



North Fair Oaks Rezoning and General Plan Amendment Project

Draft Environmental Impact Report SCH #2022040548

prepared by

County of San Mateo
Planning and Building Department
455 County Center
Redwood City, California 94063
Contact: Will Gibson

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

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RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

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Acronyms and Abbreviations

| | |
|------------|--|
| AAQS | ambient air quality standards |
| AB | Assembly Bill |
| ABAG | Association of Bay Area Governments |
| ACM | asbestos-containing materials |
| ADT | average daily traffic |
| AIA | Airport Influence Area |
| ALUC | Airport Land Use Commission |
| ALUCP | Airport Land Use Compatibility Plan |
| AWSP | Alternative Water Supply Planning Program |
| BAAQMD | Bay Area Air Quality Management District |
| BART | Bay Area Rapid Transit |
| BAWSCA | Bay Area Water Supply and Conservation Agency |
| BCDC | Bay Conservation and Development Commission |
| BCE | Before the Common Era |
| BDP | Bay-Delta Plan |
| BERD | Built Environment Directory |
| BMP | best management practices |
| BRT | bus rapid transit |
| C/CAG | City/County Association of Governments of San Mateo County |
| C/CAG-VTA | City/County Association of Governments of San Mateo County – Santa Clara County Valley Transportation Authority |
| CAA | Clean Air Act |
| CAAQS | California Ambient Air Quality Standards |
| CAL FIRE | California Department of Forestry and Fire Protection |
| Cal/OSHA | California Occupational Safety and Health Administration |
| CalRecycle | California Department of Resources Recycling and Recovery |
| Cal Water | California Water Service Company |
| CARB | California Air Resources Board |
| CBC | California Building Code |
| CCAP | Community Climate Action Plan |
| CCR | California Code of Regulations |

| | |
|-------------------|---|
| CDF | California Department of Forestry |
| CE | Common Era |
| CEC | California Energy Commission |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CESA | California Endangered Species Act |
| CEQA | California Environmental Quality Act |
| CFR | Code of Federal Regulations |
| CGC | California Government Code |
| CGS | California Geological Survey |
| CHRIS | California Historical Resources Information System |
| CMA | Congestion Management Agency |
| CMP | Congestion Management Program |
| CMU-1 | Commercial Mixed Use-1 |
| CMU-2 | Commercial Mixed Use-2 |
| CMU-3 | Commercial Mixed Use-3 |
| CNPS | California Native Plant Society |
| CH ₄ | methane |
| CNEL | Community Noise Equivalent Level |
| CO | carbon monoxide |
| CO ₂ | carbon dioxide |
| CO ₂ e | carbon dioxide equivalent |
| CPUC | California Public Utilities Commission |
| CRHR | California Register of Historical Resources |
| CUPA | Certified Unified Program Agency |
| CWA | Clean Water Act |
| dBA | expression of the relative loudness of sounds as perceived by the human ear |
| DOF | California Department of Finance |
| DDT | dichlorodiphenyltrichloroethane |
| DPM | diesel particulate matter |
| DTSC | Department of Toxic Substances Control |
| DWR | California Department of Water Resources |
| EECAP | Energy Efficiency Climate Action Plan |
| EIR | Environmental Impact Report |

| | |
|------------------------|---|
| EV | electric vehicle |
| FTA | Federal Transit Administration |
| GHG | greenhouse gas |
| GPCD | gallons per capita per day |
| GSA | Groundwater Sustainability Agency |
| GSP | Groundwater Sustainability Plan |
| FAA | Federal Aviation Administration |
| FEMA | Federal Emergency Management Agency |
| FESA | Federal Endangered Species Act |
| FOSMD | Fair Oaks Sewer Maintenance District |
| FPD | fire protection district |
| GHG | greenhouse gas |
| GWP | global warming potential |
| HABS | Historic American Building Survey |
| HFC | hydrofluorocarbon |
| HRA | health risk assessment |
| HUD | Housing and Urban Development |
| HVAC | heating, ventilation, and air conditioning |
| HWCL | Hazardous Waste Control Law |
| IPCC | Intergovernmental Panel on Climate Change |
| ITE | Institute for Transportation Engineers |
| L _{dn} or DNL | Day-Night Average Level |
| L _{eq} | single steady A-weighted level equivalent to the same amount of energy contained in the actual fluctuating levels over a period of time |
| L _{max} | highest root mean squared sound pressure level within sampling period |
| L _{min} | lowest root mean squared sound pressure level within measuring period |
| LBP | lead-based paint |
| LEV | low-emission vehicle |
| LHMP | Local Hazard Mitigation Plan |
| LOS | level of service |
| LUST | leaking underground storage tank |
| µg/m ³ | micrograms per cubic meter |
| M-1 | Light Industrial District |
| mgd | million gallons per day |

North Fair Oaks Rezoning and General Plan Amendment Project

| | |
|------------------|---|
| MLD | Most Likely Descendant |
| MMT | million metric tons |
| MPFPD | Menlo Park Fire Protection District |
| mph | miles per hour |
| MPO | Metropolitan Planning Organization |
| MRP | Municipal Regional Permit |
| MS4 | Municipal Separate Storm Sewer System |
| MTC | Metropolitan Transportation Commission |
| MWEL | Model Water Efficient Landscape Ordinance |
| NAAQS | National Ambient Air Quality Standards |
| NAHC | Native American Heritage Commission |
| NCCP | Natural Communities Conservation Plan |
| NFIP | National Flood Insurance Program |
| NFO | North Fair Oaks |
| NMFS | National Marine Fisheries Service |
| NMU | Neighborhood Mixed-Use |
| NMU-DR | Neighborhood Mixed-Use Design Review |
| NMU-ECR | Neighborhood Mixed-Use El Camino Real |
| N ₂ O | nitrous oxide |
| NO ₂ | nitrogen dioxide |
| NO _x | nitrogen oxide |
| NOC | Notice of Completion |
| NOD | Notice of Determination |
| NOP | Notice of Preparation |
| NPDES | National Pollutant Discharge Elimination System |
| NPL | National Priorities List |
| NRHP | National Register of Historic Places |
| NWIC | Northwest Information Center at Sonoma State University |
| O ₃ | ozone |
| OEHHA | Office of Environmental Health Hazard Assessment |
| OPR | Office of Planning and Research |
| OSHA | Federal Occupational Safety and Health Administration |
| Ox Mtn | Corinda Los Trancos Landfill |

| | |
|-------------------|---|
| PCB | polychlorinated biphenyls |
| PCE | Peninsula Clean Energy |
| PFC | perfluorocarbons |
| PG&E | Pacific Gas and Electric Company |
| PM _{2.5} | particulate matter 2.5 microns or less in diameter |
| PM ₁₀ | particulate matter 10 microns or less in diameter |
| PPV | peak particle velocity |
| PQS | Professional Qualifications Standards |
| PRC | Public Resources Code |
| PRPA | Paleontological Resources Preservation Act |
| RCRA | Resource Conservation and Recovery Act |
| Recology | Recology of San Mateo County |
| RHNA | Regional Housing Needs Assessment |
| ROG | reactive organic gas |
| RPS | Renewables Portfolio Standard |
| RTP/SCS | Regional Transportation Plan/Sustainable Communities Strategy |
| RWQCB | Regional Water Quality Control Board |
| RWS | Regional Water System |
| SAF Plan | State Alternative Fuels Plan |
| SAFE | Safer Affordable Fuel-Efficient Vehicles Rule |
| SARA | Superfund Amendments and Reauthorization Act |
| SB | Senate Bill |
| SBWMA | South Bay Waste Management Authority |
| SFBAAB | San Francisco Bay Area Air Basin |
| SF ₆ | sulfur hexafluoride |
| SFPUC | San Francisco Public Utilities Commission |
| SFRWQCB | San Francisco Bay Regional Water Quality Control Board |
| SGMA | Sustainable Groundwater Management Act |
| SHMP | State of California Multi-Hazard Mitigation Plan |
| SIP | State Implementation Plan |
| SLF | Sacred Lands File |
| SMCL | San Mateo County Libraries |
| SMCOC | San Mateo County Ordinance Code |

| | |
|-----------------|---|
| SMCTA | San Mateo County Transportation Authority |
| SMCTP | San Mateo Countywide Transportation Plan |
| SMCWPPP | San Mateo County Water Pollution Prevention Program |
| SMCZR | San Mateo County Zoning Regulations |
| SO ₂ | sulfur dioxide |
| SOI | Secretary of the Interior |
| SR | State Route |
| SRA | State Responsibility Area |
| STC | sound transmission class |
| SVCW | Silicon Valley Clean Water |
| SVP | Society of Vertebrate Paleontology |
| SWPPP | Stormwater Pollution Prevention Plan |
| SWRCB | State Water Resources Control Board |
| TA | Transportation Authority |
| TAC | toxic air contaminants |
| TAZ | Transportation Analysis Zone |
| TDM | Transportation Demand Management |
| TMDL | Total Maximum Daily Loads |
| TSCA | Toxic Substances Control Act |
| UFC | Uniform Fire Code |
| USC | United States Code |
| USGS | United States Geological Survey |
| USEPA | United States Environmental Protection Agency |
| USFWS | United States Fish and Wildlife Service |
| UST | underground storage tank |
| UWMP | Urban Water Management Plan |
| VDECS | Verified Diesel Emission Control Strategies |
| VMT | vehicle miles traveled |
| VOC | volatile organic compounds |
| WOTUS | waters of the United States |
| WQS | Water Quality Standards |
| WSCP | Water Shortage Contingency Plan |
| ZEV | zero emissions vehicles |

Executive Summary

This document is an Environmental Impact Report (EIR) for a proposed rezoning of areas within North Fair Oaks (hereafter referred to as the “proposed project” or “project”), which is an unincorporated area in San Mateo County. The project would involve amending zoning regulations in several areas already zoned for high density mixed use commercial and residential development in North Fair Oaks, in order to streamline and clarify those regulations, and rezoning several other areas to allow higher densities of residential and mixed use development.

This section summarizes the characteristics of the proposed project, alternatives to the proposed project, and the environmental impacts and mitigation measures associated with the proposed project.

Project Synopsis

Project Sponsor/Lead Agency Contact

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Project Description

The County of San Mateo, like jurisdictions throughout the region and the state, is experiencing increasing demand for housing, and consequent housing availability and affordability challenges, and foresees the potential inability to provide sufficient housing for unincorporated County residents within the densities allowed by current zoning regulations, particularly in areas in proximity to transit. The County has identified 54 parcels adjacent to the existing Commercial Mixed Use-1 (CMU-1), Commercial Mixed Use-3 (CMU-3), and Neighborhood Mixed Use (NMU) zoning districts that can be zoned to allow higher-intensity and higher-density residential and/or residential mixed-use development in order to facilitate additional production of housing.

Project Changes

The project would result in changes to the County’s Zoning Regulations for mixed use designations, namely CMU-1, Commercial Mixed Use-2 (CMU-2), CMU-3, NMU, and Neighborhood Mixed-Use El Camino Real (NMU-ECR). Changes in regulation would apply when new buildings and/or site improvements are being considered on parcels, and include physical standards, allowable activities, and development procedures; and changes to the County’s General Plan Land Use maps.

No change in allowable residential density is proposed for any mixed use designation (CMU-1, CMU-2, CMU-3, NMU, NMU-ECR, and Mixed-Use Industrial [M-1]). An increase in allowable density would occur, however, with the rezoning of parcels from R-1 and R-3 zoning designations to the adjacent mixed use designation. Project implementation could facilitate up to 332 additional dwelling units,

74,179 square feet of commercial space, and approximately 918 additional people.¹ Physical changes resulting from project implementation may include development of higher-density housing and first-floor commercial uses.

Project Objectives

- Adopt more effective zoning by revising provisions that are difficult to administer and/or implement, replacing provisions necessitating subjective interpretation with objective standards, refining development application and review procedures, and incorporating professional practices that better promote Community Plan policies.
- Increase capacity for housing in the project area by modifying General Plan designations and zoning standards to potentially allow taller buildings and greater density in proposed rezoning areas, reduce building setbacks, modify parking requirements, and/or other strategies, while simultaneously protecting and expanding equitable access to opportunities, community livability, and desirable aspects of community character.

Alternatives

As required by the California Environmental Quality Act (CEQA), this EIR examines alternatives to the proposed project. Studied alternatives include the following three alternatives. Based on the alternatives analysis, Alternative 1 was determined to be the environmentally superior alternative, with Alternative 3 the environmentally superior alternative of the remaining two alternatives.

- Alternative 1: No Project
- Alternative 2: Limited Commercial Uses
- Alternative 3: Residential Overlay

Alternative 1 (No Project) assumes that amendments to the existing commercial mixed-use and neighborhood mixed-use zoning districts along Middlefield Road, El Camino Real, and 5th Avenue would not occur, and that rezoning and related amendments to General Plan Land Use Designations to several residentially-zoned areas adjacent to El Camino Real and Middlefield Road would not occur. All parcels within the project area would continue to be subject to their existing zoning and land use designations. The No Project Alternative would not fulfill either of the two project objectives because under this alternative the County would continue to implement zoning standards that are difficult to administer and would not replace provisions necessitating subjective interpretation with objective standards. Accordingly, the No Project Alternative would not be consistent with various new State of California laws that requires zoning regulating the production of multi-family housing to provide objective development standards and streamlined permitting and approval processes. Additionally, this alternative would not facilitate the production of additional housing to address the increasing demand for housing that the County of San Mateo is experiencing.

