistent with the General Plan land use designations, building heights, densities, and intensities. Additionally, the DASP IS/MND noted that the DASP and General Plan contain policies that would

eliminate inconsistencies in City planning and would reduce potential impacts to a less than significant level. The 2030 General Plan EIR, prepared after the DASP IS/MND, also anticipated major development to occur in the Downtown area, with downtown revitalization expected to continue to include new residential, office, retail, and mixed-use development as the availability of goods and services, walkability, and public transportation services continue to improve and expand, and concluded land use impacts would be less than significant with implementation of General Plan policies.

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<b>Impact LU-1:</b>	The project would not physically divide an established community. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The project would demolish the existing Draeger's Market and construct a new five-story, mixed-use building. The project does not propose dividing infrastructure such as highways, freeways, or major arterials that could inhibit the access of residents to the surrounding areas. The project would not physically divide an established community within the City because it would not inhibit the movement of residents throughout nearby neighborhoods. **(Less than Significant Impact)**

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<b>Impact LU-2:</b>	The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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At a proposed density of approximately nine dwelling units/acre (du/acre), the project would be below the maximum density allowed under the Downtown Retail Core Specific Plan designation (75 du/acre). The proposed mixed-use building, at a maximum height of approximately 75 feet, would exceed the normally allowable height limit of 55 feet within the Downtown Specific Plan Area. However, under AB 1763, the project is allowed an additional 33 feet above the normally allowed height limit of 55 feet (for a not to exceed height of 88 feet) given that the project is providing 10 low-income housing units (100 percent of the proposed residential component) and is located within a half-mile of a major transit stop. By proposing a mix of land uses at the project site within the downtown area, the project would be consistent with the General Plan and Specific Plan policies to increase housing by providing mixed-use buildings within the downtown area (General Plan policy LU-1.8, Specific Plan policy II.10). For these reasons, the proposed project would not conflict with any General Plan goals or policies intended to avoid or mitigate environmental impacts.

Furthermore, the project site is not subject to any adopted habitat conservation plans or natural community conservation plans. The project's consistency with plans focused on specific environmental issue areas, such as the BAAQMD 2017 CAP, the City of San Mateo CAP, and the Sustainable Streets Plan, is discussed in the relevant resource sections throughout this document. The project is located outside of the safety compatibility zones and CNEL noise contours for the San Francisco International Airport and would not conflict with policies in the adopted CLUP. Implementation of the proposed project would be consistent with established local and regional plans and policies, and the project would not conflict with any plans or policies adopted to reduce or prevent environmental impacts. **[Same Impact as Approved Project (Less Than Significant Impact)]**

## 4.12 MINERAL RESOURCES

### 4.12.1 Environmental Setting

#### 4.12.1.1 *Regulatory Framework*

#### State

##### Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

#### 4.12.1.2 *Existing Conditions*

The project site is located in a developed urban area in the City of San Mateo. Mineral resources within San Mateo County such as limestone deposits, rock quarries and salt evaporation ponds are located in the coastal areas, mountains and baylands. There are no known mineral resources in the vicinity of the project site.

#### 4.12.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND determined that buildout of the DASP would have no impact on mineral resources because there are no mineral resources within the downtown area.

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<b>Impact MIN-1:</b>	The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. <b>[Same Impact as Approved Project (No Impact)]</b>
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There are no identified mineral resources located within or adjacent to the project site. The proposed project would not result in the loss of availability of any known mineral resources. **[Same Impact as Approved Project (No Impact)]**

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<b>Impact MIN-2:</b>	The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. <b>[Same Impact as Approved Project (No Impact)]</b>
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There are no identified mineral resource recovery sites located within or adjacent to the project site. The proposed project would not result in the loss of a mineral resource recovery site. **[Same Impact as Approved Project (No Impact)]**

## 4.13 NOISE

The following discussion is based, in part, on a Noise and Vibration Assessment prepared for the project by Illingworth & Rodkin, Inc., dated October 2022. A copy of this report is included in Appendix K of this Addendum.

### 4.13.1 Environmental Setting

#### 4.13.1.1 *Background Information*

##### **Noise**

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including  $L_{eq}$ , DNL, or CNEL.<sup>58</sup> These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night).  $L_{max}$  is the maximum A-weighted noise level during a measurement period.

##### **Vibration**

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

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<sup>58</sup>  $L_{eq}$  is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour  $L_{eq}$ .

#### 4.13.1.2 Regulatory Framework

##### Federal

###### Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 4.13-1 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

<b>Table 4.13-1: Groundborne Vibration Impact Criteria</b>			
<b>Land Use Category</b>	<b>Groundborne Vibration Impact Levels (VdB inch/sec)</b>		
	<b>Frequent Event</b>	<b>Occasional Events</b>	<b>Infrequent Events</b>
<b>Category 1:</b> Buildings where vibration would interfere with interior operations	65	65	65
<b>Category 2:</b> Residences and buildings where people normally sleep	72	75	80
<b>Category 3:</b> Institutional land uses with primarily daytime use	75	78	83
Source: Federal Transit Administration. <i>Transit Noise and Vibration Assessment Manual</i> . September 2018.			

##### State and Local

###### California Building Standards Code

The CBC establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources not exceed 45  $L_{dn}/CNEL$  in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

For commercial uses, CalGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA  $L_{dn}$  or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA  $L_{eq(1-hr)}$  or less during hours of operation at a proposed commercial use.

## City of San Mateo General Plan

The City of San Mateo General Plan Noise Element contains policies that describe the process for evaluating development proposals with respect to noise levels, as well as the standards to be used in the evaluation process. The following guidelines and standards are applicable to the subject project:

<b>Policies</b>	<b>Description</b>
N 1.1	Interior Noise Level Standard. Require submittal of an acoustical analysis and interior noise insulation for all “noise sensitive” land uses listed in Table N-1 that have an exterior noise level of 60 dB (L <sub>dn</sub> ) or above, as shown on Figure N-1. The maximum interior noise level shall not exceed 45 dB (L <sub>dn</sub> ) in any habitable rooms.
N 1.2	Require an acoustical analysis for new parks, play areas and multi-family common open space (intended for the use of the enjoyment of residents) that have an exterior noise level of 60 dB (L <sub>dn</sub> ) or above. Require an acoustical analysis that uses peak hour L <sub>eq</sub> for new parks and play areas. Require a feasibility analysis of noise reduction measures for public parks and play areas. Incorporate necessary mitigation measures into residential project design to minimize common open space noise levels. Maximum exterior noise should not exceed 67 dB (L <sub>dn</sub> ) for residential uses and should not exceed 65 dB (L <sub>eq</sub> ) during the noisiest hour for public park uses.
N 2.1	Continue implementation and enforcement of City’s existing noise control ordinance: (a) which prohibits noise that is annoying or injurious to neighbors of normal sensitivity, making such activity a public nuisance, and (b) restricts the hours of construction to minimize noise impact.
N 2.2	Protect all “noise-sensitive” land uses listed in Table N-1 and N-2 (Table 4.13-4 and -5 below) of the General Plan from adverse impacts caused by noise generated onsite by new developments. Incorporate necessary mitigation measures into development design to minimize noise impacts. Prohibit long-term exposure increases of 3 dB (L <sub>dn</sub> ) or greater at the common property line, excluding existing ambient noise levels.  “Noise-sensitive” land uses, such as residential neighborhoods, hotels, hospitals, schools, and outdoor recreation areas must be protected from new development that causes discernable increases in noise levels as a result of on-site activities. Noise generators such as machinery or parking lots must be mitigated through physical measures or operational limits.
N 2.3	Protect land uses other than those listed as “noise sensitive” in Table N-1 (Table 4.13-4) from adverse impacts caused by the on-site noise generated by new developments.  Incorporate necessary mitigation measures into development design to minimize noise impacts. Prohibit new uses that generate noise levels of 65 dB (L <sub>dn</sub> ) or above at the property line, excluding existing ambient noise levels.  Commercial and industrial areas typically tolerate higher noise levels than residential neighborhoods. However, some control is necessary for new development within non-residential areas so that exceptionally noisy uses are restricted.
N 2.4	Recognize projected increases in ambient noise levels resulting from traffic increases, as shown on Figure N-2. Promote the installation of noise barriers along highways where “noise-sensitive” land uses listed in Table N-1 (Table 4.13-2) are adversely impacted by unacceptable noise levels [60 dB (L <sub>dn</sub> ) or above]. Require adequate noise mitigation to be incorporated into the widening of SR 92 and US 101. Accept noise increases on El Camino Real at existing development, and require new multi-family development to provide common open space having a maximum exterior noise level of 67 dB (L <sub>dn</sub> ).
N 2.5	Promote the installation of noise barriers along the railroad corridor where “noise-sensitive” land uses are adversely impacted by unacceptable noise levels [60 dB (L <sub>dn</sub> ) or greater]. Promote adequate noise mitigation to be incorporated into any rail service expansion or track realignment. Study the need of depressing the rail line to eliminate at-grade crossings or other mitigation measures to decrease noise levels prior to substantial expansion of the rail service.



<b>Table 4.13-2: Noise Sensitive Land-Use Compatibility Guidelines for Community Noise Environments</b> <b>Day-Night Average Sound Level (Ldn), Decibels</b>			
<b>Land-Use Category</b>	<b>Normally Acceptable<sup>2</sup></b>	<b>Conditionally Acceptable<sup>3</sup></b>	<b>Normally Unacceptable<sup>4</sup></b>
Single-Family Residential	50 to 59	60 to 70	Greater than 70
Multi-Family Residential	50 to 59	60 to 70	Greater than 70
Hotels, Motels, and Other Lodging Houses	50 to 59	60 to 70	Greater than 70
Long-Term Care Facilities	50 to 59	60 to 70	Greater than 70
Hospitals	50 to 59	60 to 70	Greater than 70
Schools	50 to 59	60 to 70	Greater than 70
Multi-Family Common Open Space Intended for the Use and Enjoyment of Residents	50 to 67	--	Greater than 67

#### City of San Mateo Municipal Code

Chapter 30.70 of the San Mateo Municipal Code regulates noise generated by project construction and operation activities. Section 7.30.040 establishes maximum permissible sound levels for different time periods and noise zones. It is unlawful for any person to operate or cause to be operated any source of sound at any location within the City or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level when measured on any other property to exceed:

- The noise level standard for that property as specified in Table 7.30.040 (Table 4.13-3 below) for a cumulative period of more than 30 minutes in any hour;
- The noise level standard plus five dB for a cumulative period of more than 15 minutes in any hour;
- The noise level standard plus 10 dB for a cumulative period of more than five minutes in any hour;
- The noise level standard plus 15 dB for a cumulative period of more than one minute in any hour;
- The noise level standard or the maximum measured ambient level, plus 20 dB for any period of time.

<b>Table 4.13-3: Construction Noise Level Standards<sup>1</sup></b>		
<b>Noise Zone</b>	<b>Time Period</b>	<b>Noise Level, dBA</b>
Zone 1	10 p.m.–7 a.m.	50
	7 a.m.–10 p.m.	60

<b>Table 4.13-3: Construction Noise Level Standards<sup>1</sup></b>		
<b>Noise Zone</b>	<b>Time Period</b>	<b>Noise Level, dBA</b>
Zone 2	10 p.m.–7 a.m.	55
	7 a.m.–10 p.m.	60
Zone 3	10 p.m.–7 a.m.	60
	7 a.m.–10 p.m.	65
Zone 4	Anytime	70
<p>Notes:</p> <p><sup>1</sup> Pursuant to Municipal Code Section 7.30.040</p> <p>Noise Zone 1. All property in any single family residential zone (including adjacent parks and open space) as designated on the City’s zoning map prepared pursuant to the provisions of Title 27, or any revisions thereto.</p> <p>Noise Zone 2. All property in any commercial/mixed residential, multi-family residential, specific plan district or PUD as designated on the City’s zoning map prepared pursuant to the provisions of Title 27, or any revisions thereto.</p> <p>Noise Zone 3. All property in any commercial or central business district as designated on the City’s zoning map prepared pursuant to the provisions of Title 27, or any revisions thereto.</p> <p>Noise Zone 4. All property in any manufacturing or industrial zone as designated on the City’s zoning map prepared pursuant to the provisions of Title 27, or any revisions thereto.</p>		

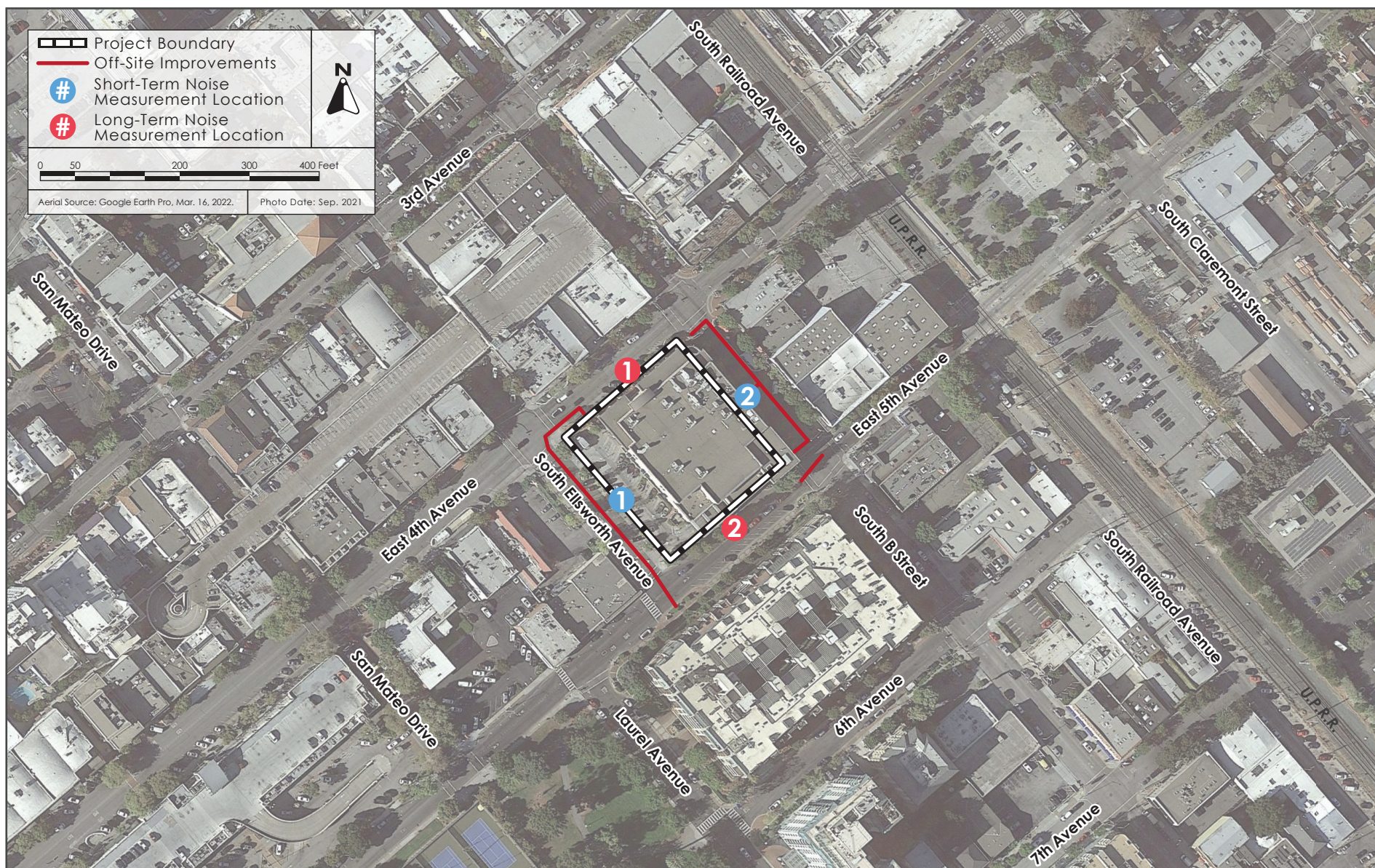
Further, Section 7.30.060, subsection I states that construction, alteration, repair, or land development activities authorized by a valid city permit shall be allowed at the following times:

- Weekdays: between 7:00 a.m. and 7:00 p.m.
- Saturdays: between 9:00 a.m. and 5:00 p.m.
- Sundays and Holidays: between 12:00 p.m. and 4:00 p.m. or at other such hours as authorized or restricted by the permit, so long as they meet the following conditions:
  - No individual piece of equipment shall produce a noise level exceeding 90 dBA at a distance of 25 feet. If the device is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close to 25 feet as possible.
  - The noise level outside of any point outside the property plane of the project shall not exceed 90 dBA.

#### **4.13.1.3      *Existing Conditions***

The existing noise environment at the project site results primarily from local vehicular traffic along E. 4<sup>th</sup> Avenue and the other surrounding roadways. Noise from more distant traffic along Highway 101, noise from the nearby Caltrain tracks, and aircraft associated with the San Francisco International Airport also contribute to the existing noise environment. A noise monitoring survey, which included two long-term (LT-1 and LT-2) and two short-term (ST-1 and ST-2) noise measurements, was performed at the site between Tuesday March 22, 2022 and Thursday March 24, 2022. All measurement locations are shown in Figure 4.13-1.





NOISE MEASUREMENT LOCATIONS

FIGURE 4.13-1



Based on these noise measurements, ambient noise levels at the project site range from 66 to 68 dBA  $L_{eq}$  during the day and from 53 to 67 dBA  $L_{eq}$  at night. Particularly noisy vehicles and train horns produce greater noise levels than the average ambient noise levels experienced at the project site. Typical traffic noise ranged from 52 to 54 dBA, while noisy vehicles generated noise levels up to 80 dBA. A train horn generated noise levels ranging from 70 to 72 dBA.

#### 4.13.2 **Impact Discussion**

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project result in:					
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan EIR Prior Conclusions. The DASP IS/MND did not evaluate the impacts of new sources of noise on existing sensitive receptors. The 2030 General Plan EIR did evaluate the impacts of new sources of temporary and permanent noise on existing sensitive receptors and determined that noise impacts from buildout of the General Plan would be reduced to a less than significant level through implementation of General Plan policies and compliance with the City's Noise Ordinance. General Plan Policy N 2.2 requires that noise sensitive land uses be protected from noise caused by new developments through incorporation of mitigation measures into development design and prohibiting substantial noise increases at common property lines.

##### 4.13.2.1 ***Thresholds of Significance***

The CEQA Guidelines state that a project would normally be considered to have a significant impact if noise levels conflict with adopted environmental standards or plans, or if noise levels generated by the project will substantially increase existing noise levels at noise-sensitive receivers on a permanent or temporary basis. CEQA does not define what noise level increase would be substantial. As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be

based to the extent possible on scientific and factual data. For the purposes of this analysis, the City of San Mateo relies on the following as CEQA thresholds of significance:

- Construction Noise – Pursuant to Municipal Code Section 7.30.060, construction activities that would occur outside the permitted hours of construction (Weekdays between 7:00 a.m. and 7:00 p.m., Saturdays between 9:00 a.m. and 5:00 p.m., and Sundays and holidays between 12:00 p.m. and 4:00 p.m.) or would generate noise exceeding 90 dBA at a distance of 25 feet or beyond the property plane would have a significant construction-related noise impact.
- Operational Noise – Pursuant to General Plan Policy N2.2, a significant operational-related noise impact would occur if a project would result in a permanent noise increase of three dBA  $L_{dn}$  or greater. Policy N2.3 limits new commercial developments from generating noise levels of 65 dBA  $L_{dn}$  or greater at the property line. Additionally, operational noise is limited to the levels identified in Table 4.13-2 as adjusted for ambient conditions. Since daytime and nighttime ambient noise levels, as noted in Section 4.13.1.2 Existing Conditions, currently exceed Municipal Code standards, operational-related noise at the property plane in excess of existing ambient noise levels would be considered a significant noise impact.
- Construction Vibration: The project would be considered to have a significant construction-related vibration impact if vibration generated during construction exceeds 0.3 in/sec PPV at buildings of normal conventional construction or 0.08 in/sec PPV at historical buildings, which is the level at which vibration could cause cosmetic damage.
- Excessive Noise Level Exposure: The project would have a significant noise impact related to airport operations if construction workers and future residents would be exposed to noise levels in excess of the standards identified in Table 4.13-2.

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<b>Impact NOI-1:</b>	The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. <b>[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]</b>
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### Construction Noise

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Construction activities would generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary by stage and vary within stages, based on the amount of equipment in operation and the location at which the equipment is operating.

Project construction is anticipated to occur over a period of approximately 20 months. Consistent with Section 7.30.060 of the City's Municipal Code, construction hours would be limited to 7:00 a.m. to 7:00 p.m. on weekdays, 9:00 a.m. to 5:00 p.m. on Saturdays, and 12:00 p.m. to 4:00 p.m. on Sundays and holidays. Construction phases of the proposed project would include demolition, site preparation, grading/excavation, trenching, building construction, and paving. Equipment used during construction activities is expected to include excavators, concrete and industrial saws, tractors, loaders, backhoes, graders, dozers, cranes, forklifts, shoring drill rigs, welders, air compressors, aerial lifts, cement and mortar mixers, pavers and paving equipment, and vibratory rollers. No pile driving is proposed.

The Federal Highway Administration's Roadway Construction Noise Model was used to calculate the hourly average noise levels for each stage of construction, assuming every piece of equipment would operate simultaneously, which would represent the worst-case scenario. Table 4.13-4 below shows the calculated construction noise levels at the surrounding land uses. Additional information on the methodology and assumptions used to estimate the project's construction noise levels is available in Appendix K.

<b>Table 4.13-4: Calculated Construction Noise Levels at Surrounding Land Uses</b>				
<b>Phase of Construction</b>	<b>Calculated Hourly Average Noise Levels, <math>L_{eq}</math> (dBA)</b>			
	<b>Southeast Residences (90 feet)</b>	<b>Southwest Commercial (125 feet)</b>	<b>Northwest Commercial (175 feet)</b>	<b>Future Northeast Residential/ Commercial (125 feet)</b>
Demolition	73	74	73	74
Site Preparation	70	70	70	70
Grading/Excavation	72	73	72	73
Trenching/Foundation	69	69	69	69
Building - Structure	63	63	63	63
Building - Exterior	63	64	63	64
Paving	72	72	72	73

As shown in Table 4.13-4, the ambient noise level of the surrounding area (66 to 68 dBA during the day) would be exceeded at various times during all phases of construction. Individual pieces of equipment could exceed the City's 90 dBA noise limit at 25 feet, and if used within 25 feet of the property line, exceed 90 dBA at the property plane.

### **Mitigation Measures:**

**MM NOI-1.1:** The applicant and contractor shall place and operate construction equipment to minimize the impact of construction noise on existing sensitive receptors. Construction equipment shall be well-maintained and used judiciously to be as

quiet as possible. Additionally, the applicant and contractor shall incorporate the following best management practices to reduce noise from construction activities on nearby sensitive land uses:

- (A) The applicant and/or contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. This construction plan shall be submitted to the Building Division subject to the review and satisfaction of the Community Development Director, or his/her designee prior to the issuance of a demolition permit.
- (B) The applicant and/or contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise and vibrations. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that measures be implemented to reduce the noise impact. The applicant and/or contractor shall conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.
- (C) Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- (D) Use of exceptionally loud equipment such as jackhammers and concrete saws within 35 feet of shared property lines shall be prohibited.
- (E) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- (F) Unnecessary idling of internal combustion engines shall be strictly prohibited.
- (G) Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors and property lines. If they must be located within 35 feet of receptors and property lines, adequate muffling (with barriers or enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors.
- (H) Construction contractors and subcontractors shall utilize “quiet” air compressors and other stationary noise sources where technology exists.
- (I) Control noise from construction workers’ radios to a point where they are not audible at existing residences surrounding the project site, the nearest of which are 90 feet to the southeast.

Implementation of MM NOI-1.1 would restrict the use of individual pieces of equipment capable of generating noise levels of 90 dBA at a distance of 25 feet to 35 feet behind the property line, which would ensure that construction noise would not exceed 90 dBA at the property line. Implementation of the construction noise best management practices above would reduce construction noise at

adjacent land uses to the maximum extent feasible (five to 10 dBA). Accordingly, the project would have a less than significant construction noise impact with mitigation incorporated. MM NOI-1.1 would be required for the project to achieve compliance with the City's Noise Ordinance, and General Plan Policy N-2.2. General Plan Policy N-2.2 assumes that mitigation measures would be necessary for new developments to reduce noise levels to acceptable levels for existing sensitive receptors. Therefore, project construction would not be considered a new impact and implementation of MM NOI-1.1 would be consistent with the 2030 General Plan EIR's finding that anticipated requirements would be placed on construction projects to reduce their effects to acceptable levels.

**[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

### **Operational Noise**

Pursuant to General Plan Policy N2.2, a significant impact would occur if a project would result in a permanent noise increase of three dBA  $L_{dn}$  or greater. Policy N2.3 limits new commercial developments from generating noise levels of 65 dBA  $L_{dn}$  or greater at the property line, excluding existing ambient noise levels. Additionally, operational noise is limited to the noise levels specified in Table 7.30.040 of the Municipal Code, adjusted for ambient conditions. Since the average hourly average noise levels measured in the project vicinity during daytime and nighttime hours exceed the Municipal Code thresholds, the measured average noise levels are used as the baseline threshold for activities occurring at limited amounts of time (five to 30 minutes in a given hour) to conservatively assess the significance of the project's operational noise.

#### Project Traffic

Based on a review of the Transportation Impact Analysis prepared for the project (refer to Appendix L), project-generated traffic is estimated to result in an overall noise level increase of one dBA  $L_{dn}$  along E. 5<sup>th</sup> Avenue and less than one dBA  $L_{dn}$  along all other roadway segments. Therefore, project traffic would not result in a permanent noise increase of three dBA  $L_{dn}$  or more at noise-sensitive receptors in the project vicinity. Project-generated traffic would result in a less than significant noise impact.

#### Mechanical Equipment

The project would include a pump room, electrical room, and a transformer room on the ground-level of the proposed building along the southwestern façade. A mechanical penthouse would also be included on the fifth floor in the southwestern portion of the proposed building. The project would also include heating, ventilation, solar panels on the fifth floor, and air conditioning (HVAC) units on the rooftop. To provide a conservative analysis, for all of the proposed mechanical equipment, a 24-hour operation was assumed. Therefore, to account for operation during quieter nighttime hours, the hourly average threshold based on average ambient noise levels would be 65 dBA during daytime hours and 59 dBA during nighttime hours for the existing residences to the southeast and would be 67 dBA during daytime hours and 61 dBA during nighttime hours for all other receptors surrounding the site.

The project would also include an approximately 500(kW, 755-hp diesel emergency backup generator. The generator would be located in the upper level of the proposed below-grade parking



garage. Given that the proposed generator would be located underground, noise levels produced by the emergency generator would be well shielded and below ambient conditions during monthly testing, which typically runs for one continuous hour. Noise produced by the generator would not be audible to existing off-site receptors.

The project would include transformers ranging from 37.5 to 112.5 kilovolt amperes (kVA). Assuming up to three transformers run simultaneously, the combined noise level would be 69 dBA. There would not be any windows in the proposed generator room, thus the building walls would provide a noise reduction of approximately 20 dBA. Noise generated by on-site transformers would not be audible to existing off-site receptors.

Variable refrigerant flow (VRF) heat pump systems and exhaust fans would be located within the mechanical penthouse on the fifth floor. The mechanical penthouse would be surrounded by the proposed residential units to the northeast and by a parapet wall of approximately the same height as the building façade around the other three sides of the penthouse. Assuming the maximum amount of condensing units and exhaust fans would be operating simultaneously, equipment within the penthouse would generate a noise level of approximately 85 dBA at a distance of three feet. Shielding from the proposed residential units and the parapet wall would provide a minimum noise reduction of 10 to 20 dBA. The surrounding receptors would be located a minimum of approximately 145 feet from the center of the mechanical penthouse. Given this distance and the shielding provided, noise generated by the VRF heat pump systems and exhaust fans would not be audible to existing off-site receptors.

Solar panels would also be included on the fifth floor of the proposed building. Solar panels do not generate noise levels loud enough to be audible at the project boundaries.

The project would include HVAC units on the rooftop of the proposed building. Noise levels generated by these units would reach up to 62 dBA at a distance of 20 feet. Assuming the proposed HVAC units cycle on an off continuously over any given 24-hour period, the day-night average noise level generated would be 75 dBA  $L_{dn}$  at 20 feet. It is anticipated that the proposed HVAC units would be set back a minimum of 10 feet from the edge of the rooftop above the proposed residential units. The HVAC units are anticipated to result in a noise level increase of up to one dBA  $L_{dn}$  at the existing residential land uses to the southeast but would not be audible at any other the other existing receptors.

Based on the analysis above, the project's mechanical equipment would result in a less than significant noise impact. **(Less than Significant Impact)**

#### Truck Loading and Unloading

The project would include a commercial loading zone and trash pickup area along S. B Street. The existing residential building to the southeast and the commercial buildings to the southwest and northwest would be shielded from noise generated by truck loading and unloading by the proposed mixed-use building. The commercial uses to the northeast, however, would have direct line-of-sight to the loading zone. Trash pickup for the proposed office uses would be located at the southern corner of the proposed mixed-use building, which would have a direct line-of-sight to both the residential uses to the southeast and the commercial uses to the southwest.

During loading and unloading activities, truck maneuvering could take up to 15 minutes at a time. Given that the measured hourly average noise levels in the project vicinity exceeded the City's thresholds in Table 7.30.040, the noise limit for all loading/unloading activities occurring for up to 15 minutes in any hour would be five dBA added to the average ambient levels during daytime hours only, which would be 72 dBA at the commercial receptors to the northeast. Assuming three heavy truck deliveries at the proposed retail area and one trash pickup in a 24-hour period, which would represent worst-case conditions, noise levels generated at the proposed loading zone would range from 54 to 69 dBA  $L_{eq}$ , and the day-night average noise level would be 60 dBA  $L_{dn}$  at a distance of 50 feet. The commercial uses located northeast of the project site are approximately 105 feet from the center of the loading zone along S. B Street. At this distance, hourly average noise levels would range from 48 to 63 dBA  $L_{eq}$ , and the day-night average noise level would be 54 dBA  $L_{dn}$ . These levels would not exceed ambient conditions or the thresholds established by the City during daytime hours.