Under the **Alternative 2 (Limited Commercial Uses)**, the County would not allow Office and Professional Services uses above the ground floor on parcels that, under the proposed project, would be rezoned from the existing R-1 or R-3 designation to the adjacent mixed-use designation (i.e. CMU-1, CMU-3, or NMU-DR). Specific uses that would be prohibited above the ground floor under this alternative would include Administrative; Professional and Business Offices; Medical and

¹ Calculation based on 2.77 persons per household in unincorporated San Mateo County (California Department of Finance 2022). See Table 4.11-1 in Section 4.11, *Population and Housing*, for more detail.

Dental Offices; Financial Institutions; and Non-Chartered Institutions. All other proposed development standards would apply, including but not limited to height restrictions and design guidelines. Alternative 2 would fulfill both project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to the same extent as the proposed project by allowing taller buildings, greater density, and via other strategies. While office uses would still be permitted under this alternative, less office use would be developed as none would be permitted above the ground floor on rezoned parcels in the project area.

Under the **Alternative 3 (Residential Overlay)**, the County would establish a Residential-Only Overlay District that would be applied to parcels that, under the proposed project, would be rezoned from the existing R-1 or R-3 designation to the adjacent mixed-use designation (i.e., CMU-1, CMU-3, or NMU-DR). Permitted uses in the Residential Overlay District would be limited to residential uses only; no new commercial development would be allowed within rezoned parcels under this alternative. All other proposed development standards would apply, and residential uses within the overlay district could be built at a greater density under their new mixed-use zoning compared to what is currently allowed by their existing residential zoning, similar to the proposed project. Therefore, the Residential Overlay Alternative would result in no commercial development, and similar residential development to that of the proposed project, on the rezoned parcels. Alternative 3 would fulfill both project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to a similar extent as the proposed project, as the allowable residential density in the rezoned parcels would be the same as the proposed project.

Refer to Section 6, *Alternatives*, for the complete alternatives analysis. As stated therein, Alternative 1 would be the environmentally superior alternative, and Alternative 3 would be environmentally superior to Alternative 2.

Areas of Known Controversy

The EIR scoping process did not identify any areas of known controversy for the proposed project. Responses to the Notice of Preparation of a Draft EIR and input received at the EIR scoping meeting held by the County are summarized in Section 1, *Introduction*.

Issues to be Resolved

The proposed project would require a General Plan amendment and North Fair Oaks Community Plan amendment, amendment to existing residential mixed-use zoning regulations, and rezoning of existing single- and multiple-family zoned areas to higher-intensity and higher-density residential mixed-use zoning districts. These amendments would require hearings at the County Planning Commission and Board of Supervisors, and the Board of Supervisors would have ultimate authority to both certify the EIR and adopt the proposed amendments.

Issues Not Studied in Detail in the EIR

Section 1.6 summarizes issues from the environmental checklist that are addressed in this EIR. As described therein, Section 4.15 addresses remaining environmental topics determined to be less

than significant (agriculture and forestry resources, energy, mineral resources, and wildfire). All remaining environmental issues are discussed in Sections 4.1 through 4.14.

Summary of Impacts and Mitigation Measures

Table ES-1 summarizes the environmental impacts of the proposed project, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required). Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per Section 15093 of the *CEQA Guidelines*.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under Section 15091 of the *CEQA Guidelines*.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact:** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

| Impact | Mitigation Measure (s) | Residual Impact |
|---|------------------------|------------------------|
| Aesthetics | | |
| Impact AES-1. The proposed project would not have a substantial adverse impact on a scenic vista. Impacts would be less than significant. | None required. | Less than significant. |
| Impact AES-2. The proposed project would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. There would be no impact. | None required. | No impact. |
| Impact AES-3. Development facilitated by the project would not conflict with regulations that govern scenic quality. Impacts would be less than significant. | None required. | Less than significant. |
| Impact AES-4. Compliance with the SMCZR would ensure that new sources of light and glare created by the proposed project would not adversely affect daytime or nighttime views in the area. Impacts would be less than significant. | None required. | Less than significant. |
| Air Quality | | |
| Impact AQ-1. The project would be consistent with BAAQMD's 2017 Clean Air Plan. Impacts would be less than significant. | None required. | Less than significant. |

| Impact | Mitigation Measure (s) | Residual Impact |
|---|---|-------------------------------------|
| <p>Impact AQ-2. The project would not result in a cumulatively considerable net increase of construction criteria pollutants. The project would result in a cumulatively considerable net increase of operational criteria pollutants. Impacts from construction would be less than significant with mitigation. Impacts from operation would be significant and unavoidable.</p> | <p>AQ-2a: Implement Construction Best Management Practices</p> <p>The County shall require all discretionary development projects within the project area that propose grading, demolition, or construction activities to implement the following or similar best management practices:</p> <ul style="list-style-type: none"> ▪ Dust control measures by construction contractors, where applicable: <ul style="list-style-type: none"> During demolition of existing structures: <ul style="list-style-type: none"> ▫ Use dust-proof chutes to load debris into trucks whenever feasible. ▪ During all construction phases: <ul style="list-style-type: none"> ▫ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. ▫ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). ▫ Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.). ▫ Install sandbags or other erosion control measures to prevent silt runoff to public roadways. ▫ Replant vegetation in disturbed areas as quickly as possible. ▫ Consult with BAAQMD prior to demolition of structures suspected to contain asbestos to ensure that demolition/construction work is conducted in accordance with BAAQMD rules and regulations. ▪ Best management controls on emissions by diesel-powered construction equipment used by construction contractors, where applicable: <ul style="list-style-type: none"> ▫ When total construction projects at any one time would involve greater than 270,000 square feet of development or demolition, a mitigation program to ensure that only equipment that would have reduced NOx and particulate matter exhaust emissions shall be implemented. This program shall meet BAAQMD performance standards for NOx standards – e.g., should demonstrate that diesel-powered construction equipment would achieve fleet-average 20 percent NOx reductions | <p>Significant and unavoidable.</p> |

| Impact | Mitigation Measure (s) | Residual Impact |
|--------|--|-----------------|
| | <p>and 45 percent particulate matter reductions compared to the year 2023 CARB statewide fleet average.</p> <ul style="list-style-type: none"> ▫ Ensure that visible emissions from all on-site diesel-powered construction equipment do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired or replaced immediately. ▫ The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors). ▫ Properly tune and maintain equipment for low emissions. <p>AQ-2b: Implement BAAQMD Basic Construction Mitigation Measures</p> <p>The County shall require that discretionary projects implement the BAAQMD Basic Construction Mitigation Measures. The BAAQMD Basic Construction Mitigation Measures are listed below:</p> <ul style="list-style-type: none"> ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ▪ 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. ▪ 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 five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in | |

| Impact | Mitigation Measure (s) | Residual Impact |
|--|---|---|
| | <p>accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.</p> <ul style="list-style-type: none"> Post a publicly visible sign with the telephone number and person to contact at the County of San Mateo regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's number shall also be visible to ensure compliance with applicable regulations. | |
| <p>Impact AQ-3. Construction activities for projects lasting longer than two months or located within 1,000 feet of sensitive receptors could expose sensitive receptors to substantial pollutant concentrations. Development facilitated by the project would not expose sensitive receptors to operational sources of toxic air contaminants. Impacts from construction would be less than significant with mitigation. Impacts from operation would be less than significant.</p> | <p>AQ-3: Conduct Construction Health Risk Assessment</p> <p>The County shall require a construction health risk assessment (HRA) for future development projects that have the following three characteristics:</p> <ul style="list-style-type: none"> The project is located within 1,000 feet of sensitive receptors. Project construction would last longer than two months. Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment. <p>The construction HRA shall determine potential risk and compare the risk to the following BAAQMD thresholds:</p> <ul style="list-style-type: none"> Non-compliance with Qualified Community Risk Reduction Plan; Increased cancer risk of > 10.0 in a million; Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or Ambient PM_{2.5} increase of > 0.3 µg/m³ annual average. <p>If risk exceeds the thresholds, the project applicant and/or construction contractor shall incorporate measures such as requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment to reduce the risk to appropriate levels. The project applicant shall provide the construction HRA to the County for review and concurrence prior to project approval.</p> | <p>Less than significant with mitigation.</p> |

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| Impact | Mitigation Measure (s) | Residual Impact |
|---|--|--|
| Impact AQ-4. Development facilitated by the project would not create objectionable odors that could adversely affect a substantial number of people. Impacts would be less than significant. | None required. | Less than significant. |
| Biological Resources | | |
| Impact BIO-1. Development facilitated by the project could disturb known special-status species or their associated habitat, including through habitat modifications, on a 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 or U.S. Fish and Wildlife Service. Development facilitated by the project during the nesting bird season could directly and/or indirectly affect nesting birds protected under the Migratory Bird Treaty Act and the California Fish and Game Code 3503. Impacts would be less than significant with mitigation incorporated. | <p>BIO-1: Nesting Bird Avoidance</p> <p>To the extent feasible, construction activities in the project area shall be scheduled to avoid the nesting season. The nesting season for most birds in San Mateo County extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then the County shall require project applicants to retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities and shall be conducted prior to tree removal, tree trimming, or other vegetation clearing. During the survey, the biologist shall inspect all trees and other potential nesting habitats, including trees, shrubs, ruderal grasslands, and buildings in the impact areas for nests. The biologist shall also survey within 100 feet of the impact area for non-raptor species and within 300 feet for raptors, as access allows.</p> <p>If an active nest is found sufficiently close to work areas and would be disturbed by these activities, the biologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 50 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Game Code are disturbed during project implementation.</p> | Less than significant with mitigation. |
| Impact BIO-2. Development facilitated by the project would not have a substantial adverse effect on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. There would be no impact. | None required. | No impact. |
| Impact BIO-3. Development facilitated by the project would not have a substantial adverse effect on state or federally protected wetlands. There would be no impact. | None required. | No impact. |

| Impact | Mitigation Measure (s) | Residual Impact |
|---|--|------------------------------|
| Impact BIO-4. Development facilitated by the project would not substantially impede wildlife movement areas or native wildlife nursery sites. There would be no impact. | None required. | No impact. |
| Impact BIO-5. Development facilitated by the proposed project would be subject to the County's policies and requirements protecting biological resources, including tree preservation. Impacts would be less than significant. | None required. | Less than significant. |
| Impact BIO-6. Development facilitated by 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. There would be no impact. | None required. | No impact. |
| Cultural and Tribal Cultural Resources | | |
| Impact CUL-1. The project has the potential to cause a significant impact on a historic resource if development facilitated by the project would cause a substantial adverse change in the significance of that resource. This impact would be significant and unavoidable. | <p>CUL-1a: Historical Resources Built Environment Assessment</p> <p>Prior to approval of a development project on a property that includes buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older at the time of the permit application, the County shall require the project applicant to hire a qualified architectural historian to prepare an historical resources evaluation. The qualified architectural historian or historian shall meet the Secretary of the Interior's (SOI) Professional Qualifications Standards (PQS) in architectural history or history (as defined in 36 CFR Part 61). The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices recommended by the State Office of Historic Preservation to identify any potential historical resources in the proposed project area. Under the guidelines, properties 45 years of age or older shall be evaluated within their historic context and documented in a technical report and on Department of Parks and Recreation Series 523 forms. The report will be submitted to the County for review prior to any permit issuance. If no historical resources are identified, no further analysis is warranted. If historical resources are identified through the historical resources evaluation, the project shall be required to implement Mitigation Measure CUL-1b.</p> <p>CUL-1b: Historical Resources Built Environment Mitigation</p> | Significant and unavoidable. |

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| Impact | Mitigation Measure (s) | Residual Impact |
|--|---|--|
| | <p>If historical resources are identified in an area proposed for redevelopment as described in Mitigation Measure CUL-1a, the project applicant shall reduce impacts to the extent feasible. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any project that may affect the historical resource, the project applicant shall make efforts to design the project to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), which generally mitigate impacts to a less than significant level (as defined in CEQA Guidelines Section 15364.5[b][3]). The project applicant shall provide a report identifying and specifying the treatment of character-defining features and compliance with the Standards to the County for review and approval, prior to permit issuance. Any and all features and construction activities shall become Conditions of Approval for the project and shall be implemented prior to issuance of construction (demolition and grading) permits.</p> <p>If compliance with the Standards is determined to be infeasible, the applicant shall prepare documentation of the historical resource in the form of a Historic American Building Survey (HABS)-like report. The HABS report shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the PQS and submitted to the County prior to issuance of any permits for demolition or alteration of the historical resource.</p> | |
| Impact CUL-2. The project has the potential to cause a significant impact on archaeological resources if development facilitated by the project would cause a substantial adverse change in the significance of an archaeological resource, including those that qualify as historical resources. This impact would be less than significant with mitigation incorporated. | <p>CUL-2a: Archaeological Resources Assessment</p> <p>For discretionary projects involving ground disturbance substantially beyond or deeper than previous disturbance, project applicants shall prepare an archaeological resources assessment under the supervision of an archaeologist who meets the SOI's PQS in either prehistoric or historic archaeology prior to project approval. Assessments will include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) at</p> | Less than significant with mitigation. |

| Impact | Mitigation Measure (s) | Residual Impact |
|--------|---|-----------------|
| | <p>Sonoma State University and of the SLF search maintained by the NAHC. The records searches will characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the project site. A Phase I pedestrian survey shall be undertaken in proposed project areas that are undeveloped to locate any surface cultural materials. By performing a records search, consultation with the NAHC, and a Phase I survey, a qualified archaeologist shall be able to classify the project area as having high, medium, or low sensitivity for archaeological resources.</p> <p>If the Phase I archaeological survey identifies resources that may be affected by the project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant levels by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The County will review and approve the Phase II or Phase III reports, and ensure that mitigation measures are implemented as appropriate prior to or during construction.</p> <p>CUL-2b: Stop Work in the Event of Unanticipated Discoveries During Construction</p> <p>If cultural resources are encountered during ground-disturbing activities, work within 60 feet of the find shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology in either prehistoric or historic archaeology shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan</p> | |