Assuming only one trash pickup at the office trash area, the hourly average noise levels would be 54 dBA  $L_{eq}$  at 50 feet, and the day-night average noise level would be 40 dBA  $L_{dn}$ . The nearest existing receptors to the office trash pickup would not be exposed to truck maneuvering noise levels exceeding City thresholds. For all existing receptors with direct line-of-sight, the noise level increase due to trash pick noise would not be audible. **(Less than Significant Impact)**

#### Total Combined Operational Noise

The operational noise levels produced by the proposed project combined (i.e., traffic, mechanical equipment, and truck loading/unloading activities) would result in up to a two dBA  $L_{dn}$  increase at the existing residential building along E. 5<sup>th</sup> Avenue and less than one dBA  $L_{dn}$  at all other existing noise-sensitive receptors surrounding the project site. Therefore, the proposed project would not result in a substantial increase over ambient noise levels in the project vicinity. Further, operational noise levels would not exceed the City's thresholds at the property lines or exceed ambient levels at the surrounding existing and future land uses. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact NOI-2:</b>	The project would not result in generation of excessive groundborne vibration or groundborne noise levels. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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Construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g., jackhammers, hoe rams) are used in the vicinity of nearby sensitive land uses. As discussed under Impact NOI-1, construction activities would include demolition, site preparation work, foundation work, and new building framing and finishing. Impact pile driving (which generates substantial vibration) is not proposed as a method of construction.

The nearest historical building identified within the project vicinity is located at 505 S. B Street, approximately 150 feet from the nearest edge of the project site. This structure would be subject to the conservative (i.e., most protective) 0.08 in/sec PPV threshold. All other buildings surrounding the project site would be subject to the standard 0.3 in/sec PPV threshold.

Based on typical vibration levels generated by construction equipment, the vibration levels from project construction were estimated from the boundary of the project site, which would represent the nearest location for use of vibration generating equipment, at the nearest building facades (refer to Appendix K for more information on the methodology used to calculate vibration levels). Table 4.13-5 below summarizes the distances at which the 0.08 in/sec PPV threshold would be met for historical buildings and to the 0.3 in/sec PPV threshold for all other buildings.

<b>Table 4.13-5: Vibration Source Levels for Construction Equipment</b>				
<b>Equipment</b>		<b>PPV at 25 ft. (in/sec)</b>	<b>Minimum Distance to Meet 0.08 in/sec PPV (feet)</b>	<b>Minimum Distance to Meet 0.3 in/sec PPV (feet)</b>
Clam Shovel Drop		0.202	59	18
Hydromill (slurry wall)	In soil	0.008	4	1
	In rock	0.017	7	2
Vibratory Roller		0.210	61	19
Hoe Ram		0.089	28	9
Large bulldozer		0.089	28	9
Caisson drilling		0.089	28	9
Loaded trucks		0.076	24	8
Jackhammer		0.035	12	4
Small bulldozer		0.003	2	<1

Given that the nearest historical building located at 505 S. B Street is approximately 150 feet from the project's boundary, vibration levels would be at or below 0.03 in/sec PPV at this building, which would be less than the 0.08 in/sec threshold. All other surrounding buildings would be located a minimum of 80 feet from the project boundaries. Vibration levels at each of these buildings would be below the 0.3 in/sec PPV threshold (see Appendix K for estimated vibration levels at surrounding buildings). Therefore, the project would not result in generation of excessive vibration levels. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact NOI-3:** The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The project site is located approximately 4.3 miles southeast of the San Francisco International Airport, the nearest airport to the project site. It is located outside of the CNEL noise contour for the airport.<sup>59</sup> Therefore, future development of the site would not expose people residing or working in

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<sup>59</sup> City/County Association of Governments of San Mateo County, *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*. November 2012

the project area to excessive airport-related noise levels. **[Same Impact as Approved Project (Less than Significant Impact)]**

#### **4.13.3      Non-CEQA Effects**

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of San Mateo has policies that address existing noise conditions affecting a proposed project.

The City of San Mateo 2030 General Plan (refer to Section 4.13.1.2 Regulatory Framework) includes exterior and interior noise thresholds for residential uses. Note, the City's exterior noise thresholds apply only to common use areas and not private balconies, porches, or patios. Additionally, the State of California establishes acceptable interior noise limits within residential and non-residential land uses. The thresholds that apply to the proposed project are summarized below:

- Policy N 1.2 and Table N-1 of the City's General Plan identifies exterior noise thresholds of 59 dBA  $L_{dn}$  or below as "normally acceptable" for multi-family residential uses; however, the policy further states that common open spaces at multi-family residential buildings intended for the use and enjoyment of residents would be limited to a maximum allowable noise level of 67 dBA  $L_{dn}$ .
- The City and State's acceptable interior noise level standard is 45 dBA  $L_{dn}$  or less for the proposed residential land uses.
- The Cal Green Code standards specify an interior noise environment attributable to exterior sources not to exceed an hourly equivalent noise level ( $L_{eq(1-hr)}$ ) of 50 dBA in occupied areas of nonresidential uses during any hour of operation.

The future noise environment would continue to be primarily influenced by vehicular traffic along nearby roadways. Based on information from the Transportation Impact Analysis prepared for the project, the future noise level increase experienced at the project site would be increased by two dBA  $L_{dn}$  along E. 4<sup>th</sup> Avenue and increased by one dBA  $L_{dn}$  along E. 5<sup>th</sup> Avenue.

#### **Future Exterior Noise Environment**

Outdoor areas that would be included as part of the proposed project include a community open space area and outdoor dining area on the ground level, office terraces on the third and fourth floors, and an office roof deck on the fifth floor. A common use outdoor area for the proposed residences would also be included on the fifth floor.

#### **Residential Outdoor Space**

The residential common use area is proposed on the fifth floor, along the building façade facing S. B Street. The center of the common use area would be set back approximately 75 feet from the centerline of the roadway. Given the height of the common use area and its setback from the roadway, noise from S. B Street would be reduced by approximately 20 dBA. Therefore, the future exterior noise levels at the center of the fifth-floor common use area would be below 60 dBA  $L_{dn}$ . This would be compatible with the City's 67 dBA  $L_{dn}$  exterior threshold for residential uses.

### Office and Retail Outdoor Space

The City of San Mateo does not have an exterior noise threshold for office uses. For informational purposes, the Noise and Vibration Assessment (refer to Appendix K) calculated the noise levels at the exterior balconies reserved for office employees, and determined that the noise level at all exterior office and retail uses would be below 70 dBA  $L_{dn}$  and therefore compatible with the future noise environment.

## **Future Interior Noise Environment**

### Residential Land Uses

Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Where exterior noise levels range from 60 to 65 dBA  $L_{dn}$ , the inclusion of adequate forced-air mechanical ventilation is often the method selected to reduce interior noise levels to acceptable levels by closing the windows to control noise. Where noise levels exceed 65 dBA  $L_{dn}$ , forced-air mechanical ventilation systems and sound-rated construction methods are normally required. Such methods or materials may include a combination of smaller window and door sizes as a percentage of the total building façade facing the noise source, sound-rated windows and doors, sound rated exterior wall assemblies, and mechanical ventilation so windows may be kept closed at the occupant's discretion.

The proposed residential units would be located on the fifth floor of the proposed building along the façades facing S. B Street and E. 5<sup>th</sup> Avenue. These units would be set back approximately 85 feet from the centerline of S. B Street and approximately 60 feet from the centerline of E. 5<sup>th</sup> Avenue. At these distances, the residential units would be exposed to future exterior noise levels ranging from 65 to 68 dBA  $L_{dn}$ . Assuming windows to be partially open, future interior noise levels in these units would range from 50 to 53 dBA  $L_{dn}$ .

To meet the City and State's interior noise requirement of 45 dBA  $L_{dn}$ , implementation of noise insulation features would be required.

### **Condition of Approval NOI-4.13.3-1:**

The applicant shall specify acoustical treatments in the building permit plans for the superstructure in compliance with State Building Codes, the City's Noise Ordinance, and General Plan. The applicant shall also submit an acoustical analysis prepared by a professional acoustical consultant to ensure that the design incorporates controls to reduce interior noise levels to 45 dBA  $L_{dn}$  or lower within the residential units and to 50 dBA  $L_{eq(1-hr)}$  or lower within nonresidential interiors subject to the satisfaction of the Community Development Director, or his/her designee. The applicant shall conform with any special building construction techniques noted in the project's acoustical analysis, which may include sound-rated windows and doors, sound-rated wall constructions, and acoustical caulking. The acoustical analysis and building permit plans shall specify the following noise insulation features to reduce interior noise levels to 45 dBA  $L_{dn}$  or less at residential interiors:

- Provide a suitable form of forced-air mechanical ventilation, subject to the satisfaction of the Community Development Director, or his/her designee, for all residential units on the project site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.
- Preliminary calculations indicate that all residential units would require windows and doors with a minimum rating of 30 STC with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA  $L_{dn}$ .

Incorporation of the above conditions of approval would reduce interior noise levels to 45 dBA  $L_{dn}$  or less at residential uses.

### Office and Retail Land Uses

The office and retail components of the project would be located on the first through fourth floors of the proposed building. The office and retail spaces would be setback approximately 55 feet from E. 4<sup>th</sup> Avenue, 30 feet from E. 5<sup>th</sup> Avenue, and 40 to 45 feet from S. Ellsworth Avenue and S. B Street. At these distances, daytime hourly average noise levels would range from 61 to 75 dBA  $L_{eq}$ , with day-night average noise levels up to 69 dBA  $L_{dn}$ .

Standard construction materials for offices and commercial retail uses would provide about 25 dBA of noise reduction in interior spaces. The inclusion of adequate forced-air mechanical ventilation systems is normally required so that windows may be kept closed at the occupant's discretion and would provide an additional five dBA reduction. The standard construction materials in combination with forced-air mechanical ventilation would satisfy the daytime threshold of 50 dBA  $L_{eq(1-hr)}$ .

## **4.14 POPULATION AND HOUSING**

### **4.14.1 Environmental Setting**

#### **4.14.1.1 *Regulatory Framework***

##### **State**

##### **Housing-Element Law**

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.<sup>60</sup> The City of San Mateo Housing Element and related land use policies were last updated in 2015. The City is currently undertaking an update to the Housing Element to cover the upcoming RHNA cycle for 2023-2031.

##### **Regional and Local**

##### **Plan Bay Area 2050**

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.<sup>61</sup>

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050's long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

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<sup>60</sup> California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed April 18, 2022. <http://hcd.ca.gov/community-development/housing-element/index.shtml>.

<sup>61</sup> Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

## City of San Mateo General Plan

The San Mateo General Plan contains land use policies that support a wide variety of land uses and substantial growth of both the commercial and residential sectors. The following General Plan Land Use Policies are relevant to the proposed project:

Policies	Description
LU 1.6	Facilitate housing production by carrying out the goals and policies in the Housing Element.
LU 1.8	Facilitate housing production by allowing commercial mixed-use development which includes multi-family dwellings in all non-residential land use categories except service commercial, manufacturing/industrial and parks/open space.
H 2.2	Maintain an overall balance of housing and employment within the community over the term of the Plan.

### 4.14.1.2 Existing Conditions

According to the California Department of Finance, the City of San Mateo had a population of approximately 103,045 residents as of January 1, 2021.<sup>62</sup> The Association of Bay Area Governments (ABAG) projects the City's population will be 133,005 by 2040.<sup>63</sup>

According to the City's Land Use Element of the 2030 General Plan, 13 percent of the employed population works in Downtown San Mateo. Employment intensification is expected in the Downtown through the 2030 planning horizon of the General Plan, with this area projected to contain the second highest number of jobs in the City behind the State Route 92 corridor.

The project site is currently occupied by a Draeger's Market and provides no housing. The Draeger's Market does provide approximately 85 jobs.

### 4.14.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>62</sup> California Department of Finance. "E-5 Population Estimates for Cities, Counties, and the State – January 1, 2020 and 2021." <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/> Accessed April 18, 2022.

<sup>63</sup> Association of Bay Area Governments. "Projections 2040." Accessed September 26, 2022. Available at: <http://projections.planbayarea.org/>.



	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan EIR Prior Conclusions. The intent of the DASP is to improve housing opportunities in the downtown area, and create an environment where housing is combined successfully with office and retail uses. The DASP IS/MND stated that the project would allow substantial development of downtown housing, including affordable housing. The DASP IS/MND determined that the policies included in the DASP and the project-level CEQA review for subsequent developments, would reduce population and housing impacts to a less than significant level. The General Plan EIR estimated that buildout of the General Plan would result in a Citywide population of approximately 119,800 people, 48,360 dwelling units, and 65,300 jobs. As described in Section 4.14.1.2 Existing Conditions, the City has not yet reached the population estimated at General Plan buildout. Therefore, while the Citywide population has grown since adoption of the General Plan and DASP, it has not exceeded the projected buildout assumptions. Neither the DASP IS/MND or General Plan EIR gave population or housing estimates specific to the City's downtown area.

<b>Impact POP-1:</b>	<p>The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).</p> <p><b>[Same Impact as Approved Project (Less than Significant Impact)]</b></p>
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A project can induce substantial population growth by proposing new housing beyond projected or planned development levels, generating demand for housing as a result of new businesses, extending roads or other infrastructure to previously undeveloped areas, or removing obstacles to population growth (e.g., expanding capacity of a wastewater treatment plant beyond that necessary to serve planned growth).

The proposed mixed-use building would include 10 multi-family residential units, approximately 104,722 square-feet of office space, and 17,658 square-feet of retail space. Assuming the California Department of Finance's estimated average of 2.59 persons per household for the City<sup>64</sup>, the project's residential component would house approximately 26 new residents.<sup>65</sup> The proposed retail and office components of the project would total approximately ~~639~~ 339 jobs,<sup>66</sup> however, the jobs introduced by the project would be partially offset by the loss of jobs from the existing Draeger's Market. The

<sup>64</sup> California Department of Finance. "E-5 Population Estimates for Cities, Counties, and the State – January 1, 2020 and 2021." <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/> Accessed April 18, 2022.

<sup>65</sup> 10 new multi-family units x 2.59 persons/unit = 25.9 new residents

<sup>66</sup> New jobs were calculated using the following job rates provided by PlaceWorks.; 3 jobs/1,000 square-feet of office space, 1.43 jobs/1,000 square-feet of retail space.

project would result in a net increase of approximately 254 jobs on-site but is not expected to induce a substantial population growth as a result. Additionally, the proposed increase of residents and jobs would not be unplanned as the project would be consistent with ABAG projections for population growth used by the City of San Mateo in its 2030 General Plan. The project is also consistent with the site General Plan designation, zoning, and General Plan policies LU-1.6, LU-1.8, and H-2.2. Therefore, the project would not induce substantial growth beyond planned levels of development for the Downtown area and the City as a whole. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact POP-2:</b>	The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. <b>[Same Impact as Approved Project (No Impact)]</b>
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The project site is currently developed with a Draeger's Market and does not contain any existing housing. Therefore, the project would not remove existing housing, displace people, or necessitate the construction of replacement housing elsewhere. **[Same Impact as Approved Project (No Impact)]**

**4.15 PUBLIC SERVICES**  
**4.15.1 Environmental Setting**  
**4.15.1.1 *Regulatory Framework***

**State**

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

**Local**

City of San Mateo General Plan

Applicable General Plan policies related to public services include, but are not limited to, the following listed below.

<b>Policies</b>	<b>Description</b>
LU 4.10	Provide Police Station facilities to meet the facility requirements through 2030.
LU 4.24	Maintain fire inspection staffing levels to meet existing needs and the projected 2025 population, employment and development, and inspections mandated by other governmental agencies.
LU 4.25	Continue fire apparatus replacement and maintenance programs to provide a high state of readiness.
LU 4.29	Maintain facilities, equipment, and personnel to provide an effective police force to serve existing and future population and employment as identified in the Land Use Element.
LU 4.30	Require all developments including parks and public places to incorporate physical security, personal safety, and traffic measures to provide a safe environment through application of crime prevention through design principles consistent with the City's Security Ordinance.