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| Impact | Mitigation Measure (s) | Residual Impact |
|--|--|--|
| | and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work such as excavating the cultural deposit to fully characterize its extent, and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist will consult with the County to begin Native American consultation procedures. | |
| Impact CUL-3. Ground disturbance associated with development facilitated by the project may disturb or damage known or unknown human remains. Adherence with existing regulations would ensure impacts would be less than significant. | None required. | Less than significant. |
| Impact CUL-4. Development facilitated by the project has the potential to impact tribal cultural resources. Impacts would be less than significant with mitigation. | CUL-4: Suspension of Work Around Tribal Cultural Resources During Construction In the event that cultural resources of Native American origin are identified during construction of a project, all earth-disturbing work within 60 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, the applicant shall prepare and implement a mitigation plan in accordance with State guidelines and in consultation with local Native American group(s). The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The County shall review and approve the mitigation plan prior to implementation. | Less than significant with mitigation. |

| Impact | Mitigation Measure (s) | Residual Impact |
|---|---|--|
| Geology and Soils | | |
| Impact GEO-1. The project area is not located in an Alquist-Priolo earthquake fault zone. Development facilitated by the project would not directly or indirectly cause substantial adverse effects involving rupture of a known earthquake fault. There would be no impact. | None required. | No impact. |
| Impact GEO-2. Development facilitated by the project could expose people or structures to a risk of loss, injury, or death from seismic events. Development facilitated by the project could be located on a geologic unit or soil that is unstable or become unstable resulting in lateral spreading, subsidence, liquefaction, or collapse. Compliance with applicable laws and regulations would ensure that impacts would be less than significant. | None required. | Less than significant. |
| Impact GEO-3. Development facilitated by the project would include ground disturbance such as excavation and grading that would result in loose or exposed soil. Disturbed soil could be eroded by wind or during a storm event, which would result in the loss of topsoil. Adherence to permit requirements and County regulations would ensure that impacts would be less than significant. | None required. | Less than significant. |
| Impact GEO-4. Development facilitated by the project may be located on expansive soil and could be subject to liquefaction hazards. Compliance with the CBC would reduce liquefaction hazards. Existing Safety Element policies would apply to development facilitated by the proposed project in hazard zones for liquefaction or lateral spreading of soils. Impacts would be less than significant. | None required. | Less than significant. |
| Impact GEO-5. Development facilitated by the project would occur on urban sites that would be served by existing sanitation infrastructure. New development would not include the use of septic systems. There would be no impact. | None required. | No impact. |
| Impact GEO-6. Development facilitated by the proposed project has the potential to impact paleontological resources. Impacts would be less than significant with mitigation incorporated. | GEO-6: Unanticipated Discovery of Paleontological Resources If paleontological resources are encountered during future grading or excavation in the Community Plan area, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded and determined appropriate treatment of the resource, in consultation with the County. Project personnel shall not collect | Less than significant with mitigation. |

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|---|--|------------------------|
| | cultural resources. Appropriate treatment may include collection and processing of "standard" samples by a qualified paleontologist to recover micro vertebrate fossils; preparation of significant fossils to a reasonable point of identification; and depositing significant fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens. | |
| Greenhouse Gas Emissions | | |
| Impact GHG-1. Development facilitated by the project would be consistent with the San Mateo CCAP, which meets State 2030 goals and achieves carbon neutrality before 2045. Impacts would be less than significant. | None required. | Less than significant. |
| Hazards and Hazardous Materials | | |
| Impact HAZ-1. Development facilitated by the project may result in the release of potentially hazardous materials. However, compliance with federal, State, and regional regulations related to hazardous materials would minimize the risk of releases and exposure to these materials. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HAZ-2. Development facilitated by the project may result in the release of potentially hazardous materials and may occur within 0.25 mile of a school. However, compliance with regional and federal regulations related to hazardous materials would minimize the risk of releases and exposure to these materials. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HAZ-3. The project could facilitate development on sites that are listed pursuant to Government Code Section 65962.5. Compliance with applicable regulations related to site remediation would minimize impacts to the public or the environment. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HAZ-4. Development facilitated by the project would not result in a safety hazard or excessive noise from the nearest airport for people residing or working in the project area. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HAZ-5. Development facilitated by the project would not result in any physical changes that could interfere with or impair emergency response or evacuation, and the project would not result in interference with | None required. | Less than significant. |

| Impact | Mitigation Measure (s) | Residual Impact |
|---|------------------------|------------------------|
| these types of adopted plans. Impacts would be less than significant. | | |
| Impact HAZ-6. Development facilitated by the project would be located in a built urban environment and would not result in people or structures to be exposed to significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant. | None required. | Less than significant. |
| Hydrology and Water Quality | | |
| Impact HYD-1. Development facilitated by the project would not violate water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HYD-2. Development facilitated by the project would not interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of local groundwater basins. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HYD-3. Development facilitated by the project would alter drainage patterns and may incrementally increase runoff from some of the rezoning parcels, but would not result in substantial erosion or siltation on or off site, result in increased flooding on or off site, exceed the capacity of existing or planned stormwater drainage systems, generate substantial additional polluted runoff, or impede or redirect flood flows. Impacts would be less than significant. | None required. | Less than significant. |
| Impact HYD-4. The project area is not within an area at risk from inundation by seiche or tsunami, and therefore would not be at risk of release of pollutants due to project inundation. There would be no impact. | None required. | No impact. |
| Impact HYD-5. Development facilitated by the project would not conflict with or obstruct implementation of a water quality control plan, and there is no applicable sustainable groundwater management plan. Impacts would be less than significant. | None required. | Less than significant. |
| Land Use and Planning | | |
| Impact LU-1. Project implementation would provide for orderly development in the unincorporated county and would not physically divide an established community. Impacts would be less than significant. | None required. | Less than significant. |

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|---|---|------------------------------|
| Impact LU-2. The project would not result in a significant environmental impact due to a conflict with a land use plan or policy. Impacts would be less than significant. | None required. | Less than significant. |
| Noise | | |
| Impact NOI-1. Construction of development facilitated by the project would temporarily increase noise levels that could affect nearby noise-sensitive receivers. Operation of development facilitated by the project would introduce new on-site noise sources and contribute to traffic noise. Construction, on-site operational noise impacts, and traffic noise impacts would be significant and unavoidable despite the implementation of feasible mitigation measures. | <p>NOI-1a: Construction Noise Reduction Measures</p> <p>The County shall require project applicants to include the following conditions in project demolition and construction contract agreements that stipulate the following conventional construction-period noise abatement measures:</p> <ul style="list-style-type: none"> ▪ Construction Plan. Prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with nearby noise-sensitive facilities so that construction activities can be scheduled to minimize noise disturbance. ▪ Construction Scheduling. Ensure that noise-generating construction activity is limited to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and does not occur at any time on Sundays, Thanksgiving or Christmas. ▪ Construction Equipment Mufflers and Maintenance. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment to achieve an engine noise reduction from mobile construction equipment of at least 10 dBA (FHWA 2011; Bies et al. 2018; Harris 1991). ▪ Portable Sound Enclosures. All generators and air compressors shall be enclosed in portable sound enclosures that provide at least a 10-dBA reduction in noise levels (FHWA 2011; Bies et al. 2018; Harris 1991). ▪ Equipment Locations. Locate stationary noise-generating equipment as far as possible from sensitive receivers when sensitive receivers adjoin or are near a construction project site. ▪ Construction Traffic. Route all construction traffic to and from construction sites via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible. | Significant and unavoidable. |

| Impact | Mitigation Measure (s) | Residual Impact |
|--------|--|-----------------|
| | <ul style="list-style-type: none"> ▪ Quiet Equipment Selection. Use quiet construction equipment, particularly air compressors, where possible. ▪ Temporary Barriers. Construct plywood fences around construction sites adjacent to residences, operational businesses, or noise-sensitive land uses to achieve a noise reduction of at least 5 dBA when blocking the line-of-sight between the source and the receiver (FHWA 2011; Bies et al. 2018; Harris 1991). ▪ Temporary Noise Blankets. Temporary noise control blanket barriers should be erected, if necessary, along building facades adjoining construction sites to achieve a noise reduction of at least 5 dBA (FHWA 2011; Bies et al. 2018; Harris 1991). This mitigation would only be necessary if conflicts occurred which were not able to be resolved by scheduling. (Noise control blanket barriers can be rented and quickly erected.) ▪ Noise Disturbance Coordinator. For larger construction projects, the County may choose to require project designation of a “Noise Disturbance Coordinator” who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures be implemented to correct the problem. 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. (The project sponsor should be responsible for designating a Noise Disturbance Coordinator, posting the phone number and providing construction schedule notices. The Noise Disturbance Coordinator would work directly with an assigned County staff member.) | |
| | <p>NOI-1b: Conduct Stationary Operational Noise Analysis</p> <p>Prior to project approval, the County shall require development projects to evaluate potential on-site operational noise impacts on nearby noise-sensitive uses and to implement stationary operational noise reduction measures to minimize impacts on these uses. Examples of measures to reduce on-site noise include, but are not limited to, operational restrictions, selection of quiet equipment,</p> | |

| Impact | Mitigation Measure (s) | Residual Impact |
|---|--|--|
| | <p>equipment setbacks, enclosures, silencers, and/or acoustical louvers.</p> <p>NOI-1c: Traffic Noise Reduction Measures</p> <p>The County shall require project applicants to pay a fair share fee toward implementation of the following traffic noise reduction improvements on 5th Avenue north of Middlefield Road and 5th Avenue south of Bay Road:</p> <ul style="list-style-type: none"> ▪ Pave streets with reduced pavement types such as rubberized or open grade asphalt. Reduced-noise pavement types would reduce noise levels by 2 to 3 dBA depending on the existing pavement type, traffic speed, traffic volumes, and other factors. Case studies have shown that the replacement of standard dense grade asphalt with open grade or rubberized asphalt can reduce traffic noise levels along residential streets by 2 to 3 dBA. A possible noise reduction of 2 dBA would be expected using conservative engineering assumptions. In order to provide permanent mitigation, all future repaving would need to consist of “quieter” pavements. ▪ Construct new or larger noise barriers. New or larger noise barriers could reduce noise levels by 5 dBA Ldn. The final design of such barriers, including an assessment of their feasibility and cost-effectiveness, should be completed during final design. ▪ Install traffic calming measures to slow traffic along 5th Avenue. Traffic calming measures could provide a qualitative (i.e., perceived if not measurable) improvement by smoothing out the rise and fall in noise levels caused by speeding vehicles. ▪ Provide sound insulation treatments to affected buildings. Sound-rated windows and doors, mechanical ventilation systems, noise insulation, and other noise-attenuating building materials could reduce noise levels in interior spaces. | |
| Impact NOI-2. Construction of development facilitated by the project would temporarily generate groundborne vibration. If required for construction, pile driving could potentially exceed Caltrans vibration thresholds and impact people or buildings. Impacts would be less than significant with mitigation incorporated. | <p>NOI-2: Vibration Reduction Measures for Pile Driving Activities</p> <p>The County shall require project applicants to include the following actions in individual demolition and construction contractor agreements that stipulate the following groundborne vibration abatement measures:</p> <ul style="list-style-type: none"> ▪ Restrict vibration-generating activity to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and allow no vibration- | Less than significant with mitigation. |

| Impact | Mitigation Measure (s) | Residual Impact |
|--|--|--|
| | <p>generating activity at any time on Sundays, Thanksgiving, or Christmas.</p> <ul style="list-style-type: none"> ▪ Notify occupants of land uses located within 200 feet of pile-driving activities of the project construction schedule in writing. ▪ In consultation with County staff, investigate possible pre-drilling of pile holes as a means of minimizing the number of pile driving blows required to seat the pile. ▪ Conduct a pre-construction site survey documenting the condition of any historic structure located within 200 feet of proposed pile driving activities. ▪ Monitor pile driving vibration levels to ensure that vibration does not exceed the appropriate Caltrans thresholds for the potentially affecting building. | |
| Impact NOI-3. The project area is located outside of the San Carlos Airport noise contours and the project would not expose people residing or working in the project area to excessive noise levels. No impact would occur. | None required. | No impact. |
| Population and Housing | | |
| Impact PH-1. Development facilitated by the project would accommodate additional residents and dwelling units but would not exceed Plan Bay Area 2050 population and housing forecasts or North Fair Oaks Community Plan buildout projections, and would be consistent with the County's Housing Element. With the required General Plan and North Fair Oaks Community Plan amendments, the project would not result in unplanned population growth. Impacts would be less than significant. | None required. | Less than significant. |
| Impact PH-2. Development facilitated by the project could displace existing housing or people, necessitating the construction of replacement housing elsewhere. Impacts would be less than significant with mitigation incorporated. | <p>PH-2: Replacement Housing</p> <p>When redevelopment on parcels within the project area is proposed on sites that contain existing rental housing, the project applicant shall prepare a relocation plan that meets the requirements of Government Code Section 7260-7277. The relocation plan shall include, but not be limited to:</p> <ol style="list-style-type: none"> 1. Proper notification of occupants or persons to be displaced. 2. Provision of "comparable replacement dwelling" which means decent, safe, and sanitary; and adequate in size to accommodate the occupants. 3. Provision of a dwelling unit that is within the financial means of the displaced person. | Less than significant with mitigation. |