<b>Policies</b>	<b>Description</b>
C/OS 12.1	Provide the appropriate mix of parkland that balances the needs of active and passive facilities, that are accessible for all residents, and that meet existing and future recreation needs.
C/OS 12.2	Adopt and use the Park and Recreation Facility Standards to assess the adequacy of existing facilities, designing, developing and redeveloping sites, and acquiring or accepting new sites.
C/OS 12.3	Create an asset management plan that identifies the highest and best use of undeveloped parcels or underutilized areas within existing parks to insure they are best positioned to meet current and future needs and where appropriate, identify options for alternative uses.
C/OS 12.7	Preserve existing parklands, open spaces and the golf course for open space and recreational use as directed by ordinance.
C/OS 13.1	Maintain the park system by a set of maintenance standards that reflect community values and in a manner that maintains, promotes, and optimizes positive use, and prevents degradation of facilities and ensures that particular equipment and facilities are maintained in a safe condition.
C/OS 13.2	Give priority to Capital Improvement Program projects that rehabilitate facilities that have become or will become costly to maintain, only marginally usable, or unusable without action.
C/OS 13.3	When existing parks undergo reconstruction or rehabilitation the site facilities and layout must be reviewed to determine if they effectively meet community needs, and whether modification would provide significant benefits in relation to costs.
C/OS 13.4	Utilize an infrastructure lifecycle management program that extends the useful life of all park and recreation assets and insures that sufficient funds are available for replacement or major rehabilitation.
C/OS 14.9	Establish principles for all new or renovated parks to maximize productivity, efficiency and community value.

### City of San Mateo Parkland Dedication/Fees

The City of San Mateo has established standards for dedication of land or payment of in-lieu fees for park and recreation facilities serving new residential subdivisions (Chapter 26.64 of the City of San Mateo Municipal Code). The code sets a standard of two acres per 1,000 residents to be dedicated by residential developers, with fees based on the value of real property and the number of residents estimated for various unit sizes. The Municipal Code also establishes park impact fees for residential units not subject to Chapter 26.64. In Section 13.05.070 of the Municipal Code, the City outlines land dedication requirements and fees for residential units that are not subject to Chapter 26.64. Fees and land dedications are calculated in the same manner as described in Chapter 26.64, while the applicability to residential projects varies.

#### **4.15.1.2      *Existing Conditions***

##### **Fire Protection Services**

In 2019, the fire departments in the Cities of San Mateo, Belmont, and Foster City joined together as a Joint Powers Authority and operates as the San Mateo Consolidated Fire Department (SMCFD). The SMCFD serves nearly 161,000 residents daily with a day-time population (or commuter-adjusted population) of approximately 230,000.<sup>67</sup> The SMCFD collectively has ten engines and two trucks operating out of nine fire stations with a staff of approximately 154 full-time employees. The nearest fire station to the project site is Fire Station 21, located at 120 S. Ellsworth Avenue, approximately 0.2 miles northwest of the project site.

<sup>67</sup> City of San Mateo. "Fire Department". Accessed April 18, 2022. <https://www.cityofsanmateo.org/74/Fire>

## **Police Protection Services**

The San Mateo Police Department (SMPD) provides police protection services in the City of San Mateo. The main police station is located at 200 Franklin Parkway, approximately 2.6 miles southeast from the project site.

## **Parks**

The City of San Mateo has over 200 acres of open space within the City and miles of paths and trails.<sup>68</sup> Recreational facilities include neighborhood parks, community parks, recreation/community centers, pool, community gardens, a shoreline regional park system, and an estuary lagoon for boating. The nearest park to the project site is San Mateo Central Park, located approximately 230 feet southwest of the project site, at the corner of E. 5<sup>th</sup> Avenue and Laurel Avenue. San Mateo Central Park is a 16.3-acre park that is home to many signature community events such as the Central Park Music Series, 4<sup>th</sup> of July in the Park, Eggstravaganza, and more.<sup>69</sup> Available amenities include a baseball diamond, the Central Park Mini-Train, the Japanese Garden, picnic areas, a playground, rentable spaces, a rose garden, and tennis courts.

## **Schools**

The City of San Mateo is served by three public school districts: the San Mateo-Foster City School District serves grades K–8; the San Mateo Union High School District serves grades 9–12; and the County Community College District serves high school graduates and anyone over 18. The assigned schools for the project site are Sunnybrae Elementary School, located approximately 0.7 miles southeast of the project site, Borel Middle School, approximately 1.2 miles south of the project site, and San Mateo High School, approximately 1.1 miles northwest of the project site.<sup>70,71</sup>

## **Libraries and Community Centers**

There are three public libraries located within the City of San Mateo. The nearest library to the project site is the San Mateo Public Library, located approximately 0.4 miles northeast of the project site.

There are six community centers within the City of San Mateo. The nearest community center to the project site is the Central Park Recreation Center, located approximately 0.2 miles south of the project site, within San Mateo Central Park.

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<sup>68</sup> City of San Mateo. “Parks and Facilities”. Accessed April 18, 2022. <https://www.cityofsanmateo.org/559/Parks-and-Facilities>

<sup>69</sup> City of San Mateo “Central Park and Japanese Garden”. Accessed April 18, 2022. <https://www.cityofsanmateo.org/3319/Central-Park-Japanese-Garden>

<sup>70</sup> San Mateo-Foster City School District. “Current Boundary Lookup”. Accessed April 18, 2022. [http://www.schfinder.com/Lookup.aspx?DistrictID=0634920\\_2021a](http://www.schfinder.com/Lookup.aspx?DistrictID=0634920_2021a)

<sup>71</sup> San Mateo Union High School District. “School Locator”. Accessed April 18, 2022. <https://www.smuhsd.org/Page/2314>

#### 4.15.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?					

DASP IS/MND and General Plan EIR Prior Conclusions. The DASP IS/MND stated that buildout of the DASP would result in an increased demand upon public facilities. The DASP concluded that the need for additional fire and police facilities and staff would be evaluated on an ongoing basis by the City. The DASP determined that acquiring new staff and facilities for fire and police protection services would result in a financial impact, but is not expected to result in an environmental impact. The DASP stated that impacts on schools would be mitigated by fees collected from new developments within the downtown area. Similarly, impacts to parks would be mitigated through the provision of Park In Lieu fees from residential developments to fund park improvements. The General Plan EIR similarly determined that buildout of the General Plan would result in a less than significant impact on public services with implementation of General Plan policies, developer fees, and project-level CEQA analyses for subsequent individual projects.

<b>Impact PS-1:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The project would redevelop the existing site with a an approximately 152,533 square-foot mixed use building, several times larger than the existing 60,965 square-foot Draeger's Market, and would contain 10 residential units. The project would result in an incremental increase in demand on fire protection services within the City of San Mateo given that it would result in a more intensive use of the project site. This increase in demand would not prevent the SMCFD from maintaining acceptable response times nor would it require the construction of new facilities to ensure adequate service to

the surrounding areas. The proposed building would be constructed in compliance with the most recent California Building Code and California Fire code to ensure the building is fire safe. In addition, the proposed project is not located within a San Mateo County Fire Hazard Safety Zone for wildland fires as identified by CalFIRE.<sup>72</sup> **(Less Than Significant Impact)**

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<b>Impact PS-2:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The proposed redevelopment of the project site with a mixed-use building that is about two and a half times the square footage of the existing Draeger's Market and contains 10 residential units would increase the need for police protection services at the project site. However, this increase in demand is not expected to be substantial. The proposed office, retail and residential building and parking structure would be constructed in accordance with the City's Security Ordinance and reviewed by the SMPD to ensure appropriate safety features and technologies that minimize or aid in the investigation of criminal activity are incorporated into the project design. The estimated increase of 26 new residents and 254 employees in the Downtown area would not require substantially expanded or new police facilities to retain current service ratios and/or response times in the area. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact PS-3:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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Based on the San Mateo – Foster City School District's student generation rates of 0.10 student per residential unit for elementary schools and 0.04 student per unit for middle schools<sup>73</sup>, the project's 10-unit residential component would generate approximately one new student at Sunnybrae Elementary School and one new student at Borel Middle School. Using the San Mateo Union High School District's student generation rate of 0.04 high school students per residential unit, the project would generate approximately one new student at San Mateo High School. The addition of one new student at each of the assigned schools would be a negligible increase in the respective student populations and would not result in a need for new or physically altered school facilities.

Additionally, school impact fees will be paid to the affected school districts prior to the issuance of a building permit by the City. School districts would then be responsible for implementing the specific methods for mitigating school impacts under the Government Code. The responsibility for payment

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<sup>72</sup> California Department of Forestry and Fire Protection. *San Mateo County Fire Hazard Safety Zone Map*. November 2007.

<sup>73</sup> San Mateo – Foster City School Board. *Projected Enrollments 2017-18 to 2024-25*. March 8, 2018.

of school impact fees would lie with the project applicant. By law, payment of the school impact fee is considered adequate mitigation and no further mitigation would be required to offset the impact of projected increases in student populations from the proposed project. **[Same Impact as Approved Project (Less Than Significant Impact)]**

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<b>Impact PS-4:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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Government Code Section 66477, or the Quimby Act, outlines fees and/or amounts of parkland to be dedicated as a condition of approval for new residential developments. The proposed project would result in an increase in the local population of approximately 26 residents and would also increase the number of workers on-site. New residents and employees of the proposed project could reasonably be expected to utilize park and recreation facilities in the vicinity of the site, such as Central Park. The demand on these facilities would be marginally increased by the proposed project; however, by requiring in-lieu fees to be administered, the proposed project would facilitate the acquisition of parkland or improvement of parks in San Mateo in line with General Plan goals.

**Conditions of Approval:** The following Condition of Approval would be implemented by the project to ensure the project does not result in significant impacts to park facilities in the City:

- The applicant shall pay a park impact fee (SMMC Section 13.05.070) or a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined upon approval of the final map for the park In-lieu fee or prior to the issuance of the building permit for the park impact fee. The park in-lieu fee shall be paid prior to the release of the final map for recordation and the park impact fee shall be paid prior to the issuance of the building permit. If a project with an approved tentative map is issued a building permit prior to the approval of the final map, the applicant shall be subject to the payment of the park impact fee only prior to the issuance of the first building superstructure permit.

By requiring in-lieu fees for park and recreation purposes, the project would have a less than significant impact on existing park and recreation facilities in San Mateo. **[Same Impact as Approved Project (Less than Significant Impact)]**



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<b>Impact PS-5:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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It can be reasonably expected that new residents and employees of the proposed project would utilize nearby libraries and community centers. The demand on libraries and community centers in the area would be marginally increased as a result of the project. However, demand for these facilities would not necessitate the construction of new facilities, or expansion of existing facilities, to accommodate future residents or employees of the project. The existing libraries and community centers in San Mateo would be equipped to provide services to new residents and employees of the proposed project. **[Same Impact as Approved Project (Less Than Significant Impact)]**

## **4.16 RECREATION**

### **4.16.1 Environmental Setting**

#### **4.16.1.1 *Regulatory Framework***

##### **State**

##### Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

##### **Local**

##### City of San Mateo Parkland Dedication/Fees

The City of San Mateo has established standards for dedication of land or payment of in-lieu fees for park and recreation facilities serving new residential subdivisions (Chapter 26.64 of the City of San Mateo Municipal Code). The code sets a standard of two acres per 1,000 residents to be dedicated by residential developers, with fees based on the value of real property and the number of residents estimated for various unit sizes. The Municipal Code also establishes park impact fees for residential units not subject to Chapter 26.64 (not requiring land subdivision). In Section 13.05.070 of the Municipal Code, the City outlines land dedication requirements and fees for residential units that are not subject to Chapter 26.64. Fees and land dedications are calculated in the same manner as described in Chapter 26.64, while the applicability to residential projects varies.

##### City of San Mateo General Plan

The following recreation policies, contained in the City's General Plan, are applicable to the proposed project:

<b>Policies</b>	<b>Description</b>
C/OS 12.1	Provide the appropriate mix of parkland that balances the needs of active and passive facilities, that are accessible for all residents, and that meet existing and future recreation needs.
C/OS 12.2	Adopt and use the Park and Recreation Facility Standards to assess the adequacy of existing facilities, designing, developing and redeveloping sites, and acquiring or accepting new sites.
C/OS 12.3	Create an asset management plan that identifies the highest and best use of undeveloped parcels or underutilized areas within existing parks to insure they are best positioned to meet current and future needs and where appropriate, identify options for alternative uses.
C/OS 12.7	Preserve existing parklands, open spaces and the golf course for open space and recreational use as directed by ordinance.
C/OS 13.1	Maintain the park system by a set of maintenance standards that reflect community values and in a manner that maintains, promotes, and optimizes positive use, and prevents degradation of facilities and ensures that particular equipment and facilities are maintained in a safe condition.

<b>Policies</b>	<b>Description</b>
C/OS 13.2	Give priority to Capital Improvement Program projects that rehabilitate facilities that have become or will become costly to maintain, only marginally usable, or unusable without action.
C/OS 13.3	When existing parks undergo reconstruction or rehabilitation the site facilities and layout must be reviewed to determine if they effectively meet community needs, and whether modification would provide significant benefits in relation to costs.
C/OS 13.4	Utilize an infrastructure lifecycle management program that extends the useful life of all park and recreation assets and insures that sufficient funds are available for replacement or major rehabilitation.
C/OS 14.9	Establish principles for all new or renovated parks to maximize productivity, efficiency and community value.

#### **4.16.1.2      *Existing Conditions***

The City of San Mateo has over 200 acres of open space within the City and miles of paths and trails.<sup>74</sup> Recreational facilities include neighborhood parks, community parks, recreation/community centers, pool, community gardens, a shoreline regional park system, and an estuary lagoon for boating. The nearest park to the project site is San Mateo Central Park, located approximately 230 feet southwest of the project site, at the corner of E. 5<sup>th</sup> Avenue and Laurel Avenue. San Mateo Central Park is a 16.3-acre park that is home to many signature community events such as the Central Park Music Series, 4<sup>th</sup> of July in the Park, Eggstravaganza, and more.<sup>75</sup> Available amenities include a baseball diamond, the Central Park Mini-Train, the Japanese Garden, picnic areas, a playground, rentable spaces, a rose garden, and tennis courts. The project site does not currently provide any recreational opportunities.

#### **4.16.2      Impact Discussion**

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>74</sup> City of San Mateo. "Parks and Facilities". Accessed April 18, 2022. <https://www.cityofsanmateo.org/559/Parks-and-Facilities>

<sup>75</sup> City of San Mateo "Central Park and Japanese Garden". Accessed April 18, 2022. <https://www.cityofsanmateo.org/3319/Central-Park-Japanese-Garden>

DASP IS/MND and 2030 General Plan EIR Prior Conclusions. The DASP IS/MND determined that impacts to parks would be mitigated through the provision of Park In Lieu fees from residential developments to fund park improvements. Similarly, the General Plan EIR also determined that impacts to parks and recreation facilities would be mitigated through the provision of Park In Lieu fees and General Plan policies.

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<b>Impact REC-1:</b>	The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The project would marginally increase the use of exiting local parks and recreational facilities in San Mateo. Future residents and employees of the proposed project could reasonably be expected to utilize nearby parks such as Central Park to meet their recreational needs. The project would increase the local population by approximately 26 persons and would introduce new workers to the area. Thus, the project would place an additional demand on parks and recreational facilities in the area. As discussed in *Section 4.15, Public Services* of this Addendum, in-lieu fees would be applied to the proposed project to offset the additional demand on existing facilities. It is not anticipated that the additional demand placed on existing park and recreational facilities would result in substantial physical deterioration of these facilities. Park fees collected from the project would be used to maintain and upgrade affected park facilities, as necessary. Thus, the impact would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact REC-2:</b>	The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The project would also include an approximately 2,070 square-foot community open space and an approximately 1,450 square-foot outdoor dining space both located at the western corner of the project site, at the intersection of E. 4<sup>th</sup> Avenue and S. Ellsworth Avenue. The community open space and outdoor dining space would include landscaping and outdoor seating. The construction of the community open space and outdoor dining space have been included in the environmental analysis of this Addendum and would be subject to the construction-related conditions of approval and mitigation measures that have been described in previous sections (see Air Quality, Water Quality, and Noise). Therefore, construction of the proposed community open space and outdoor dining space would not have an adverse physical effect on the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

## **4.17 TRANSPORTATION**

The following discussion is based, in part, on a Transportation Impact Analysis prepared for the project by Kittelson & Associates dated October 2022. A copy of this report is included in Appendix L of this Addendum.