County of San Mateo
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| Impact | Mitigation Measure (s) | Residual Impact |
|--|--|------------------------|
| | <p>4. Provision of a dwelling unit that is not subject to unreasonable adverse environmental conditions.</p> <p>This measure shall apply to future development projects that may displace individuals and is not limited to development undertaken by a public entity or development that is publicly funded. The relocation plan shall be approved at the staff level (ministerially) for ministerial projects, and shall not require discretionary review. The County shall approve the relocation plan prior to project approval.</p> | |
| Public Services and Recreation | | |
| Impact PS-1. Development facilitated by the project would not result in substantial adverse physical impacts associated with the construction of new or physically altered fire facilities to maintain acceptable service ratio response times or other objectives. Impacts would be less than significant. | None required. | Less than significant. |
| Impact PS-2. Development facilitated by the project would not result in substantial adverse physical impacts associated with the construction of new or physically altered police facilities to maintain acceptable service ratio response times or other objectives. Impacts would be less than less than significant. | None required. | Less than significant. |
| Impact PS-3. Development facilitated by the project would not result in substantial adverse physical impacts associated with the construction of new or physically altered school facilities. Impacts would be less than significant. | None required. | Less than significant. |
| Impact PS-4. Development facilitated by the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios and would not increase the use of existing neighborhood and regional parks such that substantial physical deterioration of the facility would occur or be accelerated. Impacts would be less than significant. | None required. | Less than significant. |
| Impact PS-5. Development facilitated by the project would not result in substantial adverse physical impacts associated with the construction of new or physically altered library or other public facilities to maintain acceptable service objectives, and the payment of property taxes funding library or | None required. | Less than significant. |

| Impact | Mitigation Measure (s) | Residual Impact |
|---|--|------------------------------|
| other public facilities would be required. Impacts would be less than significant. | | |
| Transportation | | |
| Impact TRA-1. Development facilitated by the project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would be less than significant. | None required. | Less than significant. |
| Impact TRA-2. The proposed project would conflict with CEQA Guidelines section 15064.3(b) by resulting in increased VMT from future office-only commercial development facilitated by the project. It cannot be guaranteed that mitigation would reduce office-only commercial VMT to acceptable levels; therefore, impacts would be significant and unavoidable. | <p>TRA-2: Preparation of Transportation Demand Management (TDM) Plan</p> <p>Individual projects that include office-only commercial development and are estimated to generate more than 100 trips per day shall prepare a Transportation Demand Management (TDM) plan for County and C/CAG review and approval. The TDM plan shall be designed and implemented to achieve trip reductions as required to meet thresholds identified by OPR to reduce daily VMT by reducing vehicle trips by 25 percent or 35 percent, depending on the land use and location of the project. The TDM Plan shall identify the trip reduction necessary to achieve the required VMT reduction (to 15.42 VMT per employee or less).</p> <p>Trip reduction strategies that may be included in the TDM program include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Provision of bus stop improvements or on-site mobility hubs 2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc. 3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program 4. Enhancements to countywide bicycle network 5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes 6. Cash allowances, passes, or other public transit subsidies and purchase incentives 7. Enhancements to bus service 8. Implementation of shuttle service 9. Establishment of carpool, bus pool, or vanpool programs 10. Vanpool purchase incentives 11. Participation in a future County VMT fee program | Significant and unavoidable. |

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| Impact | Mitigation Measure (s) | Residual Impact |
|---|--|--|
| | 12. Participate in future VMT exchange or mitigation bank programs 13. Carshare/scooter-share/bikeshare facilities or incentives 14. On-site coordination overseeing TDM marketing and outreach 15. Rideshare matching program | |
| Impact TRA-3. The proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Impacts would be less than significant. | None required. | Less than significant. |
| Impact TRA-4. The proposed project would not result in inadequate emergency access. Impacts would be less than significant. | None required. | Less than significant. |
| Utilities and Service Systems | | |
| Impact UTIL-1. Development facilitated by the project would not require or result in the relocation or construction of new or expanded water, storm water drainage, electric power, natural gas, or telecommunications facilities. However, increased wastewater generation from development facilitated by the project would exacerbate existing system deficiencies. Impacts would be less than significant with mitigation incorporated. | UTIL-1: Wastewater Provider Capacity If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed. | Less than significant with mitigation. |
| Impact UTIL-2. The Cal Water Bear Gulch District is expected to experience water shortages under single- and multi-dry year conditions; however, development facilitated by the project would be required to comply with the Water Shortage Contingency Plan. Impacts would be less than significant. | None required. | Less than significant. |
| Impact UTIL-3. Development facilitated by the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Development facilitated by the project would be required to comply with all applicable federal, state, and local solid waste management and reduction regulations. Impacts would be less than significant. | None required. | Less than significant. |

1 Introduction

This document is an Environmental Impact Report (EIR) for a proposed rezoning of areas within North Fair Oaks (hereafter referred to as the “proposed project” or “project”), which is an unincorporated area in San Mateo County. The project would involve amending zoning regulations in several areas already zoned for high density mixed use commercial and residential development in North Fair Oaks, in order to streamline and clarify those regulations, and rezoning several other areas to allow higher densities of residential and mixed use development.

This section discusses (1) the purpose and type of EIR; (2) the format of the EIR; (3) the existing conditions and baseline for analysis; (4) a summary of public participation to date; (5) the scope and content of the EIR; (6) the lead, responsible, and trustee agencies; and (7) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed project is described in detail in Section 2, *Project Description*.

1.1 Statement of Purpose

This EIR has been prepared in compliance with the CEQA Statutes and Guidelines (see *CEQA Guidelines* Section 15121[a]). In general, the purpose of an EIR is to:

1. Analyze the potential environmental effects of the adoption and implementation of the project;
2. Inform decision-makers, responsible and trustee agencies and members of the public as to the range of the environmental impacts of the project;
3. Recommend a set of measures to mitigate potentially significant adverse impacts; and
4. Analyze a range of reasonable alternatives to the proposed project.

As the lead agency for preparing this EIR, the County of San Mateo will rely on the EIR analysis of environmental effects in its review and consideration of the proposed project prior to approval.

1.2 Type of Environmental Document

This document is a Program EIR. *CEQA Guidelines* Section 15168(a) states that:

A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically; (2) as logical parts in a chain of contemplated actions; (3) in connection with issuance of rules, regulations, plans, or other general criteria, to govern the conduct of a continuing program; or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

As a programmatic document, this EIR presents a regionwide assessment of the impacts of the proposed project. Analysis of site-specific impacts of individual projects is not required in a Program EIR, unless components of the program are known in great detail. Many specific projects are not currently defined to the level that would allow for such an analysis. Individual specific environmental analysis of any subsequent future projects would be performed as necessary by the County prior to each project being considered for approval. This EIR serves as a first-tier CEQA

environmental document supporting second-tier environmental documents, if required, for development facilitated by the project within the project area.

Project applicants implementing subsequent projects may be required to undertake future environmental review depending on the results of the analysis in this EIR and requirements of the mitigation measures. If project applicants are required to prepare subsequent environmental documents, they may incorporate by reference the appropriate information from this EIR regarding secondary effects, cumulative impacts, broad alternatives and other relevant factors. If the County finds that implementation of a later discretionary project or activity would have no new effects and that no new mitigation measures would be required, that activity would require no additional CEQA review and a consistency finding would be prepared. Where subsequent environmental review is required, such review would focus on significant effects specific to the project, or its site, that have not been considered in this EIR (*CEQA Guidelines* Section 15168).

CEQA Guidelines Section 15151 provides the following standards related to the adequacy of an EIR:

An Environmental Impact Report should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to decide which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have looked not for perfection; but for adequacy, completeness, and a good faith effort at full disclosure.

CEQA Guidelines Section 15146 further provides the following additional standards related to the adequacy of an EIR:

The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR.

- (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy.
- (b) An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption, or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.

1.2.1 Prior Environmental Document

An EIR was certified for the North Fair Oaks Community Plan in November 2011 (State Clearinghouse Number 2011042099), which includes mitigation measures that are required for future development within the Plan Area. The project area is located within the Plan Area, and development within the project area would be required to comply with the goals, policies, and programs of the North Fair Oaks Community Plan, as well as with the mitigation measures (as applicable) from the 2011 EIR.

1.2.2 Streamlining Under Senate Bill 226

In 2011, the California legislature enacted Senate Bill (SB) 226 to establish additional streamlining benefits applicable to infill projects that are consistent with the requirements set forth in *CEQA Guidelines* Section 15183.3 (Public Resources Code [PRC] Sections 21094.5 [c], 21094.5.5).

Residential projects are eligible for this streamlining provided they meet the following requirements: (1) are located in an urban area on a site that has been previously developed or adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; (2) satisfy the performance standards provided in *CEQA Guidelines* Appendix M; and, (3) are consistent with the general use designation, density, building intensity and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, with some exceptions. Additional CEQA streamlining that would be applicable to the project area includes *CEQA Guidelines* Section 15183, for projects that are consistent with a community plan or zoning, and that would not result in project-specific significant effects that are peculiar to that specific project or site.

For these projects, the project-level environmental review is only required to analyze effects on the environment that are specific to the project or to the project site and were not addressed as significant effects in a prior planning-level or programmatic EIR unless new information shows the effects will be more significant than described in the prior EIR (PRC Section 21094.5 [a][1]). Moreover, the project-level environmental review is not required to consider potentially significant environmental effects of the project that may be reduced to a less-than-significant level by applying uniformly applicable development policies or standards adopted by the city, county, or the lead agency (PRC Section 21094.5 [a][2]). The project-level environmental review is also not required to discuss (1) alternative locations, project densities, and building intensities, or (2) growth-inducing impacts.

The intent of this EIR is to enable development facilitated by the project to use *CEQA Guidelines* Section 15183 to streamline future CEQA compliance. Projects that are consistent with County regulations, including zoning, would require no additional CEQA review unless there are project-specific significant effects that are peculiar to a specific project, but applicants would be responsible for implementing applicable mitigation measures. The recommended mitigation measures, once adopted by the Board of Supervisors, would be applied to projects as applicable at the project review and permitting stage.

1.2.3 Other Tiering Opportunities

For all other types of projects proposed to be carried out or approved by a lead agency within the region, the lead agency may use a Program EIR for the purposes of other allowed CEQA tiering (PRC Sections 21068.5, 21093-21094, *CEQA Guidelines* 15152, 15385). Tiering is the process by which general matters and environmental effects in an EIR prepared for a policy, plan, program, or ordinance are relied upon by a narrower second-tier or site-specific EIR (PRC Section 21068.5). Moreover, by tiering from this EIR (once certified by the County Board of Supervisors), a later tiered EIR would not be required to examine effects that (1) were mitigated or avoided in this EIR, (2) were examined at a sufficient level of detail in this EIR to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project (PRC Section 21094).

1.3 EIR Format

This document includes discussions of environmental impacts related to several issue areas. The analysis of environmental impacts identifies impacts by category: significant and unavoidable, significant but mitigable, less than significant, and no impact or beneficial. It proposes mitigation measures, where feasible, for identified significant environmental impacts to reduce project generated impacts. The responsible agency for each mitigation measure is also identified. It is the responsibility of the lead agency implementing specific projects to conduct the necessary environmental review consistent with CEQA and where applicable, incorporate mitigation measures provided herein and developed specifically for the project to minimize environmental impacts and/or reduce impacts to less than significant.

This EIR has been organized into seven sections. These include:

1. **Introduction.** Provides the project background, description of the type of environmental document and CEQA streamlining opportunities, and information about the EIR content, format, and public review process.
2. **Project Description.** Presents and discusses the project objectives, project location and specific project characteristics.
3. **Environmental Setting.** Provides a description of the existing physical setting of the project area and an overview of the progress in project implementation.
4. **Analysis of Environmental Issues.** Describes existing conditions found in the project area and assesses potential environmental impacts that may be generated by implementing the proposed project, including cumulative development in the region. These potential project impacts are compared to “thresholds of significance” to determine the nature and severity of the direct and indirect impacts. Mitigation measures, intended to reduce adverse, significant impacts below threshold levels, are proposed where feasible. Impacts that cannot be eliminated or mitigated to less than significant levels are also identified.
5. **Other CEQA Required Discussions.** Identifies growth inducing impacts that may result from implementation of the proposed project, as well as long-term effects of the project and significant irreversible environmental changes.
6. **Alternatives.** Describes alternatives to the proposed project and compares each alternative’s environmental impacts to the proposed project.
7. **References.** Lists all published materials, federal, state, and local agencies, and other organizations and individuals consulted during the preparation of this EIR. It also lists the EIR preparers.

1.4 Existing Conditions and Baseline

As outlined by *CEQA Guidelines* Section 15125, an EIR must include a description of the physical environmental conditions in the project vicinity. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. The purpose of this requirement is to give the public and decision-makers the most accurate and understandable picture practically possible of the project’s likely near-term and long-term impacts. Generally, the lead agency should describe physical environmental conditions as they exist at the time the Notice

of Preparation (NOP) is published. For purposes of this EIR, the baseline was established on April 27, 2022, when the County published the NOP. Physical conditions that may have changed after this day have been included for informational purposes only.

1.5 Public Review and Participation Process

The County of San Mateo distributed an NOP of the EIR for a 30-day agency and public review period starting on April 27, 2022 and ending on May 27, 2022. In addition, the County held an EIR Scoping Meeting on May 11, 2022, during the County Planning Commission's regular meeting, which was held virtually on Zoom. The EIR Scoping Meeting was aimed at providing information about the proposed project to members of public agencies, interested stakeholders and residents/community members. The County received letters from two agencies in response to the NOP during the public review period, as well as various verbal comments during the EIR Scoping Meeting. The NOP is presented in Appendix A of this EIR, along with NOP comment letters received. Table 1-1 summarizes the content of the letters and verbal comments and where the issues raised are addressed in the EIR.

Table 1-1 NOP Comments and EIR Response

| Commenter | Comment/Request | How and Where It Was Addressed |
|--|--|---|
| Agency Comments | | |
| Native American Heritage Commission (NAHC) | States that California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project must be consulted in accordance with SB 18 and AB 52 | This topic is discussed in Section 4.4, <i>Cultural and Tribal Cultural Resources</i> . |
| California Department of Transportation (Caltrans) | States that if projects are presumed to have a less than significant VMT impact and exempt from detailed VMT analysis, those projects will need to provide justification for their exemption. If projects don't meet the screening criteria, they will need to do a detailed VMT analysis. | This topic is discussed in Section 4.13, <i>Transportation</i> . |
| | Recommends that the Draft EIR support robust Transportation Demand Management Programs to reduce VMT from development in the area. | |
| | Encourages a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. | |
| | States that the County of San Mateo is responsible for all project mitigation, including any needed improvements to the State Transportation Network. | |
| | States that if any Caltrans facilities are impacted by projects within this area, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, those projects must maintain bicycle and pedestrian access during construction. | |
| | States that any permanent work or temporary traffic control that encroaches onto Caltrans' Right of Way (ROW) requires a Caltrans-issued encroachment permit. | |

| Commenter | Comment/Request | How and Where It Was Addressed |
|--|---|---|
| Public Comments | | |
| Aesthetics | Area of proposed project is visually different than surrounding areas, aesthetics of the area needs to be improved to make it more livable. | This topic is discussed in Section 4.1, <i>Aesthetics</i> . |
| Greenhouse Gas Emissions | Questions about if there will be stop signs added, improvements and roundabouts on coast side and inclusions of roundabouts to reduce Greenhouse Gas Emissions. | This topic is discussed in Section 4.6, <i>Greenhouse Gas Emissions</i> and Section 4.13, <i>Transportation</i> . |
| Transportation | Questions about if there will be stop signs added, improvements and roundabouts on coast side and inclusions of roundabouts to reduce Greenhouse Gas Emissions. | This topic is discussed in Section 4.13, <i>Transportation</i> . |
| Recreation | Emphasis placed on adding greenery and park space especially if the proposed project will allow for an increase in population. Much of the area is highly industrial with mixed types of commercial and industrial uses. Concerns over displacement of specific small businesses in this area such as auto body shops. | This topic is discussed in Section 4.12, <i>Public Services and Recreation</i> . |
| Notes: NOP = Notice of Preparation; EIR = Environmental Impact Report; NAHC = Native American Heritage Commission; SB = Senate Bill; AB = Assembly Bill; Caltrans = California Department of Transportation; VMT = vehicle miles traveled; ADA = American Disabilities Act; ROW = Right of Way | | |

1.6 Scope and Content

An NOP was prepared and circulated (Appendix A), and responses received on the NOP were considered when setting the scope and content of the environmental information in this EIR. Sections 4.1 through 4.14 address the resource areas outlined in the bullet points below. Section 4.15 addresses remaining environmental topics determined to be less than significant (agriculture and forestry resources, energy, mineral resources, and wildfire). Section 5, *Other CEQA Required Discussions*, covers topics including growth-inducing effects, irreversible environmental effects, and significant and unavoidable impacts. Environmental topic areas that are addressed in detail in this EIR include:

1. Aesthetics
2. Air Quality
3. Biological Resources
4. Cultural and Tribal Cultural Resources
5. Geology and Soils
6. Greenhouse Gas Emissions
7. Hazards and Hazardous Materials
8. Hydrology and Water Quality
9. Land Use and Planning
10. Noise
11. Population and Housing

- 12. Public Services and Recreation
- 13. Transportation
- 14. Utilities and Service Systems

In preparing the EIR, use was made of pertinent County policies and guidelines, certified EIRs and adopted CEQA documents, and other background documents. A reference list is contained in Section 7, *References*.

The alternatives section of the EIR (Section 6) was prepared in accordance with *CEQA Guidelines* Section 15126.6 and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. In addition, the alternatives section identifies the “environmentally superior” alternative among the alternatives assessed. The alternatives evaluated include the CEQA-required “No Project” alternative and two alternative development scenarios for the project area.

1.7 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* define lead, responsible and trustee agencies. The County of San Mateo is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. There are no responsible agencies for the proposed project.

A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for the proposed project.

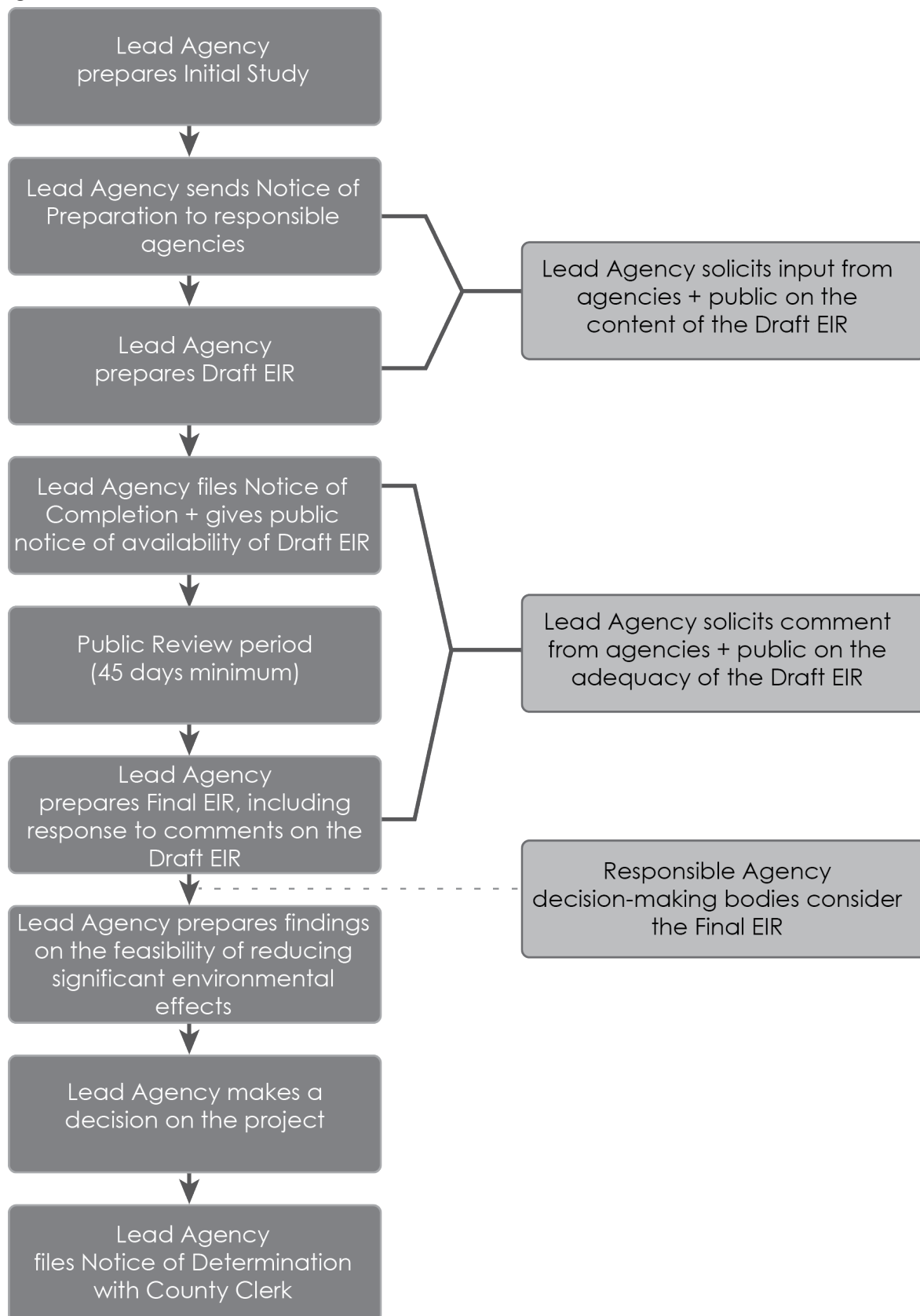
1.8 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation and Initial Study.** After deciding that an EIR is required, the lead agency (County of San Mateo) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; PRC Section 21092.2). The NOP must be posted in the County Clerk’s office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the project could create significant environmental impacts.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the NOC in the County Clerk’s office for 30 days (PRC Section 21092) and send a copy of the NOC to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all

comments received (PRC Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (PRC 21091).

4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).
6. **Lead Agency Project Decision.** If the EIR identifies significant environmental effects, the lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A lead agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]).

Figure 1-1 Environmental Review Process

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2 Project Description

This section describes the proposed project, including the project sponsor/lead agency, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval.

2.1 Project Sponsor/Lead Agency Contact

Will Gibson
San Mateo County
Planning and Building Department
455 County Center
Redwood City, California 94063
(628) 222-3082

2.2 Project Location

The project area is located within North Fair Oaks, an unincorporated community in San Mateo County, California, which is situated on the San Francisco Peninsula between the cities of Redwood City, Atherton, and Menlo Park (see Figure 2-1). The project area encompasses approximately 78 acres of land. The project area is comprised of two non-contiguous subareas that are separated by a railroad right-of-way owned by Peninsula Corridor Joint Powers Board and used for freight service and Caltrain passenger rail. Of the two subareas, the northern subarea is comprised of parcels along and in the vicinity of Middlefield Road and Edison Way (see Figure 2-1). The southern subarea is comprised of parcels along and in the vicinity of El Camino Real (State Highway 82) and 5th Avenue.

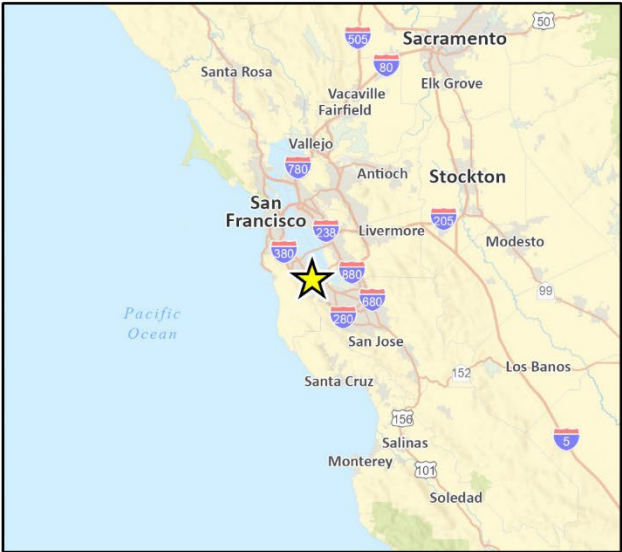
Figure 2-1 Regional and Project Location



Basemap provided by National Geographic Society, Esri and their licensors
© 2023. Palo Alto Quadrangle. T055 R03W S20-21, 28, 29. The topographic
representation depicted in this map may not portray all of the features
currently found in the vicinity today and/or features depicted in this map
may have changed since the original topographic map was assembled.

 Project Boundary

0 500 1,000 Feet



21-11539 CR

2.3 Existing Site Characteristics

2.3.1 Current Land Use and Zoning

The project area contains a mix of commercial uses, including auto services, industrial, retail, restaurants, a motel, and office buildings; and residential uses, including multi-family and single-family buildings. Public and quasi-public uses include a public parking lot, a church, and right-of-way for the Hetch Hetchy aqueduct, which supplies water to San Francisco and other communities. The sites include both undeveloped and developed parcels. See Figure 2-2 for a map of existing land uses.

The land use designations of project site parcels include Commercial Mixed Use; Neighborhood Mixed Use; Medium High Density Residential; Medium Density Residential; Institutional; and Parks. See Figure 2-3 for a map of the existing land use designations.

The zoning designations include Commercial Mixed Use-1 (CMU-1); Commercial Mixed Use-2 (CMU-2); Commercial Mixed Use-3 (CMU-3); Neighborhood Mixed-Use Design Review (NMU-DR); Neighborhood Mixed-Use El Camino Real (NMU-ECR); Parking (P); One Family Residential, Combining District S-73 (R-1/S-73); and Multiple Family Residential, Combining District S-5 (R-3/S-5). See Figure 2-4 for a map of the existing zoning designations.

Table 2-1 shows the current land use, land use designation, and zoning designation for the proposed rezoning parcels within the project area.

2.3.2 Surrounding Land Uses

The project area is generally surrounded by residential neighborhoods with a mix of single-family and small multiplex buildings, except for commercial uses along a portion of El Camino Real and west of the project area.