### **4.17.1 Environmental Setting**

#### **4.17.1.1 *Regulatory Framework***

##### **State**

##### **Senate Bill 743**

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by OPR to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

##### **Regional**

##### **Regional Transportation Plan**

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including San Mateo County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2050 in October 2021, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2050.

##### **City/County Association of Governments**

The City/County Association of Governments of San Mateo County (C/CAG) works on issues that affect the quality of life in general: transportation, air quality, stormwater runoff, airport/land use compatibility planning, hazardous waste, solid waste and recycling. C/CAG, as the Congestion Management Agency for San Mateo County, is required to prepare and adopt a Congestion Management Program (CMP) on a biennial basis. The purpose of the CMP is to identify strategies to respond to future transportation needs, develop procedures to alleviate and control congestion, and promote countywide solutions. The CMP is required to be consistent with the MTC planning process that includes regional goals, policies, and projects for the Regional Transportation Improvement

Program.<sup>76</sup> A project is required to submit a Transportation Demand Management (TDM) plan in compliance with the CMP guidelines if the project will generate 100 net new average daily trips (ADT) to the CMP roadway network.

Considering existing trips from the market, it is anticipated that the project would result in a net decrease in peak hour vehicle trips. Therefore, an analysis in accordance with C/CAG's CMP guidelines is not required.

## **Local**

### San Mateo County Comprehensive Bicycle Route Plan

The San Mateo County Comprehensive Bicycle Route Plan was written by the C/CAG, the Bicycle and Pedestrian Advisory Committee, and individual cities and agencies. The intent of the plan is to provide a comprehensive bicycle network for San Mateo County and adjacent communities, and to improve inter-city and regional travel for bicycles. The plan includes existing roadways within San Mateo County, including roadways in the project area.

### City of San Mateo General Plan

The City of San Mateo 2030 General Plan contains goals and policies related to traffic and circulation patterns that are relevant to the proposed project. The General Plan includes goals and policies relating to traffic fees for new developments, required consistency with alternative transportation plans, and parking standards, amongst others. General Plan policies and elements that are relevant to the proposed mixed-use project are listed below:

<b>Policies</b>	<b>Description</b>
C 2.1	Maintain a Level of Service no worse than mid LOS D, average delay of 45.0 seconds, as the acceptable Level of Service for all intersections within the City.
C 2.4	Require new developments to pay for on-site improvements to meet the needs of development and their proportionate share of the costs for mitigating cumulative traffic impacts within the City of San Mateo. Utilize a Transportation Fee Ordinance to finance necessary off-site improvements equitably. The off-site improvements will include intersection and street improvements to maintain intersection levels of service, traffic safety improvements and improvements to reduce single occupant vehicle trips such as bicycle system enhancements, pedestrian improvements, and trip reduction measures.
C 2.5	Require site-specific traffic studies for development project where there may be a substantial impact on the local street system. Traffic impacts caused by a development project are considered to be unacceptable and warrant mitigation if the addition of project traffic results in a cumulative intersection level of service exceeding the acceptable level established in Policy C-2.1; where there may be safety hazards created; or where there may be other substantial impacts on the circulation system.
C 2.7	In addition to paying the transportation impact fee, a development project may be required to fund off-site circulation improvements which are needed as a result of project generated traffic if: a) The level of service at the intersection drops below mid-level LOS D (average delay of more than 45 seconds) when the project is added, and b) An intersection that operates below its level of service standard under the base year conditions experiences an increase in delay of four or more seconds, and c) The needed improvement of the intersection(s) is not funded in the applicable five-year City Capital Improvement Program from the date of application approval.

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<sup>76</sup> C/CAG of San Mateo County. "Congestion Management". 2017.

<b>Policies</b>	<b>Description</b>
C 4.1	Implement the Bicycle Master Plan's recommended programs and projects to create and maintain a fully-connected safe and logical bikeways system; support the City's Sustainable Transportation Actions; and coordinate with the countywide system.
C 4.4	Implement the Pedestrian Master Plan's recommended programs and projects to create and maintain a walkable environment in San Mateo and support the City's Sustainable Transportation Actions.
C 4.5	Continue to require as a condition of development project approval the provision of sidewalks and wheelchair ramps where lacking and the repair or replacement of damaged sidewalks. Require that utility poles, signs, street lights, and street landscaping on sidewalks be placed and maintained to permit wheelchair access and pedestrian use. Increase awareness of existing trails and routes by promoting these amenities to residents.
C 4.6	Continue to assess and improve wheelchair access throughout the City. Install wheelchair ramps or take other corrective measures where most needed in accordance with the established Citywide Wheelchair Program.
C 4.7	Pedestrian safety shall be made a priority in the design of intersection and other roadway improvements.
C 5.1	a) Adopt parking requirements to provide adequate parking supply as a condition of development approval. b) Adopt parking requirements to provide adequate parking supply for change and/or expansion of land use resulting in increased parking demand.
C 5.2	Seek new parking garage sites for public acquisition within the CPID adequate to accommodate the parking needs of new development. Allow in-lieu parking fees within the CPID as a substitute for providing required non-residential parking on-site.
C 6.6	Reduce fuel consumption and vehicle emissions for trips originating in or destined for the City of San Mateo by providing incentives for the purchase and use of fuel efficient vehicles such as recharging station for electric vehicles or preferential parking for carpools, hybrids, and alternative fuel vehicles and develop a way to make this action enforceable and by providing discounted parking rates for carpools, hybrids, and other vehicles that help reduce CO2 emissions.

### City of San Mateo Bicycle Master Plan

The City of San Mateo Bicycle Master Plan was initially adopted in October 2011. It contains goals and objectives to provide a blueprint for a citywide system of bicycle facilities to allow for safe, efficient, and convenient bicycle travel within the City and to regional destinations in the Bay Area. The purpose of the plan is to build on the success of previous bicycle infrastructure improvements by enhancing and expanding the existing bikeway network, connecting gaps, addressing constrained areas, and providing for greater local and regional connectivity.

The City has recently undergone a process to update the Bicycle Master Plan. The draft version of the updated Plan was released in February 2020 and contained an updated list of proposed bicycle facilities. Along the project frontage, 5<sup>th</sup> Avenue is proposed for a Class II bike lane. The 2020 Bicycle Master Plan was adopted by City Council on April 6, 2020.

### City of San Mateo Pedestrian Plan

The City of San Mateo Pedestrian Master Plan was adopted in April 2012. It contains goals, objectives and policies to improve the pedestrian environment and increase the number of walking trips in San Mateo. The purpose of the Plan is to prioritize pedestrian improvements through a needs analysis of the City's network to identify gaps in the network and potential improvements. The Plan applies prioritization criteria to the output of the needs assessment to establish rankings for infrastructure improvements as well as programmatic recommendations.

## City of San Mateo Sustainable Streets Plan

The City of San Mateo finalized its Sustainable Streets Plan in February of 2015; this Plan is not formally adopted so it serves as a guideline only. The Plan outlines the City's vision of a transition to a citywide roadway network that caters to all forms of transportation, emphasizing a shift in focus from automobiles to alternative forms of transportation. The Plan addresses street classification systems, street design guidelines, transportation system performance measures, and transportation demand management for future development within San Mateo. Included within the Plan are transportation demand management recommendations for new development within the Downtown Area Plan boundaries. New developments within the boundaries of the Downtown Area Plan are recommended to prepare a Transportation Demand Management (TDM) plan that encourages a 25% trip reduction off of baseline trip generation numbers for the site proposed for development. The proposed project is within the boundaries of the Downtown Area Plan. A TDM plan has been prepared for the project by Steer Group and is included as an attachment to this Addendum as Appendix M.

### **4.17.1.2      *Existing Conditions***

#### **Roadway Network**

Regional access to the project is via State Route 82 (El Camino Real), and US 101 via 4th Avenue and 5th Avenue. Local access is also provided via B Street and Ellsworth Avenue. These roadways are described below.

*State Route 82 (El Camino Real)* is a four-to six lane state highway in California, serving as a major north-south corridor in the Peninsula. It extends from Interstate 880 (I-880) in San José at the south end to I-280 in San Francisco at the north end. It runs parallel to the Caltrain line along much of the route. Access to and from the project site is provided via signalized intersections at 4th Avenue and 5th Avenue.

*US 101* is an eight-to ten lane state highway in California, serving as the primary coastal route providing access to the San Francisco Bay Area. It is also the primary commuting route between San Francisco and San José. It extends from Los Angeles at the south end to Tumwater, Washington at the north end. Access to and from the project site is provided via interchanges at 3rd Avenue and 4th Avenue to the northeast of the project site.

*4th Avenue* is an east-west, three to four-lane arterial roadway extending from Dartmouth Road on the west and transitioning into J Hart Clinton Drive in the east after crossing US 101. Arterial roads link residential and commercial districts and serve shorter through traffic needs. In the vicinity of the project site, 4th Avenue has three to four lanes. The road is directly adjacent to the project site and is proposed to provide direct access to the project site.

*5th Avenue* is an east-west, two to three-lane arterial roadway extending from Virginia Avenue on the west and transitioning into Amphlett Boulevard in the east. Arterial roads link residential and commercial districts and serve shorter through traffic needs. In the vicinity of the project site, 5th Avenue has two lanes. The road is directly adjacent to the project site and is proposed to provide direct access.



*B Street* is a north-south, two-lane collector roadway extending from Tilton Ave on the north and transitioning into South Boulevard on the south. Collector roads link arterial roads to local roads and serve some through traffic needs. In the vicinity of the project site, B Street has two lanes. The road is directly adjacent to the project site and is proposed to provide direct access.

*Ellsworth Avenue* is a north-south, two-lane collector roadway extending from Bellevue Avenue on the north to 5th Avenue on the south. Collector roads link arterial roads to local roads and serve some through traffic needs. The road is directly adjacent to the project site and is proposed to provide direct access.

### **Transit Service**

Existing transit services in the project vicinity are provided by the San Mateo County Transit District (SamTrans) and Caltrain. There are five bus routes in the project vicinity (Route 397, 250, 292, 295, and El Camino Real) operated by SamTrans. The nearest bus stop to the project site is located at the intersections of 4<sup>th</sup> Avenue/Ellsworth Avenue and 4<sup>th</sup> Avenue/San Mateo Drive. Three additional bus routes (school-day only), Route 53, 55, and 59, also operate in the project vicinity.

Commuter rail service between San Francisco and Gilroy is provided by Caltrain. The project site is located approximately 0.3 miles away from the San Mateo Downtown Caltrain Station. Currently, Caltrain provides northbound and southbound service at this station at approximately a half-hour frequency during the weekday and weekend AM and PM commute hours, midday, and at nights.

### **Bicycle Facilities**

Bicycle infrastructure in close proximity to the project site includes a Class II bike lane<sup>77</sup> on Laurel Avenue, south of 5<sup>th</sup> Avenue, Class III bike lanes of 5<sup>th</sup> Avenue, Class III bike lanes along B Street, and bike lanes on 3<sup>rd</sup> Avenue in both directions west of Dartmouth Road. The City's 2020 Bicycle Master Plan proposes making a connection on 3<sup>rd</sup> Avenue from Dartmouth Road to El Camino Real with a Class II bike lane and a connection from El Camino Real to the US 101 interchange with a Class IV bike lane. The 2020 Bicycle Master Plan also proposes upgrading the corridor on 5<sup>th</sup> Avenue from Dartmouth Road to Claremont Street with a Class II bike lane and the corridor from Claremont Street to Amphlett Boulevard with a Class III bike route.<sup>78</sup>

### **Pedestrian Facilities**

Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the project vicinity, sidewalks exist along both sides of 4th Avenue, 5th Avenue, B Street, and one side of Ellsworth Avenue through the site, providing pedestrian access to and from the project site. Marked crosswalks with pedestrian signal heads and push buttons are provided at the B Street/4th Avenue, Ellsworth Avenue/4th Avenue, and B Street/5th Avenue intersections. The overall network of sidewalks and crosswalks in the study area has excellent connectivity and provides pedestrians with safe routes.

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<sup>77</sup> Class II bike lanes provide a restricted right-of-way designated lane for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with crossflows by pedestrians and motorists permitted.

<sup>78</sup> Class III bike routes provide a right-of-way designated by signs or permanent markings and shared with motorists.

#### 4.17.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) For a land use project, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND Prior Conclusions. The DASP IS/MND evaluated transportation impacts based on intersection level-of-service (LOS) related to increased congestion resulting from new project trips, and determined that buildout of the DASP would have a less than significant transportation impact. However, per SB 743, the CEQA Guidelines have since been updated to utilize VMT as the primary metric for transportation analysis, rather than LOS. Therefore, the discussion below is based on the current VMT thresholds employed by the City in evaluating new development.

**Impact TRN-1:** The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **[Same Impact as Approved Project (Less than Significant Impact)]**

#### **Transit Services**

Access to existing transit facilities and services would not change with implementation of the proposed project. The project would likely generate new transit users at the project site given the proposed office and residential uses that would be added to the site. However, it is not anticipated that the project would generate a substantial number of new transit users such that the existing transit services and facilities would be exacerbated and result in deterioration.

#### **Roadways**

The project would include roadway improvements such as curb replacements and extensions, sidewalk replacements, adding ADA curb ramps along all frontages, and adding street lighting along all project frontages. The project would retain a total of approximately 12 of the existing on-street

parking spaces along the S. Ellsworth and E. 4<sup>th</sup> Avenue. These changes to the existing roadways would be minor and would not conflict with any local transportation program, plans, ordinances, or policies.

### **Bicycle Facilities**

The project would promote biking as a means of transportation to the project site by providing bicycle parking on-site. The project would include a total of 38 bicycle spaces. Out of the 38 total bicycle spaces, 21 bicycle storage spaces would be long-term spaces split between two bicycle storage rooms within the proposed building. The remaining 17 bicycle spaces would be short-term spaces provided via ground-level bike racks on all four sides of the proposed building. The project would not interfere with access or circulation for bicycle facilities. Therefore, the project would not conflict with the City's 2020 Bicycle Master Plan.

### **Pedestrian Facilities**

Pedestrians can access the site from entries on 4<sup>th</sup> Avenue (to the retail use), Ellsworth Avenue (to the office), B Street (to the residential lobby), and 5<sup>th</sup> Avenue (to the parking garage). The project site proposes sidewalks along all the parcel boundaries as well as a pedestrian plaza and parklets at 4th Avenue and Ellsworth Avenue. The project would not conflict with the City's Pedestrian Master Plan.

### **Transportation Demand Management**

TDM is a combination of services, incentives, facilities, and actions that reduce single-occupant vehicle trips to help relieve traffic congestion, parking demand, and air pollution. The purpose of a TDM Plan is to propose trip reduction strategies with the goal of reducing overall vehicular trip making activity in the area. The City's Sustainable Street Plan provides transportation demand management guidelines for new development within the Downtown Area Plan boundaries. New developments within the boundaries of the Downtown Specific Planning Area are recommended to prepare a TDM plan that encourages a 25 percent trip reduction below project trip generation numbers for the site proposed for development. Additionally, proposed developments in the Downtown Area would be recommended to participate in the Transportation Management Association (TMA) for the Downtown Area if established in the future, as well as submitting a trip reduction and parking management plan, and preparing an annual monitoring plan.