Figure 2-2 Existing Land Uses

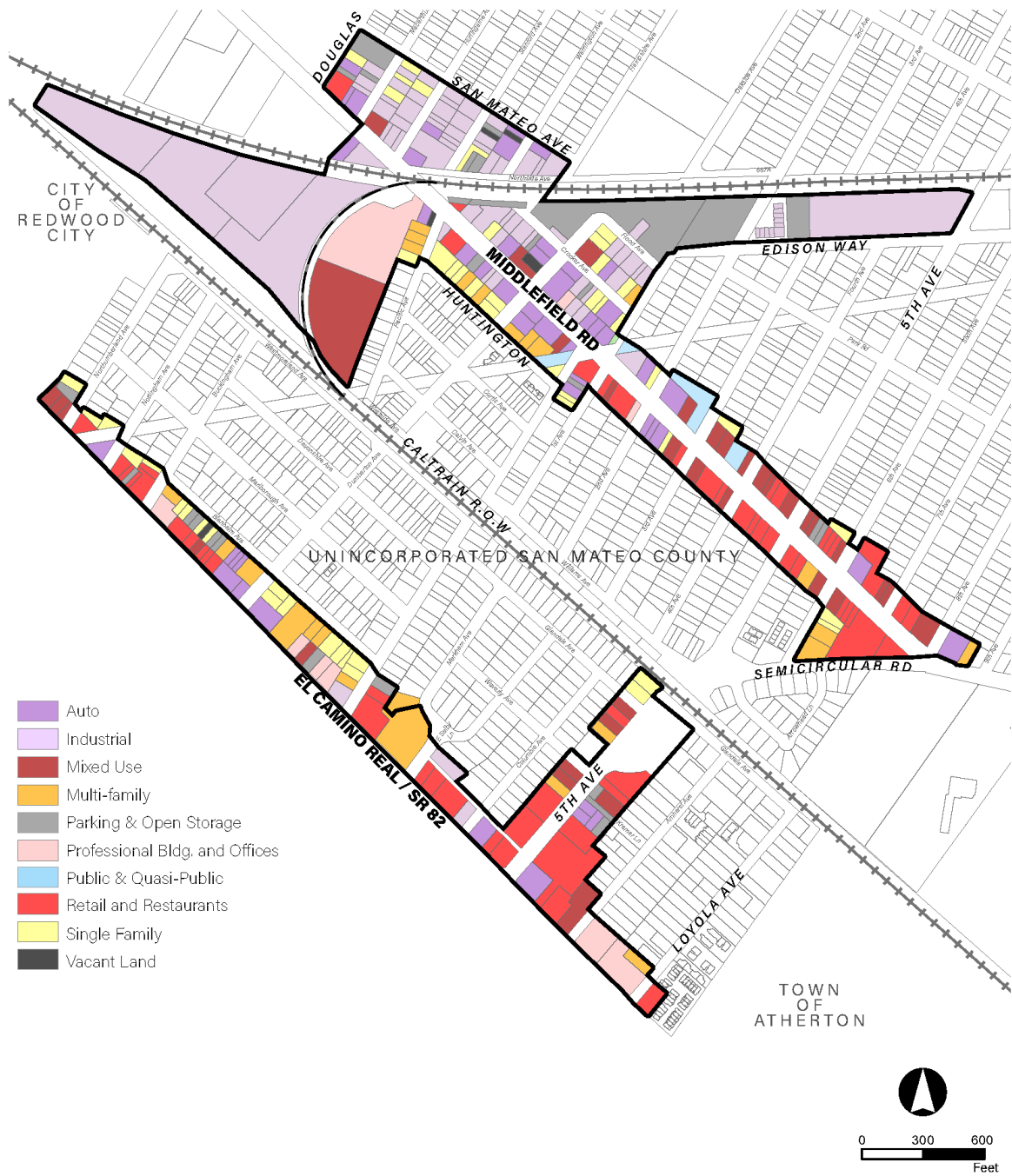


Figure 2-3 Existing Land Use Designations

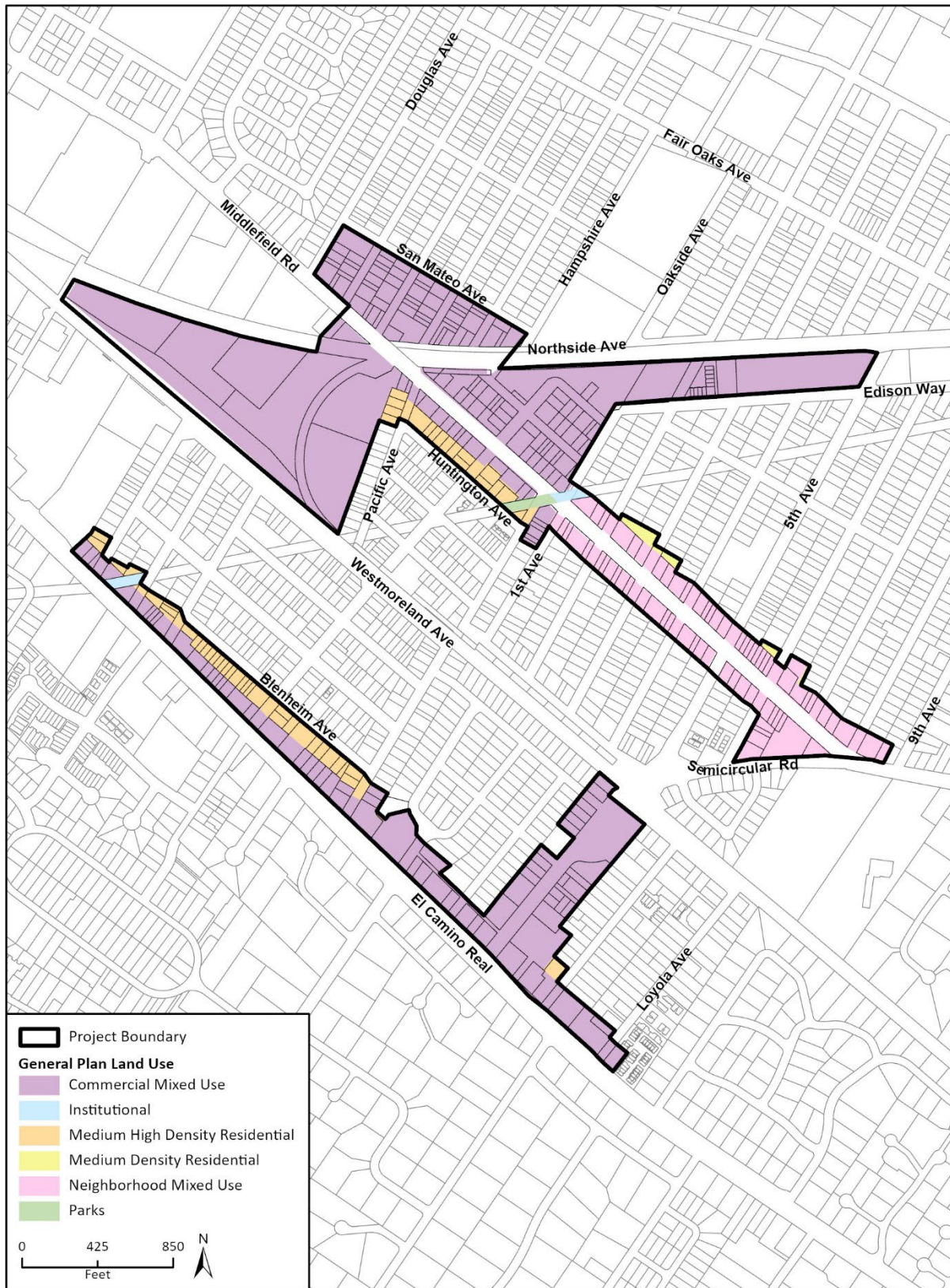


Figure 2-4 Existing Zoning Designations

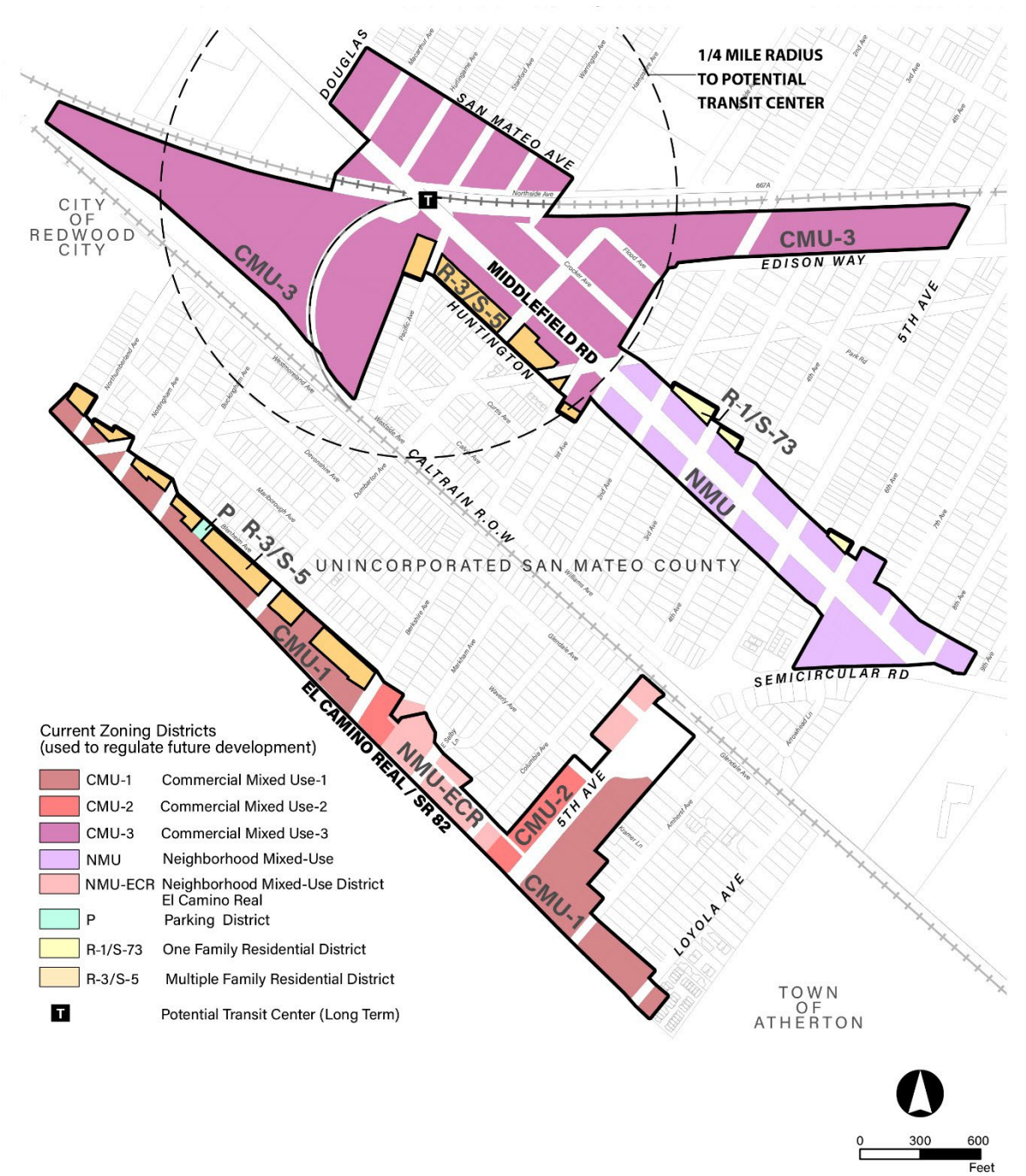


Table 2-1 Proposed Rezoning Parcels – Current Uses and Designations

| Assessor's Parcel Number | Site Address | Current Land Use | Current Land Use Designation | Current Zoning District |
|---------------------------------|------------------------|-------------------------|-------------------------------------|----------------------------------|
| 054205010 | 341 Berkshire Ave | Single Family | Medium High Density Residential | R3 (Multiple Family Residential) |
| 054206150 | 341 1st Ave | Single Family | Commercial Mixed Use | R3 |
| 054206160 | 345 1st Ave | Single Family | Commercial Mixed Use | R3 |
| 054211160 | 335 Pacific Ave | Single Family | Medium High Density Residential | R3 |
| 054211180 | 355 Pacific Ave | Multi-family | Medium High Density Residential | R3 |
| 054211280 | 347 Pacific Ave | Multi-family | Medium High Density Residential | R3 |
| 054211310 | 339 Pacific Ave | Multi-family | Medium High Density Residential | R3 |
| 054215120 | 341 Dumbarton Ave | Single Family | Medium High Density Residential | R3 |
| 054215140 | 2835 Huntington Ave | Single Family | Medium High Density Residential | R3 |
| 054215150 | 2823 Huntington Ave | Multi-family | Medium High Density Residential | R3 |
| 054215160 | 2819 Huntington Ave | Single Family | Medium High Density Residential | R3 |
| 054215170 | 2813 Huntington Ave | Single Family | Medium High Density Residential | R3 |
| 054215180 | 338 Pacific Ave | Single Family | Medium High Density Residential | R3 |
| 054215300 | 2843 Huntington Ave | Multi-family | Medium High Density Residential | R3 |
| 054215310 | 337 Dumbarton Ave | Single Family | Medium High Density Residential | R3 |
| 054217100 | 2929 Huntington Ave | Multi-family | Medium High Density Residential | R3 |
| 054217180 | 2909 Huntington Ave | Multi-family | Medium High Density Residential | R3 |
| 054217200 | 332 Dumbarton Ave | Multi-family | Medium High Density Residential | R3 |
| 054217030 | 332 Dumbarton adjacent | Auto | Medium High Density Residential | R3 |
| 054261210 | 11 Northumberland Ave | Parking & Open Storage | Medium High Density Residential | R3 |
| 054261270 | 31 Northumberland | Single Family | Medium High Density Residential | R3 |
| 054263070 | 77 Nottingham Ave | Single Family | Medium High Density Residential | R3 |
| 054263100 | 10 Northumberland Ave | Single Family | Medium High Density Residential | R3 |
| 054267050 | 21 Buckingham Ave | Single Family | Medium High Density Residential | R3 |
| 054267110 | 10 Nottingham Ave | Single Family | Medium High Density Residential | R3 |
| 054267190 | 2693 El Camino Real | Multi-family | Medium High Density Residential | R3 |
| 054276010 | 2700 Blenheim Ave | Multi-family | Medium High Density Residential | R3 |
| 054276020 | 2724 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054276030 | 2726 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054276060 | 2740 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054276070 | None | Multi-family | Medium High Density Residential | R3 |
| 054276080 | 2760 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054276090 | None | Parking & Open Storage | Medium High Density Residential | R3 |
| 054276100 | None | Parking & Open Storage | Medium High Density Residential | R3 |
| 054276110 | 2776 Blenheim Ave | Multi-family | Medium High Density Residential | R3 |
| 054276120 | Blenheim Ave | Auto | Medium High Density Residential | R3 |
| 054276130 | Blenheim Ave | Auto | Medium High Density Residential | R3 |

| Assessor's Parcel Number | Site Address | Current Land Use | Current Land Use Designation | Current Zoning District |
|--------------------------|-------------------|------------------------|---|-----------------------------|
| 054276140 | Blenheim Ave | Auto | Medium High Density Residential | R3 |
| 054276330 | 2796 Blenheim Ave | Multi-family | Medium High Density Residential | R3 |
| 054284010 | 24 Dumbarton Ave | Single Family | Medium High Density Residential | R3 |
| 054284020 | 2810 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054284100 | 2870 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054284110 | 2872 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054284120 | 35 Berkshire Ave | Single Family | Medium High Density Residential | R3 |
| 054284130 | 31 Berkshire Ave | Single Family | Medium High Density Residential | R3 |
| 054284300 | 14 Dumbarton Ave | Single Family | Medium High Density Residential | R3 |
| 054284310 | 2846 Blenheim Ave | Multi-family | Medium High Density Residential | R3 |
| 054284320 | 2852 Blenheim Ave | Multi-family | Medium High Density Residential | R3 |
| 054284340 | 2868 Blenheim Ave | Single Family | Medium High Density Residential | R3 |
| 054276040 | Blenheim | Parking & Open Storage | Medium High Density Residential | P (Parking) |
| 054276050 | Blenheim | Parking & Open Storage | Medium High Density Residential | P |
| 060056250 | 409 3rd Ave | Public/Quasi-public | Neighborhood Mixed Use / Medium Density Residential | R1 (One Family Residential) |
| 060059180 | 408 3rd Ave | Single Family | Medium Density Residential | R1 |
| 060072180 | 409 6th Ave | Single Family | Medium Density Residential | R1 |

2.4 Project Characteristics

Land use intensity and building conditions vary in the project area. Roughly two-thirds of the project area has development potential by virtue of a parcel having a relatively low floor area ratio (the ratio of total building floor area to site area) and/or relatively low building value to land value, as compared with established development trends.

In 2011, the County of San Mateo adopted the North Fair Oaks Community Plan, which promotes infill development along the commercial and transportation corridors that comprise most of the project area, where parcels presently have relatively low intensity and can be converted to more urban uses over time, to help revitalize North Fair Oaks, produce more housing, and confer other community benefits. An EIR was certified for the Community Plan in November 2011 (State Clearinghouse Number 2011042099), which includes mitigation measures that are required for future development within the Plan Area.

To implement the Community Plan, the County subsequently adopted new mixed-use designations, standards, and procedures as part of its Zoning Regulations. These new zoning districts, the NMU, NMU-ECR, CMU-1, CMU-2, CMU-3, as well as Light Industrial District (M-1)/North Fair Oaks (NFO) and M-1/Edison, were adopted between 2011 and 2019.

Since adoption, application of the new districts has revealed a number of ways in which they could be amended to improve clarity, reduce ambiguity, and facilitate application and administration of the regulations. In addition, the State of California has since enacted various new laws that require that zoning that regulates the production of multi-family housing provide objective development

standards and streamlined permitting and approval processes that can be applied ministerially to encourage housing production, and the zoning regulations as currently written do not conform to these new laws.

Furthermore, the County of San Mateo, like jurisdictions throughout the region and the state, is experiencing increasing demand for housing, and consequent housing availability and affordability challenges, and foresees the potential inability to provide sufficient housing for unincorporated County residents without increasing the allowed residential densities of some areas, particularly those areas in proximity to transit. The County has identified 54 parcels adjacent to the existing CMU-1, CMU-3, and NMU zoning districts that can be zoned to allow higher-intensity and higher-density residential and/or residential mixed-use development in order to facilitate additional production of housing.

To meet the goals identified above, the project has two distinct but interrelated components:

1. Amendments to the existing commercial mixed-use and neighborhood mixed-use zoning districts along Middlefield Road, El Camino Real, and 5th Avenue, as shown in Figure 2-4, to ensure that the zoning regulations are consistent with recent changes to State law, to improve clarity and usability of the regulations, and to ensure the zoning regulations are implementing the goals of the North Fair Oaks Community Plan.
2. Rezoning and related amendments to General Plan Land Use Designations of several residentially-zoned areas adjacent to El Camino Real and Middlefield Road, as shown in Figure 2-3, from, variously, the existing R-1 One-Family Residential and R-3 Multiple-Family Residential zoning designations to either CMU-1, CMU-3, or NMU, to allow more multifamily and commercial-residential mixed-use development. The rezoning portion of the project would result in increased heights and densities in these areas, as described in the tables.

The proposed zoning amendments to improve the clarity, applicability, and compliance with State law of the existing zoning regulations would apply to the entirety of the areas zoned CMU-1, CMU-2, CMU-3, NMU, and NMU-ECR, as shown in Figure 2-3, and would also apply to the areas proposed for rezoning, once the rezoning is complete. The rezoning of adjacent parcels to higher-density residential would include all of the parcels listed in Table 2-2, below.

Table 2-2 Proposed Rezoning Parcels – Proposed Designations

| Assessor's Parcel Number | Proposed New Zoning District | Maximum Allowable Density (Dwelling Units Per Acre) | Proposed New Land Use Designation | Anticipated Square Footage of Commercial Area Based on Site Area ¹ |
|--------------------------|------------------------------|---|-----------------------------------|---|
| 054205010 | CMU3 | 120 | Commercial Mixed Use | 0 |
| 054206150 | CMU3 | 120 | Commercial Mixed Use (no change) | 1,000 |
| 054206160 | CMU3 | 120 | Commercial Mixed Use (no change) | 1,000 |
| 054211160 | CMU3 | 120 | Commercial Mixed Use | 2,000 |
| 054211180 | CMU3 | 120 | Commercial Mixed Use | 1,000 |
| 054211280 | CMU3 | 120 | Commercial Mixed Use | 1,000 |
| 054211310 | CMU3 | 120 | Commercial Mixed Use | 1,000 |
| 054215120 | CMU3 | 120 | Commercial Mixed Use | 0 |
| 054215140 | CMU3 | 120 | Commercial Mixed Use | 2,000 |

County of San Mateo
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| Assessor's Parcel Number | Proposed New Zoning District | Maximum Allowable Density (Dwelling Units Per Acre) | Proposed New Land Use Designation | Anticipated Square Footage of Commercial Area Based on Site Area ¹ |
|--------------------------|------------------------------|---|-----------------------------------|---|
| 054215150 | CMU3 | 120 | Commercial Mixed Use | 1,000 |
| 054215160 | CMU3 | 120 | Commercial Mixed Use | 1,500 |
| 054215170 | CMU3 | 120 | Commercial Mixed Use | 0 |
| 054215180 | CMU3 | 120 | Commercial Mixed Use | 4,812 |
| 054215300 | CMU3 | 120 | Commercial Mixed Use | 1,000 |
| 054215310 | CMU3 | 120 | Commercial Mixed Use | 2,000 |
| 054217100 | CMU3 | 120 | Commercial Mixed Use | 0 |
| 054217180 | CMU3 | 120 | Commercial Mixed Use | 1,000 |
| 054217200 | CMU3 | 120 | Commercial Mixed Use | 2,000 |
| 054217030 | CMU3 | 120 | Commercial Mixed Use | 3,000 |
| 054261210 | CMU1 | 80 | Commercial Mixed Use | 2,076 |
| 054261270 | CMU1 | 80 | Commercial Mixed Use | 2,229 |
| 054263070 | CMU1 | 80 | Commercial Mixed Use | 793 |
| 054263100 | CMU1 | 80 | Commercial Mixed Use | 1,562 |
| 054267050 | CMU1 | 80 | Commercial Mixed Use | 0 |
| 054267110 | CMU1 | 80 | Commercial Mixed Use | 1,140 |
| 054267190 | CMU1 | 80 | Commercial Mixed Use | 672 |
| 054276010 | CMU1 | 80 | Commercial Mixed Use | 974 |
| 054276020 | CMU1 | 80 | Commercial Mixed Use | 587 |
| 054276030 | CMU1 | 80 | Commercial Mixed Use | 1,132 |
| 054276060 | CMU1 | 80 | Commercial Mixed Use | 516 |
| 054276070 | CMU1 | 80 | Commercial Mixed Use | 526 |
| 054276080 | CMU1 | 80 | Commercial Mixed Use | 1,069 |
| 054276090 | CMU1 | 80 | Commercial Mixed Use | 1,088 |
| 054276100 | CMU1 | 80 | Commercial Mixed Use | 1,106 |
| 054276110 | CMU1 | 80 | Commercial Mixed Use | 1,133 |
| 054276120 | CMU1 | 80 | Commercial Mixed Use | 1,161 |
| 054276130 | CMU1 | 80 | Commercial Mixed Use | 981 |
| 054276140 | CMU1 | 80 | Commercial Mixed Use | 994 |
| 054276330 | CMU1 | 80 | Commercial Mixed Use | 0 |
| 054284010 | CMU1 | 80 | Commercial Mixed Use | 2,000 |
| 054284020 | CMU1 | 80 | Commercial Mixed Use | 0 |
| 054284100 | CMU1 | 80 | Commercial Mixed Use | 2,100 |
| 054284110 | CMU1 | 80 | Commercial Mixed Use | 1,039 |
| 054284120 | CMU1 | 80 | Commercial Mixed Use | 2,329 |
| 054284130 | CMU1 | 80 | Commercial Mixed Use | 1,000 |
| 054284300 | CMU1 | 80 | Commercial Mixed Use | 0 |
| 054284310 | CMU1 | 80 | Commercial Mixed Use | 1,050 |

| Assessor's Parcel Number | Proposed New Zoning District | Maximum Allowable Density (Dwelling Units Per Acre) | Proposed New Land Use Designation | Anticipated Square Footage of Commercial Area Based on Site Area ¹ |
|--------------------------|------------------------------|---|-----------------------------------|---|
| 054284320 | CMU1 | 80 | Commercial Mixed Use | 1,050 |
| 054284340 | CMU1 | 80 | Commercial Mixed Use | 3,150 |
| 054276040 | CMU1 | 80 | Commercial Mixed Use | 1,157 |
| 054276050 | CMU1 | 80 | Commercial Mixed Use | 1,182 |
| 060056250 | NMU-DR | 60 | Neighborhood Mixed Use | 8,786 |
| 060059180 | NMU-DR | 60 | Neighborhood Mixed Use | 2,196 |
| 060072180 | NMU-DR | 60 | Neighborhood Mixed Use | 2,090 |

Notes: CMU3 = Commercial Mixed Use-3; CMU1 = Commercial Mixed Use-1; NMU-DR = Neighborhood Mixed-Use-Design Review

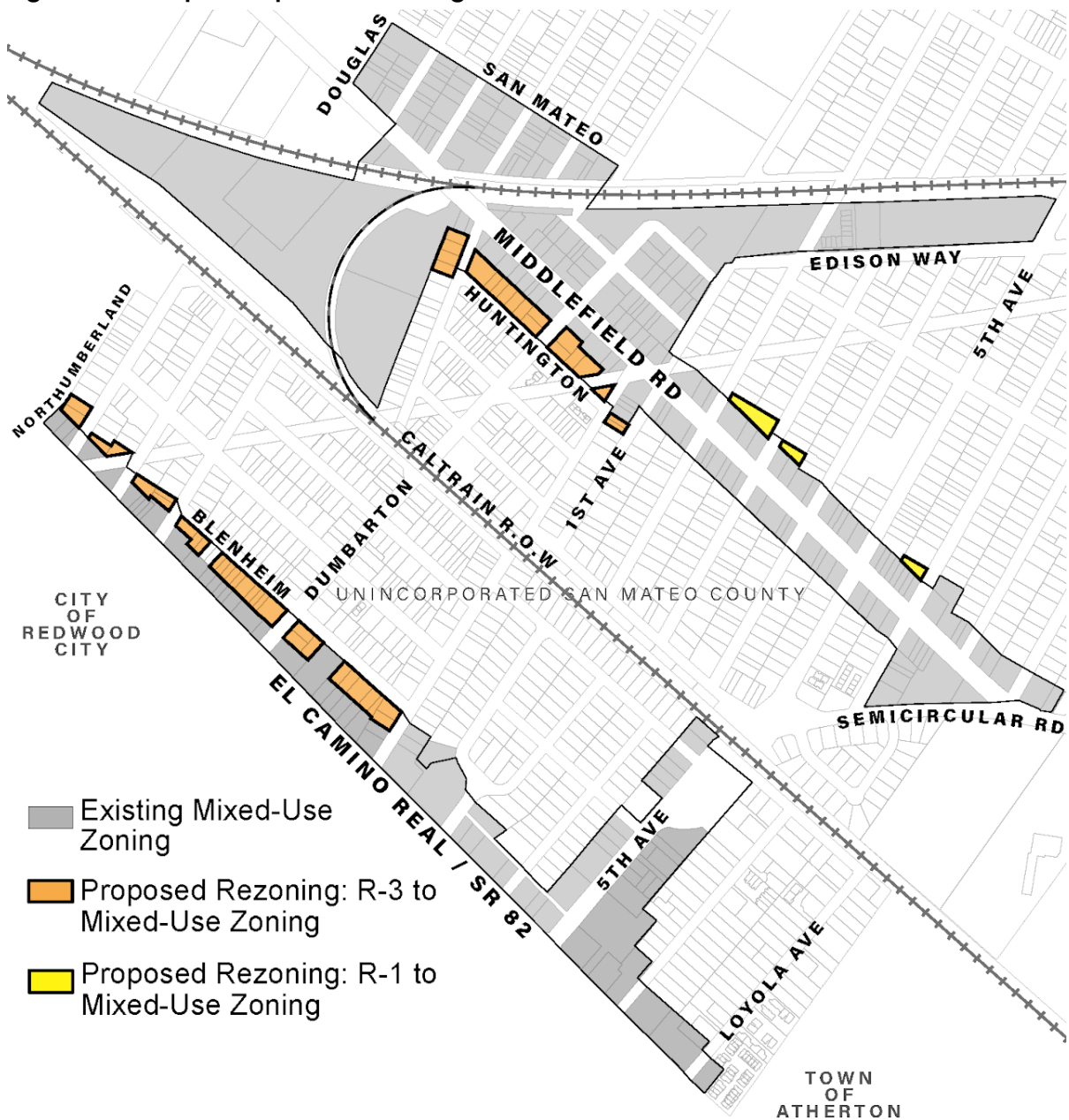
¹ Commercial square footage was calculated using an assumption of 40% ground floor commercial for sites that are likely to be developed, which was determined based on the size of existing commercial uses in the North Fair Oaks area.