The project site is within the boundaries of the Downtown Area. The project's TDM plan includes measures such as designation of a TDM Coordinator, provision of new resident and employee packets (which would include a loaded Clipper Card as well as information on transportation services), multimodal wayfinding signage, TDM communications via bulletin boards and online resources, a carshare program, preferential carpool and vanpool parking, and provision of subsidized transit passes. The project TDM Plan is included in Appendix M of this Addendum. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact TRN-2:</b>	The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). <b>[Same Impact as Approved Project (No Impact)]</b>
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The OPR technical advisory and the City of San Mateo VMT/Transportation Impact Assessment Guidelines establishes screening criteria for developments that are expected to cause a less-than-significant transportation impact under CEQA and are not required to prepare further VMT analysis. The relevant screening criteria are described below:

- High Quality Transit Area – Projects located within a half mile of an existing or planned high-quality transit corridor or major transit station are presumed to have a less than significant impact if they also the following additional criteria: 1) is high density (minimum floor area ratio [FAR] of 0.75), 2) does not exceed parking requirements, 3) is consistent with Plan Bay Area, and 4) does not replace affordable housing units with a smaller number of moderate – or high-income residential units.

The project would satisfy the screening criteria listed above. The San Mateo Caltrain station is located at 385 1<sup>st</sup> Avenue, approximately 0.3 miles northwest of the project site. The proposed FAR is 3.1 and the project would provide approximately 239 parking spaces, less than the 306 parking spaces required by the City. The project would not be inconsistent with Plan Bay Area and would not replace any affordable housing units. Therefore, the project would qualify for the High-Quality Transit screening criteria. For these reasons, the project is presumed to have a less than significant VMT impact. Additionally, as disclosed below in Table 4.17-1, the project would result in fewer trips than currently generated by the existing market operating on the site. **[Same Impact as Approved Project (No Impact)]**

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<b>Impact TRN-3:</b>	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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### Vehicle Access

Access to the proposed basement parking garage would be provided via a 24-foot driveway fronting the north side of 5<sup>th</sup> Avenue. A clearance of six feet measured from the curb return of the proposed driveway would be needed to achieve the Caltrans sight distance requirements.<sup>79</sup> The 5<sup>th</sup> Avenue roadway segments that approach the proposed garage driveway do not have severe grade or curves. The project proposes to plant new trees along 5<sup>th</sup> Avenue, including on either side of the garage entrance and exit. This landscaping would be maintained appropriately to ensure it does not impede sight distance and roadway visibility.

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<sup>79</sup> Sight distance is the continuous length of the roadway ahead, visible to the roadway user. According to the Caltrans Highway Design Manual, the minimum standards for stopping sight distance are related to the design speed for motorists (Table 201.1 Sight Distance Standards).

## Loading Zone and Garbage Trucks

The project proposes to expand the existing the 105 ft commercial loading zone on B Street to 120 feet. Garbage trucks would use B Street and Ellsworth Avenue to access the proposed trash collector areas. Given that the existing commercial loading zone would be retained, the project would not increase any hazards related to truck loading.

The project does not propose any incompatible uses in relation to the project site or the surrounding area. Therefore, the project would not increase hazards due to a geometric design feature or incompatible uses. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact TRN-4:</b>	The project would not result in inadequate emergency access. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The nearest fire station (San Mateo Fire Department Station #21) is located approximately 0.2 miles west of the project site at 120 S Ellsworth Ave. The proposed plans indicate that the bulb outs at each intersection surrounding the project site can accommodate the turning radius of a fire truck. Therefore, the project would not result in inadequate emergency access. **[Same Impact as Approved Project (Less than Significant Impact)]**

### 4.17.3 Non-CEQA Effects

The City has traditionally used level of service or LOS (i.e., vehicle delay or congestion) as the basis for determining a project's traffic impacts. However, with the passage of SB 743 and the adoption of related Guidelines implementing SB 743 (see Guidelines Section 15604.3, the City's approach to evaluating project traffic impacts under CEQA must change. SB 743, amending state law (CEQA), takes precedence over the City's General Plan, and now requires that LOS no longer be used after December 28, 2018. Upon the December 28, 2018 effective date of the new Guidelines, this project's LOS traffic impacts (i.e., increased vehicle delay) are required to be considered insignificant under CEQA. The following discussion is provided for informational purposes only to disclose how the project would comply with the City's LOS policies and whether any physical roadway improvements are needed to maintain desired LOS, so that those physical improvements can also be evaluated in this Addendum.

## Trip Generation

Vehicle trips generated by the proposed project were estimated using the trip rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11<sup>th</sup> Edition for Supermarket (Land Use 850), General Office Building (Land Use 710), and Affordable Housing (Land Use 223). The existing Draeger's market was included as existing trip credits as it currently generates trips to and from the site. Pass-by trips<sup>80</sup> were also applied to the existing supermarket use.

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<sup>80</sup> Pass-by: Drivers already on their way to a destination that stop temporarily at the Project Site without a major roadway diversion are considered making "pass-by" trips. Land Use Code 850 (Supermarket) is the only land use code in ITE Trip Generation Manual 11th Edition for which a pass-by rate was supplied. The 24 percent average pass-by rate for this land use was only applicable for Weekday PM Peak, resulting in a reduction of 39 trips.

Table 4.17-1 provides a summary of the proposed project's trip generation. As shown in the table, the net new trip generation would be a reduction of 3,645 average daily weekday trips with a reduction of 135 new trips occurring the morning peak and a reduction of 231 new trips occurring the afternoon peak.

Table 4.17-1: Project Trip Generation Estimates								
Land Use	Size	Weekday Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
Proposed Project								
Retail (Supermarket)	17.6 ksf	1,891	48	40	88	82	82	164
Office Space	104.7 ksf	1,208	77	11	88	15	76	91
Affordable Housing	10 DU	38	1	4	5	2	2	4
Internal Capture*		-233	-6	-6	-12	-11	-11	-22
Pass-by Reduction (24% PM only)		--	--	--	--	-18	-18	-36
Total Proposed Project Trips		2,904	120	49	169	70	131	201
Existing Conditions								
Retail (Supermarket)	61 ksf	6,549	167	137	304	284	284	568
Pass-by Reduction (24% PM only)		--	--	--	--	-68	-68	-136
Total Existing Trips		6,549	167	137	304	216	216	432
Net New Project Trips		-3,645	-47	-88	-135	-146	-84	-231
Notes: ksf = kilo-square feet DU = dwelling unit * Internal Capture: Trips that occur between land-uses on a multi-use project site and which can be made without using the off-site street network are considered “internal trips”. Internal trips for this project can be made by walking between uses. Internal capture was estimated using methodology from NCHRP Report 684 – Enhancing Internal Trip Capture for Mixed-Use Developments.								

### Intersection Levels of Service

Level of service (LOS) describes the operating conditions experienced by motorists. LOS is a qualitative measure of the effect of a number of factors, including speed and travel time, traffic interruptions and delay, freedom to maneuver, driving comfort, and convenience. LOS A through LOS F covers the entire range of traffic operations that might occur. Motorists using a facility that

operates at a LOS A experience very little delay, while those using a facility that operates at a LOS F will experience long delays.

Per the City's General Plan Circulation Element Policy C 2.7 (Section E), all projects are required, at a minimum, to pay a transportation mitigation fee. The transportation mitigation fee is used to fund planned transportation improvements that are identified in the City of San Mateo Traffic Mitigation Program. In addition to paying the transportation impact fee, a development project may be required to fund off-site circulation improvements which are needed as a result of project generated traffic if:

- The LOS at a signalized intersection drops below mid-level LOS D (average delay of more than 45 seconds) or the LOS at an unsignalized intersection drops from LOS E or better to LOS F (average delay of more than 50 seconds) when the project traffic is added, and
- An intersection that operates below its level of service standard under the base year conditions experiences an increase in delay of four or more seconds, and
- The needed improvement of the intersection(s) is not funded in the applicable five-year City Capital Improvement Program from the date of application approval.

The following five intersections were analyzed for the project:

1. E. 5<sup>th</sup> Avenue and Laurel Avenue
2. E. 5<sup>th</sup> Avenue and Ellsworth Avenue
3. E. 5<sup>th</sup> Avenue and B Street
4. E. 4<sup>th</sup> Avenue and B Street
5. E. 4<sup>th</sup> Avenue and Ellsworth Avenue

Existing traffic volumes were estimated using historical counts and Streetlight data, as collecting new turning movement volumes at the study intersections was not recommended due to COVID-19 conditions. However, due to unavailability of accurate multimodal data at E. 5<sup>th</sup> Avenue/Laurel Avenue, new counts were collected at this intersection. Baseline conditions were estimated by adding the projected volumes from approved, but not yet completed land use development and transportation projects to existing peak hour volumes for the project completion year. Cumulative conditions were estimated by adding a regional growth to existing traffic volumes.

A summary of the project's impacts to the intersections' levels of service is provided in Table 4.17-2. Based on the City's LOS standards, the project would not cause operational deficiencies at any of the study intersections under baseline or cumulative scenarios.

Table 4.17-2: Intersection LOS Summary											
Intersection	Peak Hour	Existing		Baseline				Cumulative (2040)			
		No Project		No Project*		With Project		No Project*		With Project	
		Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
E. 5 <sup>th</sup> Ave/Laurel Ave (TWSC)	AM	15.1	C	13.3	B	14.4	B	13.7	B	15.0	C
	PM	15.3	C	13.0	B	14.3	B	13.5	B	15.0	C
E. 5 <sup>th</sup> Avenue/Laurel Ave (TWSC)	AM	12.2	B	11.3	B	11.7	B	11.5	B	12.0	B
	PM	12.7	B	11.2	B	11.9	B	11.7	B	12.3	B
E. 5 <sup>th</sup> Ave/B Street (Signalized)	AM	14.2	B	14.3	B	14.6	B	11.5	B	11.9	B
	PM	14.9	B	15.3	B	15.6	B	14.1	B	14.8	B
E. 4 <sup>th</sup> Ave/B Street (Signalized)	AM	9.7	A	9.7	A	9.7	A	10.8	B	11.0	B
	PM	9.5	A	10.2	B	10.3	B	11.5	B	11.7	B
E. 4 <sup>th</sup> Ave/Ellsworth Ave (Signalized)	AM	10.1	B	7.1	A	7.1	A	7.6	A	7.6	A
	PM	12.4	B	9.2	A	9.2	A	10.7	B	10.7	B
*The Baseline No Project and Cumulative No Project conditions assume that while the proposed mixed-use project is not developed, the existing Draeger's Market would be demolished. Hence, some Baseline No Project and Cumulative No Project conditions have less vehicle delay than existing conditions. Given that the project would result in a negative net trip generation, some project conditions also result in less vehicle delay than existing conditions.											



## **4.18 TRIBAL CULTURAL RESOURCES**

### **4.18.1 Environmental Setting**

#### **4.18.1.1 *Regulatory Framework***

##### **State**

##### **Assembly Bill 52**

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
  - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
  - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

#### **4.18.1.2 *Existing Conditions***

As previously described in Section 4.5 Cultural Resources, the project site is considered to be within a zone of medium sensitivity to archaeological resources, including TCRs, due to its proximity to San Mateo Creek, which is located approximately 0.3-mile north of the project site at its nearest point. However, as discussed in Section 4.9 Hazards and Hazardous Materials, the site has undergone substantial disturbance from installation of fuel tanks, removal of the tanks and remediation of the soil, and construction of the basement level parking garage currently in use on the site, which extends to 12 below grade. For these reasons, the site has been substantially disturbed and any resources in the shallow surface soils may have been disturbed by prior site activities. Nonetheless, the potential for cultural resources to be present on the site remains. A Cultural Resources Review was prepared for the project by Basin Research Associates in May 2022. During the preparation of the Review, the NAHC was contacted for a review of the Sacred Lands Inventory. The results of the NAHC's Sacred Lands File review came back negative, indicating that there are no known TCRs on-site. Additionally, NAHC provided a contact list of eight locally knowledgeable Native American individuals/organizations to Basin Research Associates. Basin Research Associates sent letters and/or emails to these Native American individuals/organizations to determine if any potential resources of interest to the Native American community were present. However, no responses were received, and therefore, no resources are known or expected to be present on the site.

#### 4.18.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan EIR Prior Conclusions. At the time of preparation of the DASP IS/MND and the General Plan EIR, the CEQA did not include consideration of tribal cultural resources, as those were added by legislation that took effect in 2015, and therefore, the tribal cultural resources impacts of the DASP and General Plan buildout were not analyzed at that time. However, the DASP did include a cultural resources section, which considered potential impacts to prehistoric archaeological resources. As previously discussed under Section 4.5 Cultural Resources, the DASP IS/MND determined that compliance with existing regulations and General Plan policies would reduce impacts to prehistoric archaeological resources, which would include tribal cultural resources, to a less than significant level.

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**Impact TCR-1:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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As a project covered by an Addendum to a prior IS/MND or EIR, the project is not subject to AB 52 tribal consultation requirements. There are no known TCRs on-site. However unlikely given the past disturbance of the site, cultural resources could still be encountered during construction. Any subsurface artifacts found on-site would be addressed consistent with MM CUL-2.1, MM CUL-2.2, and MM CUL-3.1 presented in Section 4.5 Cultural Resources. Therefore, the proposed project would have a less than significant impact on tribal cultural resources. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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**Impact TCR-2:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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See response to Impact TCR-1. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

## **4.19 UTILITIES AND SERVICE SYSTEMS**

### **4.19.1 Environmental Setting**

#### **4.19.1.1 *Regulatory Framework***

##### **State**

##### State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City is serviced by the California Water Service Company (Cal Water) and is located within Cal Water's Mid-Peninsula Water District. The most recent Mid-Peninsula UWMP was adopted in June 2021.

##### Bay-Delta Plan Amendment

In December 2018, the SWRCB adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) to establish water quality objectives to maintain the health of the Bay-Delta ecosystem. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of 30 to 50 percent of the "unimpaired flow" on the three tributaries from February through June in every year type.<sup>81</sup>

If the Bay-Delta Plan Amendment is implemented, the SFPUC will be able to meet the projected water demands presented in the 2021 Mid-Peninsula UWMP in normal years but would experience supply shortages in single dry years or multiple dry years. Implementation of the Bay-Delta Plan Amendment will require rationing in all single dry years and multiple dry years. The SFPUC has initiated an Alternative Water Supply Planning Program to ensure that San Francisco can meet its Retail and Wholesale Customer water needs, address projected dry years shortages, and limit rationing to a maximum 20 percent system-wide in accordance with adopted SFPUC policies.

##### Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have

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<sup>81</sup> Unimpaired flow represents the natural water production of a river basin, unaltered by upstream diversions, storage, or by export or import of water to or from other watersheds.

an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

#### Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

#### Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

#### California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code, establishing mandatory green building standards for all buildings in California. The most recent update to the Green Building Standards Code was published in 2022 and will go into effect on January 1, 2023. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

Recycling and/or salvaging 65 percent of nonhazardous construction and demolition debris (Sections 4.408.1 and 5.408.1); and

Providing readily accessible areas for recycling by occupants (Sections 4.410.2 and 5.410.1).

### **Local**

#### City of San Mateo General Plan

Applicable San Mateo General Plan policies related to utilities and service systems include, but are not limited to, the following listed below.

<b>Policies</b>	<b>Description</b>
LU 4.4	<p>Seek to ensure a safe and predictable water system for existing and future development by taking the following actions:</p> <ol style="list-style-type: none"><li>1. As a high priority, work with California Water Company and Estero Municipal Improvement District and adjacent jurisdictions to develop supplemental water sources and conservation efforts.</li><li>2. Strongly encourage water conservation by implementing pro-active water conservation methods, including requiring all new development to install low volume flush toilets, low-flow shower heads, and utilize drip irrigation while promoting high-efficiency washing machines and establishing an education program to improve water conservation practices.</li></ol>

<b>Policies</b>	<b>Description</b>
	3. Investigate the feasibility of developing reclaimed water facilities or ground water or treating stormwater runoff that will enable reuse of water for irrigation purposes, freeing comparable potable water supplies for other uses.
LU 4.7	Provide a sewer system which safely and efficiently conveys sewage to the waste water treatment plant. Implement the Sewer System Management Plan (SSMP) to ensure proper maintenance, operations and management all parts of the wastewater collection system.
LU 4.16	<p>Seek to ensure adequate gas, electric, and communication system to serve existing and future needs while minimizing impacts and existing and future residents by taking the following actions:</p> <ol style="list-style-type: none"> <li>1. Underground electrical and communication transmission and distribution lines in residential and commercial areas as funds permit.</li> <li>2. Require all new developments to underground lines and provide underground connections when feasible.</li> <li>3. Balance the need for cellular coverage with the desire to minimize visual impacts of cellular facilities, antennas, and equipment shelters.</li> </ol>
LU 4.28	Seek to ensure that the California Water Service Company and the Estero Municipal Improvement District provide and maintain a water supply and distribution system which provides an adequate static pressure to deliver a minimum fire hydrant flow of 2,500 gallons per minute to all areas of the City, except where a lesser flow is acceptable as determined by the Fire Chief. Ensure that new development does not demand a fire flow in excess of that available.
LU 4.31	Continue to support programs to reduce solid waste materials in landfill areas in accordance with State requirements.
LU 4.32	Support programs to recycle solid waste in compliance with State requirements. Require provisions for onsite recycling for all new development.
LU 8.5	<p>Implement actions to achieve Goal 8e which states:</p> <p>Reduce citywide gross water consumption per capita to 102 gallons/day. Reduce the residential per capita to 70 gallons/day.</p> <p>Potential supportive actions include:</p> <ol style="list-style-type: none"> <li>1. Increase costs for residential and commercial waste collection and use increased waste collection revenue to provide waste reduction incentives.</li> <li>2. Mandate recycling.</li> <li>3. Require modifications within existing buildings to accommodate recycling bins.</li> <li>4. Require mandatory segregation of recyclables for all public (on-street, parks, public buildings) waste collection.</li> <li>5. Set aggressive waste reduction goals for all new development.</li> <li>6. Provide expanded waste reduction outreach and support for local businesses and residential customers.</li> <li>7. Support backyard composting while maintaining public health safeguards.</li> </ol>
LU 8.6	Increase measured waste diversion to 50 percent in 2020 and maximum diversion 90 percent by 2050 by mandating recycling, setting aggressive waste reduction goals for all new development and increasing costs for residential and commercial waste collection then using increased waste collection revenue to provide waste reduction incentives.
LU 8.7	Establish a partnership with California Water Service (CWS), Bay Area Water Supply Conservation Agency and other mid-peninsula cities to promote the water reduction strategies that are offered and to create an outreach program that will help inform residence and businesses of increase costs and the need for conservation efforts.

#### 4.19.1.2 Existing Conditions

##### Water Service

The site is currently serviced by Cal Water and is located within Cal Water's Mid-Peninsula Water District. Cal Water purchases water from the San Francisco Public Utilities Commission (SFPUC) to meet the City's water demand. The demand from the Mid-Peninsula Water District as a whole was estimated to be 14,563 acre-feet per year in 2020 and forecasted to increase to 15,279 acre-feet per year in 2045.<sup>82</sup> The volume of water supplied solely to the City of San Mateo by Cal Water was 10,904 acre-feet in 2020, according to the 2020 UWMP for the Mid-Peninsula District. The UWMP also determined that the vast majority of water demand in the Mid-Peninsula Water District stems from residential uses (72 percent), while the remaining 22 percent was made up of non-residential uses. Water in San Mateo comes primarily from the Sierra Nevada, but also includes treated water produced by SFPUC from local watersheds and facilities in Alameda and San Mateo Counties. The 2020 UWMP had substantial uncertainty regarding the amount of water supply and demand in future dry-year conditions due to a number of factors. In the event of dry year scenarios, the Mid-Peninsula Water District would enact its Water Shortage Contingency Plan that would require water conservation measures district-wide to ensure that water supplies are not exhausted. However, the UWMP indicates water supplies would be deficient in single- and multiple-dry years due to the implementation of the Bay-Delta Plan Amendment.

Assuming default water demand rates for a "Supermarket" land use, the 60,965 -square foot Draeger's Market has a water demand of approximately 7.7 million gallons per year (mgpy).<sup>83</sup> Existing water lines are located in East 5th Avenue, South B Street, East 4th Avenue, and South Ellsworth Avenue.

##### Sanitary Sewer/Wastewater Treatment

The City of San Mateo Department of Public Works (DPW), Clean Water Program (CWP), and Environmental Services Division provides oversight of the City's sanitary sewer collection system, including the San Mateo/Estero Municipal Improvement District Wastewater Treatment Plant (WWTP) serving approximately 170,000 people and about 240 miles of collection system mainlines.<sup>84,85</sup> San Mateo's WWTP is a jointly owned facility. Ownership of the WWTP facility is shared between San Mateo and Foster City/Estero Municipal Improvement District, with ownership respectively split approximately 75 and 25 percent. The WWTP collects wastewater from these two facility owners, plus portions of Hillsborough, Belmont, Crystal Springs County Sanitation District, and the County of San Mateo, for treatment and eventual discharge into the San Francisco Bay.

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<sup>82</sup> Cal Water. *2020 Urban Water Management Plan – Mid-Peninsula District*. June 2021

<sup>83</sup> California Emissions Estimator Model. Appendix D – Default Data Tables – Table 9.1 Water Use Rates. October 2017.

$[60,965 \text{ s.f. Draeger's Market} \times 123,268 \text{ gallons/year indoor use} \div 1,000 \text{ s.f.} = 7.5 \text{ million gallons per year indoor use}] + [60,965 \text{ s.f. Draeger's Market} \times 3,812 \text{ gallons/year outdoor use} \div 1,000 \text{ s.f.} = 0.23 \text{ million gallons per year}] = 7.7 \text{ million gallons per year}$

<sup>84</sup> Clean Water Program. "About the Clean Water Program". Accessed May 26, 2022.

<https://cleanwaterprogramsanmateo.org/about/>

<sup>85</sup> City of San Mateo. "Storm, Sewer, and Wastewater". Accessed May 26, 2022.

<https://www.cityofsanmateo.org/1084/Storm-Sewer>

The WWTP currently treats approximately 11 million gallons per day (mgd) of average dry weather flow (ADWF), with this amount expected to increase with the increase in population within the service area.<sup>86</sup> The WWTP can treat up to 60 mgd per day through primary treatment and 40 mgd through secondary treatment. During heavy rains, the WWTP's treatment capacity is regularly exceeded. San Mateo has recently updated the collection system model to better estimate peak flows and to project flows through 2035. According to the 2014 model, the peak wet weather flow (PWWF) that would be conveyed to the plant in 2035 (assuming there is adequate conveyance), is projected to be 98 mgd.<sup>87</sup> The City's Clean Water Program has initiated capacity improvement projects in its collection system to manage flows to the WWTP, reducing WWTP influent PWWF down to 78 mgd. In 2019, the CWP started construction on the upgrade and expansion of the WWTP, which will be done in three phases over five years. The upgrade and expansion project consists of new liquids treatment process facilities, including a headworks, primary treatment, biological nutrient removal/membrane bioreactor process, biological and chemically enhanced high-rate wet weather treatment, and other plant upgrades, including odor control to serve the new facilities. These facilities will be designed to provide advanced treatment to 21 mgd and allow the plant to better handle heavy storm events up to 78 mgd.<sup>88</sup>

According to the project's utility plan sheet, the existing Draeger's Market generates approximately 15,188 gallons of wastewater per day. There are existing sanitary sewer lines in East 5th Avenue, South B Street, East 4th Avenue, and South Ellsworth Avenue.

### **Storm Drainage**

The City of San Mateo Public Works Department operates and maintains the storm drainage system in the City. Stormwater from the project site typically flows into the City's existing storm drains on East 5th Avenue and South B Street. Runoff from the site is conveyed through the City's stormwater system until its release into the San Francisco Bay. The project site is located within the San Mateo Creek drainage basin, a 35 square mile basin that includes four square miles within San Mateo city limits. Most of the land contained within San Mateo Creek drainage basin is urbanized. The City's storm drain system has sufficient capacity to accommodate storm drainage from the existing development.

### **Solid Waste**

Solid waste collection and recycling services for residents and businesses in San Mateo are provided by Recology San Mateo County. Once collected, solid waste and recyclables are transported to the Shoreway Environmental Center for sorting. After the solid waste is collected and sorted at the San Carlos Transfer Station, non-recyclable waste is transported to the Corinda Los Trancos (Ox Mountain) Landfill, located in Half Moon Bay. The Ox Mountain landfill is permitted by the California Integrated Waste Management Board to receive 3,598 tons per day or 1.3 million tons per year. The landfill's maximum capacity is 60.5 million cubic yards, with an estimated closure year of

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<sup>86</sup> San Mateo Clean Water Program. *Wastewater Treatment Plant Nutrient Removal and Wet Weather Flow Management Upgrade and Expansion Project*. November 2017.

<sup>87</sup> City of San Mateo. Final Environmental Impact Report, City of San Mateo Clean Water Program. April 2016.

<sup>88</sup> Clean Water Program. *Wastewater Treatment Plant Nutrient Removal and Wet Weather Flow Management Upgrade and Expansion Project*. March 27, 2020. <https://cleanwaterprogramsanmateo.org/wwtp/>.



2034.<sup>89</sup> The remaining capacity at this facility is 22,180,000 cubic yards.

Based on default CalEEMod assumptions for supermarket land uses, the existing Draeger's Market generates approximately 344 tons of solid waste per year.<sup>90</sup>

#### 4.19.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>89</sup> CalRecycle. Solid Waste Facility Permit – Corinda Los Trancos Landfill (Ox Mountain). Accessed May 26, 2022. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223>

<sup>90</sup> California Emissions Estimator Model. Appendix D – Default Data Tables – Table 10.1 Solid Waste Disposal Rates. September 2016.

60,965 s.f. Draeger's Market x 5.64 tons solid waste per year ÷ 1,000 s.f. = 343.8 tons solid waste per year

DASP IS/MND Prior Conclusions. The DASP IS/MND determined that the existing utility and service systems would be adequate to accommodate buildout of the DASP and implementation of General Plan policies would reduce any impacts to a less than significant level.

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<b>Impact UTL-1:</b>	The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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### **Water Facilities**

The proposed project would rely on the existing water delivery system to supply water to the site. As discussed in Impact UTL-2, below, the project may incrementally increase the water demand in the City but would not require additional water supply other than what is currently allocated for the City by the Cal Water Mid-Peninsula District. No relocation or construction of water facilities is required by the proposed project. The project would connect to the existing water mains in S. B Street, E. 5<sup>th</sup> Avenue, and S. Ellsworth Avenue. Lateral connections to existing water lines would occur during grading of the site and would not result in significant environmental effects. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Wastewater Treatment Facilities**

Wastewater generated by the proposed project would be disposed of at the San Mateo WWTP. As discussed under Impact UTL-3, the San Mateo WWTP has adequate disposal capacity through 2035. No expansion or construction of wastewater treatment facilities would be required to accommodate the project. The proposed mixed-use building would construct six-inch lateral sewer connections to an existing 10-inch sanitary sewer main in S. B Street. Construction of lateral connections would occur during grading and would not cause significant environmental effects. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Stormwater Drainage Facilities**

Given that the project site is already developed and contains limited amounts of pervious surface area, the proposed redevelopment would not substantially alter the amount of stormwater runoff generated at the project site. As discussed in Section 4.10, Hydrology and Water Quality, implementation of MRP-mandated treatment controls would provide reductions in the rate and volume of post-construction stormwater runoff discharged to the public storm drain system. The project would install a new 18-inch storm drain line along S. B Street, S. Ellsworth and portions of 4th and 5th Avenue. Construction of new storm drainage infrastructure would occur during grading and would not cause significant environmental effects. **[Same Impact as Approved Project (Less than Significant Impact)]**

### **Electric Power, Natural Gas, and Telecommunication Facilities**

The project would be served by existing electric power, natural gas, and telecommunication facilities in the area. Although the project may increase demand on these facilities, the potential increase would not be substantial as to require expansion of existing facilities or construction of new facilities.

Connecting to existing utility lines would occur during grading and would not result in significant environmental effects. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<b>Impact UTL-2:</b>	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. <b>[Same Impact as Approved Project (Less than Significant Impact)]</b>
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The Mid-Peninsula District's water supply (14 billion gallons per year through 2040) is shared among Cal Water Service's three districts (South San Francisco District, Bear Gulch District and Mid-Peninsula District). The District's Urban Water Management Plan anticipates that the City is expected to meet projected water demand through 2040 during normal year scenarios. Available water supply will be reduced during single and multiple drought years. Implementation of the Cal Water Service's water shortage contingency plan (and other conservation measures) will reduce the demand for water in the District during years of drought. Additionally, Cal Water's development of alternative water supplies also ensures that there would not be a water deficit.

The proposed project falls below the 500-dwelling unit and 500,000 square foot office use thresholds for preparation of a water supply assessment by a local provider, in line with Senate Bill 610 and CEQA Guidelines Section 15155. Although the project would not require a water supply assessment to comprehensively analyze its water use impact, the project would intensify the demand for water use on the project site when compared to its current use. The utility plan sheet for the project estimates that the project would result in a water demand of approximately 39,460 gpd (14.4 million mgpy). Assuming the existing Draeger's Market consumes approximately 7.7 mgpy, the project would result in a net decrease of approximately 6.7 mgpy. The proposed project may increase water consumption on-site; however, this increase would not prevent Cal Water from meeting its customers' water demands, as the proposed water demand for the project is in line with growth assumptions used in the most recent UWMP based on the adopted General Plan, with which the proposed project is consistent.

The proposed project would be required to comply with various City policies established to reduce water use in addition to the City's Green Building Codes, Water Conservation in Landscaping Ordinance, and Cal Water's Water Shortage Contingency Plan and water conservation measures. Adherence to these ordinances and measures would prevent excessive use of water and ensure the proposed project incorporates water saving measures into its building design.

The proposed project would not require additional water supply other than what is currently allocated for the City by the Cal Water Mid-Peninsula District. The demand from the Mid-Peninsula Water District as a whole was estimated to be 14,563 acre-feet per year in 2020 and forecasted to increase to 15,279 acre-feet per year in 2045. The volume of water supplied solely to the City of San Mateo by Cal Water was 10,904 acre-feet (3.6 billion gallons) in 2020. The estimated increase in water use on the project site will be minimal in comparison to the City's total demand (0.19 percent), let alone the demand of the entire District. In the event of dry year scenarios, the Mid-Peninsula Water District would enact its Water Shortage Contingency Plan that would require water conservation measures district-wide to ensure that water supplies are not exhausted.

By implementing water conservation measures and ensuring applicable building codes are adhered to, the proposed project would not result in an excessive increase in water demand beyond what is already planned for in the Mid-Peninsula Water District. Therefore, the proposed project would not significantly impact water supplies in the region. **[Same Impact as Approved Project (Less Than Significant Impact)]**

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**Impact UTL-3:** The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The San Mateo WWTP has an ADWF design capacity of 15.7 mgd and a peak wet weather capacity of approximately 40 mgd. The current ADWF is approximately 11.6 mgd. The ADWF is expected to increase directly with the increase in population within the service area, resulting in an ADWF of 13.9 mgd by the year 2035. The expected increase in ADWF would not result in an exceedance of capacity at the treatment plant.

According to the project's utility plan sheet, the project is estimated to result in a net increase of approximately 22,300 gpd. On its own, the proposed project would not result in an exceedance of capacity at the San Mateo WWTP. The increase in wastewater from the proposed project would be consistent with expected growth metrics for employment, population and housing in the City that were used to analyze impacts from planned development until 2030 under the General Plan. Additionally, the project would be subject to the following standard conditions of approval.

**Standard Conditions of Approval:**

- In order to meet the increased demands on the Wastewater Treatment Plant created by this project, the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow, as established by City Council Resolution No. 24 (2006). The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022.
- The applicant shall pay a charge proportional to the project's share of the increased amount of sewage generated by the project, as established by San Mateo Municipal Code Chapter 3.54.060. The charge will be based upon the City Council resolution in effect at the time of building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022.

The amount of wastewater generated on-site would not require the development of new or the expansion of existing wastewater treatment plants and would be adequately treated under the existing system. Therefore, the proposed project would not significantly impact the wastewater treatment capacity of the City of San Mateo. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact UTL-4:** The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **[Same Impact as Approved Project (Less than Significant Impact)]**

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The proposed project includes 10 residential units, amounting to an increase in local population of 26 persons (see Section 4.14 Population and Housing). The City has established solid waste generation rates of approximately 3.9 pounds of waste per resident per day.<sup>91</sup> The residential component of the project would result in a net increase in solid waste generated at the site of approximately 101 pounds of waste per day, or approximately 18 tons per year. Based on default CalEEMod assumptions,<sup>92</sup> the retail and office components of the project would generate approximately 100 tons and 97 tons of solid waste per year, respectively. Thus, the project would generate a total of approximately 215 tons of solid waste per year. Assuming the existing Draeger's Market generates approximately 344 tons of solid waste per year, the project would result in a net decrease of approximately 129 tons per year compared to existing conditions.

Solid waste from the City of San Mateo is disposed of at Ox Mountain Landfill in Half Moon Bay, which is expected to reach its permitted capacity in 2034.<sup>93</sup> The City implements programs to reduce solid waste materials in landfills, and in 2015 achieved a landfill diversion rate of approximately 73 percent.<sup>94</sup> The project would not interfere with the City's goals of increasing measured waste diversion to 50 percent past 2020 and maximum diversion to 90 percent by 2050, as set forth by General Plan Policy LU-8.6. The proposed mixed-use project will not result in an increase in waste landfilled at Ox Mountain Landfill, or be served by a landfill without sufficient capacity. **[Same Impact as Approved Project (Less than Significant Impact)]**

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**Impact UTL-5:** The project would not be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste. **[Same Impact as Approved Project (Less than Significant Impact)]**

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In addition to the solid waste generated by operation of the proposed mixed-use building, large amounts of construction waste would be generated during construction and demolition activities. At least 65 percent of this construction waste will be recycled, in compliance with the California Green Building Standards Code. Implementation of recycling measures during the construction and post-construction phases of the project would contribute to the City's compliance with the waste diversion requirements under state law. **[Same Impact as Approved Project (Less than Significant Impact)]**

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<sup>91</sup> City of San Mateo. Recycling, Compost, and Garbage. Available at: <http://www.cityofsanmateo.org/index.aspx?NID=2076>. Accessed September 9, 2022.

<sup>92</sup> California Emissions Estimator Model. Appendix D – Default Data Tables – Table 10.1 Solid Waste Disposal Rates. September 2016.

<sup>93</sup> CalRecycle. Solid Waste Facility Permit – Corinda Los Trancos Landfill (Ox Mountain). Accessed May 26, 2022. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223>

<sup>94</sup> City of San Mateo. Recycling, Compost, and Garbage. Available at: <http://www.cityofsanmateo.org/index.aspx?NID=2076>. Accessed October 10, 2019.

## 4.20 WILDFIRE

### 4.20.1 Environmental Setting

#### 4.20.1.1 *Regulatory Framework*

#### State

##### Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for Very High Fire Hazard Severity Zones (VHFHSZ) are identified within LRAs.

#### 4.20.1.2 *Existing Conditions*

There are no wildland fire hazards in the City of San Mateo; however, to the west of the City within the City's Sphere of Influence there are undeveloped portions of the western hills that are considered wildland fire hazards. These areas are subject to wildland type fires due to existing vegetation, particularly chaparral, the steep slopes and the temperate climate with dry summer months.<sup>95</sup>

The project site is in the developed Downtown portion of the City and is not located in a very high fire hazard severity zone.<sup>96,97</sup>

### 4.20.2 Impact Discussion

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
1) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>95</sup> San Mateo 2030 General Plan, Safety Element. October 2010.

<sup>96</sup> California Department of Forestry and Fire Protection. *San Mateo County: Very High Fire Hazard Severity Zones in LRA as Recommended by CAL FIRE*. November 2008.

<sup>97</sup> California Department of Forestry and Fire Protection. *San Mateo County: Fire Hazard Severity Zones in SRA*. November 2007.

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan EIR Prior Conclusions. At the time the DASP IS/MND was prepared, the wildfire section had not yet been added to the CEQA Appendix G checklist. Thus, the DASP IS/MND did not discuss wildfire impacts beyond the Hazards and Hazardous Materials section. The 2030 General Plan EIR includes a discussion of wildland fire in the human health/risk of upset section. The 2030 General Plan EIR states that there are no designated wildland fire hazards in the City of San Mateo, though there are designated areas on undeveloped hillsides directly to the west of the City boundaries. The DASP IS/MND determined that buildout of the DASP would result in less than significant wildland fire impacts with implementation of General Plan policies and compliance with the San Mateo Fire Code. The wildfire section has since been added to the CEQA checklist and the project's wildfire analysis is discussed below.

The project site is not located within state responsibility areas or lands classified as very high fire hazard severity zones. While there are some undeveloped hillsides west of the City that are within wildfire hazard zones, these areas are located approximately three miles west of the project site. While it may be possible for embers from large wildfires in these areas to travel to the project site, the project site is not susceptible to wildfire risk due to the lack of vegetation on-site. Therefore, the project would not result in wildfire impacts. **[Same Impact as Approved Project (No Impact)]**

## 4.21

## MANDATORY FINDINGS OF SIGNIFICANCE

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DASP IS/MND and 2030 General Plan Prior Conclusions. The DASP IS/MND determined that buildout of the DASP would have the potential to degrade the environment, result in cumulative impacts, and have effects on human beings. However, the DASP IS/MND determined that implementation of both DASP and General Plan policies would mitigate these impacts to a less than significant level. EIRs do not include the Mandatory Findings of Significance Section, thus, the General Plan EIR did not include such a section. However, the General Plan EIR did analyze cumulative impacts and determined that buildout of the General Plan would be result in a cumulative significant impact. As described throughout the various sections of the General Plan EIR, it was determined that buildout of the General Plan would also not have a significant impact on human beings nor would it substantially degrade the environment with implementation of the various General Plan policies.



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**Impact MFS-1:** The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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As discussed in prior sections of this Addendum, the proposed project would not degrade the quality of the environment, substantially affect biological resources, or eliminate important examples of California history or prehistory with implementation of the identified conditions of approval and mitigation measures. As discussed in Section 4.4, Biological Resources, adherence to the City of San Mateo's Tree Preservation Ordinance and listed mitigation measures for impacts to nesting birds (MM BIO-1.1 through MM BIO-1.4) would reduce potentially significant impacts to biological resources to a less than significant level. As discussed in Section 4.5, Cultural Resources, with implementation of the identified conditions of approval and mitigation measures (MM CUL-2.1, MM CUL-2.2, and MM CUL-3.1), the project would result in a less than significant impact on cultural resources. Finally, as discussed in Section 4.9, implementation of a SMP as a condition of approval would require the project to implement appropriate control measures during ground-disturbing activities and dewatering to ensure that the environment is not exposed to potential contaminants that may be present in soil or groundwater on-site. **[Same Impact as Approved Project (Less Than Significant With Mitigation Incorporated)]**

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**Impact MFS-2:** The project does not have impacts that are individually limited, but cumulatively considerable. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project 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."

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of San Mateo were developed such that a project-level impact would also be a cumulatively considerable impact. The discussion of project criteria pollutant impacts presented in Section 4.3 Air Quality also reflects cumulative conditions, and the project would not contribute to significant cumulative impacts. The project's contribution to cumulative climate change impacts was presented in Section 4.8 Greenhouse Gas Emissions as less than cumulatively considerable. Therefore, the proposed project would not make a substantial contribution to cumulative air quality or GHG emissions impacts. Similarly, the discussion of the project's energy impact also reflects cumulative conditions, since the project's consumption of electricity, natural gas, and gasoline was assessed in comparison

with consumption at the state and county level. Therefore, the proposed project would not make a substantial contribution to cumulative air quality, energy use, or GHG emissions impacts.

With the implementation of mitigation measures and conditions of approval, development on the site would not result in significant geology and soils or hydrology and water quality impacts and would not contribute to cumulative impacts to these resources, as the geologic issues are specific to the site, and do not have the potential to contribute to or combine with localized, specific conditions on other development sites across the City over the planning horizon of the General Plan, while the cumulative hydrologic conditions are addressed by the MRP and City policies intended to cover development across the City of San Mateo. Also, the project would not impact agricultural and forest resources or mineral resources and, therefore, the project would not contribute to a significant cumulative impact on these resources.

The proposed project, in conjunction with cumulative projects, would not result in the loss of sensitive habitat. The project proposes the removal of 39 existing trees. The project proposes to comply with the City's policy regarding tree removal and replacement. Pre-construction nesting bird surveys are required as mitigation, therefore, the project would not contribute to a significant cumulative impact on migratory birds. Other projects in the vicinity would also be required to comply with the City's tree policies and would be required to implement similar mitigation measures to ensure cumulative impacts on migratory nesting birds are reduced to a less than significant level.

As noted in Section 4.17 Transportation, the project's VMT impacts are presumed to be less than significant as the project meets the definition of a small infill project near high quality transit, and therefore the project would not contribute to cumulative VMT impacts. Projects in the vicinity would similarly have less than significant VMT impacts given the presence of high-quality transit in the project area. Additionally, other projects within in the Downtown Specific Plan Area would also be required to implement a TDM Plan that achieves a 25 percent reduction in vehicle trips. Therefore, project impacts would be kept to a less than significant level and would not contribute to a cumulatively significant transportation impact.

As previously described in Section 4.19 Utilities and Service Systems, the City would have sufficient water supply, wastewater treatment capacity, and landfill capacity to accommodate the project and further anticipated growth within the City. Any construction, relocation, or modifications of utility lines by cumulative projects would be subject to standard construction-related conditions of approval and would not result in a significant environmental effect. Therefore, the project would not contribute to significant utility and service systems impacts.

The proposed project would result in temporary air quality, biological, cultural, hazardous materials, and noise impacts during construction. The analysis of toxic air contaminants took into account cumulative sources within 1,000 feet per BAAQMD guidelines, and found that cumulative health risks would be below applicable health risk thresholds. With implementation of the conditions of approval, BMPs, and mitigation measures identified in this Addendum and in the City of San Mateo's DASP IS/MND and 2030 General Plan EIR, construction-level impacts would be mitigated to a less than significant level. Other projects in the vicinity would be required to implement similar measures and thus, would not be result in a cumulatively considerable impact.

Operational impacts from the proposed project would be reduced by adherence to local, state, and federal regulations. The proposed project, and other cumulative projects, would comply with all California Codes, General Plan policies, municipal code, and State Water Board regulations. The project would not result in cumulatively considerable operational impacts by adhering to established policies and regulations. Furthermore, potential cumulative impacts associated with buildout of the 2030 General Plan (including the proposed project, which as documented in Section 4.11 is consistent with the 2030 General Plan and associated policies and regulated adopted for the purpose of avoiding or mitigating an environmental effect) are accounted for in the General Plan EIR. Under Section 15152(f) of the CEQA Guidelines, where a lead agency has determined that a cumulative effect has been adequately addressed in a prior EIR, the effect is not treated as significant for purposes of later environmental review and need not be discussed in detail. **[Same Impact as Approved Project (Less Than Significant With Mitigation Incorporated)]**

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<b>Impact MFS-3:</b>	The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. <b>[Same Impact as Approved Project (Less Than Significant With Mitigation Incorporated)]</b>
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Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction air quality, hazardous materials and noise. The proposed project would adhere to General Plan policies and implement mitigation measures to reduce potential impacts to a less than significant level. As discussed in Section 4.3, Air Quality, with implementation of MM AIR-3.1, the proposed project would not expose future sensitive receptors to health risks associated with mobile and stationary sources of toxic air contaminants above CEQA significance thresholds. As discussed in Section 4.9 Hazards and Hazardous Materials, with implementation of a SMP as a condition of approval, construction activities would not result in a significant health risk to construction workers or the general public. As discussed in Section 4.13, Noise and Vibration, temporary noise impacts generated during the construction phase of the project would be reduced to less than significant levels with the implementation of the identified mitigation measures (MM NOI-1.1). No other direct or indirect adverse effects on human beings have been identified. **[Same Impact as Approved Project (Less Than Significant With Mitigation Incorporated)]**

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## **SECTION 6.0 LEAD AGENCY AND CONSULTANTS**

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### **6.1 LEAD AGENCY**

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## SECTION 7.0      ACRONYMS AND ABBREVIATIONS

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ABAG	Association of Bay Area Governments
ACM	asbestos containing materials
ADT	average daily traffic
APN	Assessor Parcel Number
BAAQMD	Bay Area Air Quality Management District
CAP	climate action plan
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CFR	Code of Federal Regulations
CNDDDB	California Natural Diversity Database
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
DTSC	Department of Toxic Substances Control
DPM	Diesel particulate matter
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESL	Environmental screening level
ESMP	Environmental Site Management Plan
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse gas
GWh	gigawatt-hours

GWP	global warming potential
LID	Low Impact Development
LOS	Level of service
MBTA	Migratory Bird Treaty Act
MEI	maximally exposed individual
MND	Mitigated Negative Declaration
mpg	miles-per-gallon
MTC	Metropolitan Transportation Commission
NHPA	National Historic Preservation Act
NHRP	National Register of Historic Places
NOD	Notice of Determination
NPDES	National Pollutant Discharge Elimination System
PCB	Polychlorinated biphenyls
PDA	Priority Development Areas
PCE	Peninsula Clean Energy
RCRA	Resource Conservation and Recovery Act
RWQCB	Regional Water Quality Control Board
RHNA	Regional Housing Need Allocation
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SCS	Sustainable Communities Strategy
SHMA	Seismic Hazards Mapping Act
SMFD	San Mateo Fire Department
SMPD	San Mateo Police Department
SMUHSD	San Mateo Union High School District
SPAR	Site Plan and Architectural Review
SWRCB	State Water Resources Control Board
SWPPP	Stormwater pollution prevention plan
TAC	Toxic Air Contaminants
TCR	Tribal Cultural Resource
TDM	Transportation Demand Management
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service

UST	Underground storage tank
UWMP	Urban Water Management Plan
VMT	Vehicle miles traveled
VOC	volatile organic compound