2.4.1 Proposed Changes

The project would result in changes to the County's Zoning Regulations for mixed use designations, namely CMU-1, CMU-2, CMU-3, NMU, and NMU-ECR. Changes in regulation would apply when new buildings and/or site improvements are being considered on parcels, and include physical standards, allowable activities, and development procedures; and changes to the County's General Plan Land Use maps.

No change in allowable residential density is proposed for any mixed use designation (CMU-1, CMU-2, CMU-3, NMU, NMU-ECR, and Mixed-Use Industrial [M-1]). An increase in allowable density would occur, however, with the rezoning of parcels from R-1 and R-3 zoning designations to the adjacent mixed use designation. Figure 2-5 provides a map showing the location of all proposed rezoning parcels.

Figure 2-5 Map of Proposed Rezoning Parcels



Source: WRT 2023

Table 2-3 provides a comparison of the existing potential number of dwelling units and population buildout potential of the 54 rezoning parcels, the proposed dwelling unit and population buildout potential, and the overall change in the buildout population that would result from the project. Project implementation could facilitate up to 332 additional dwelling units, 74,179 square feet of commercial space, and approximately 918 additional people.¹ Physical changes resulting from project implementation may include development of higher-density housing and first-floor commercial uses.

Table 2-3 Housing Unit and Population Buildout Potential

| Assessor's Parcel Number | Existing Dwelling Units | Total Allowable Dwelling Units Under Current Designation | Anticipated Total Dwelling Units Under Proposed Designation | Increase in Total Dwelling Units (Buildout Potential) | Increase in Buildout Population Potential ¹ |
|--------------------------|-------------------------|--|---|---|--|
| 054205010 | 1 | 1 | 1 | 0 | 0 |
| 054206150 | 1 | 4 | 7 | 6 | 16 |
| 054206160 | 1 | 4 | 7 | 6 | 16 |
| 054211160 | 1 | 4 | 14 | 13 | 35 |
| 054211180 | 3 | 3 | 7 | 4 | 10 |
| 054211280 | 3 | 3 | 7 | 4 | 10 |
| 054211310 | 3 | 3 | 7 | 4 | 10 |
| 054215120 | 1 | 1 | 1 | 0 | 0 |
| 054215140 | 1 | 4 | 14 | 13 | 35 |
| 054215150 | 2 | 2 | 7 | 4 | 12 |
| 054215160 | 1 | 4 | 10 | 9 | 26 |
| 054215170 | 1 | 1 | 1 | 0 | 0 |
| 054215180 | 1 | 4 | 33 | 32 | 89 |
| 054215300 | 2 | 2 | 7 | 5 | 13 |
| 054215310 | 1 | 4 | 14 | 13 | 35 |
| 054217100 | 2 | 2 | 2 | 0 | 0 |
| 054217180 | 4 | 4 | 7 | 3 | 9 |
| 054217200 | 0 | 4 | 14 | 14 | 38 |
| 054217030 | 0 | 4 | 21 | 20 | 56 |
| 054261210 | 0 | 4 | 10 | 10 | 26 |
| 054261270 | 1 | 4 | 10 | 9 | 26 |
| 054263070 | 1 | 2 | 4 | 3 | 7 |
| 054263100 | 1 | 4 | 7 | 6 | 17 |
| 054267050 | 1 | 2 | 1 | 0 | 0 |
| 054267110 | 1 | 2 | 5 | 4 | 12 |
| 054267190 | 0 | 2 | 3 | 3 | 9 |
| 054276010 | 2 | 2 | 4 | 2 | 6 |
| 054276020 | 1 | 2 | 3 | 2 | 5 |

¹ Calculation based on 2.77 persons per household in unincorporated San Mateo County (California Department of Finance 2022). See Table 4.11-1 in Section 4.11, *Population and Housing*, for more detail.

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| Assessor's Parcel Number | Existing Dwelling Units | Total Allowable Dwelling Units Under Current Designation | Anticipated Total Dwelling Units Under Proposed Designation | Increase in Total Dwelling Units (Buildout Potential) | Increase in Buildout Population Potential ¹ |
|--------------------------|-------------------------|--|---|---|--|
| 054276030 | 1 | 4 | 5 | 4 | 12 |
| 054276060 | 1 | 2 | 2 | 1 | 4 |
| 054276070 | 0 | 2 | 2 | 2 | 7 |
| 054276080 | 1 | 4 | 5 | 4 | 11 |
| 054276090 | 0 | 4 | 5 | 5 | 14 |
| 054276100 | 0 | 4 | 5 | 5 | 14 |
| 054276110 | 4 | 2 | 5 | 1 | 3 |
| 054276120 | 0 | 4 | 5 | 5 | 15 |
| 054276130 | 0 | 4 | 5 | 5 | 12 |
| 054276140 | 0 | 4 | 5 | 5 | 13 |
| 054276330 | 16 | 16 | 16 | 0 | 0 |
| 054284010 | 1 | 4 | 9 | 8 | 23 |
| 054284020 | 1 | 1 | 1 | 0 | 0 |
| 054284100 | 1 | 4 | 10 | 9 | 24 |
| 054284110 | 1 | 4 | 5 | 4 | 10 |
| 054284120 | 1 | 4 | 11 | 10 | 27 |
| 054284130 | 1 | 2 | 5 | 4 | 10 |
| 054284300 | 1 | 1 | 1 | 0 | 0 |
| 054284310 | 2 | 2 | 5 | 2 | 7 |
| 054284320 | 2 | 2 | 5 | 2 | 7 |
| 054284340 | 1 | 4 | 14 | 13 | 37 |
| 054276040 | 0 | 0 | 5 | 5 | 15 |
| 054276050 | 0 | 0 | 5 | 5 | 15 |
| 060056250 | 0 | 4 | 30 | 30 | 84 |
| 060059180 | 1 | 4 | 8 | 7 | 18 |
| 060072180 | 0 | 4 | 7 | 7 | 20 |
| Total | 76 | 172 | 407 | 332 | 918 |

Note: Numbers may not add due to rounding.

¹ Population based on 2.77 persons per household in unincorporated San Mateo County (California Department of Finance 2022).

Future residential projects may in some cases use provisions of the State Density Bonus law (California Government Code Sections 65915 – 65918) to develop affordable and senior housing, including up to a 50 percent increase in project density, depending on the amount of affordable housing provided, and up to an 80 percent increase in density for certain projects which are 100 percent affordable. The State Density Bonus law also includes incentives to make the development of affordable and senior housing economically feasible. These include waivers and concessions, such as reduced setback, height, or minimum square footage requirements. Projects providing sufficient affordable housing can avail themselves of any applicable combination of additional density and/or other waivers and incentives, and do not always request additional density.

Whether an individual project would use the State Density Bonus law, or which bonuses, waivers or concessions would be requested, is difficult to predict, and depends on a number of variable factors, including the project developer's willingness to provide various amounts of dedicated long-term affordable housing, site feasibility, project costs, and various other considerations that are unique to each project and site. The EIR assumes maximum development standards such as building height and residential density. However, the buildout assumptions included in the Draft EIR are intended to capture the reasonable maximum potential buildout, and likely include more units than will be built under the County's development standards alone, therefore accounting for a reasonably foreseeable number of density bonus units. Assuming use of the State Density Bonus law on any or all developable sites would be speculative, as it is not possible to predict which projects on which sites would use which waivers or concessions and how much density bonus would be requested (*CEQA Guidelines* Section 15145).

If future development facilitated by this project use the State Density Bonus, they may be subject to further project-specific environmental review under CEQA. The level of environmental review necessary may vary and would be determined once a project application has been submitted to the County. No additional analysis is warranted or appropriate at this programmatic stage.

2.5 Project Objectives

The County has established the following objectives for the proposed project:

- Adopt more effective zoning by revising provisions that are difficult to administer and/or implement, replacing provisions necessitating subjective interpretation with objective standards, refining development application and review procedures, incorporating professional practices that better promote Community Plan policies, and ensuring consistency with State law.
- Increase capacity for housing in the project area by modifying General Plan designations and zoning standards to potentially allow taller buildings and greater density in proposed rezoning areas, reduce building setbacks, modify parking requirements, and/or other strategies, while simultaneously protecting and expanding equitable access to opportunities, community livability, and desirable aspects of community character.

2.6 Required Approvals

The proposed project would require a General Plan amendment and North Fair Oaks Community Plan amendment, amendment to existing residential mixed-use zoning regulations, and rezoning of existing single- and multiple-family zoned areas to higher-intensity and higher-density residential mixed-use zoning districts. These amendments would require hearings at the County Planning Commission and Board of Supervisors, and the Board of Supervisors would have ultimate authority to both certify the EIR and adopt the proposed amendments.

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3 Environmental Setting

This section provides a general overview of the environmental setting for the proposed project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4, *Environmental Impact Analysis*.

3.1 Regional Setting

The project area is located within North Fair Oaks, an unincorporated community in San Mateo County, California, which is situated on the San Francisco Peninsula between the cities of Redwood City, Atherton, and Menlo Park. Figure 2-1 in Section 2, *Project Description*, provides an overview of the project area. The project area is regionally accessible from Highway 101, Highway 84, and Highway 82 (El Camino Real).

The Mediterranean climate of the region and the coastal influence produce moderate temperatures year-round, with rainfall concentrated in the winter months. Air quality in the Bay Area Air Quality Management District is in nonattainment for PM_{2.5} and ozone.

3.2 Project Area Setting

The project area encompasses approximately 78 acres of land. The project area is comprised of two non-contiguous subareas that are separated by a railroad right-of-way owned by Peninsula Corridor Joint Powers Board and used for freight service and Caltrain passenger rail. Of the two subareas, the northern subarea is comprised of parcels along and in the vicinity of Middlefield Road and Northside Avenue (see Figure 2-1 in Section 2, *Project Description*). The southern subarea is comprised of parcels along and in the vicinity of El Camino Real and 5th Avenue. The project area is designated for residential use and commercial mixed use and is surrounded by residential and commercial development. The project area is generally flat, as is the greater North Fair Oaks community. The project area contains a mix of commercial uses, including auto services, industrial, retail, restaurants, a motel, and office buildings; and residential uses, including multi-family and single-family buildings. Public and quasi-public uses include a public parking lot, a church, and right-of-way for the Hetch Hetchy aqueduct, which supplies water to San Francisco and other communities. There are two recreational facilities within the North Fair Oaks Community Plan area: North Fair Oaks Community Park and Friendship Park.

3.3 Cumulative Development

In addition to the specific impacts of individual projects, CEQA requires EIRs to consider potential cumulative impacts of the proposed project. CEQA defines “cumulative impacts” as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be less than significant when analyzed separately, but could have a significant impact when analyzed together. Cumulative impact analysis allows the EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a forecast of future development potential. Currently planned and pending projects in North Fair Oaks and surrounding areas are listed in Table 3-1. Figure 3-1 shows the cumulative project locations. These projects are considered in the cumulative analyses in Section 4, *Environmental Impact Analysis*.

Table 3-1 Cumulative Projects List

| Project Number | Project Name | Project Location¹ | Jurisdiction | Proposed Development | Project Status |
|-----------------------|--|--|---------------------|---|-----------------------|
| 1 | El Camino Real Hotel Project | 2567 El Camino Real | San Mateo County | 69 hotel rooms | Under Review |
| 2 | East Palo Alto Waterfront | 151 Tara Street, 264 Tara Street, 230 Demeter Street, 350 Demeter Street, and 391 Demeter Street | East Palo Alto | 750,000 square feet (sf) of office, 550,000 sf of research and development (R&D), 40,000 sf of community, 260 residential units, and protected open space areas | Under Review |
| 3 | Four Corners | 1675 Bay Road | East Palo Alto | 40,000 sf of retail, restaurants, and community; 180 residential units; 500,000 sf of employment uses | Under Review |
| 4 | 1804 Bay Road Mixed Use Project | 1804 Bay Road | East Palo Alto | 75 residential units with ground-floor retail | Approved |
| 5 | The Landing | 1990 Bay Road | East Palo Alto | 918,000 sf total of ground-floor retail, civic uses, office, and laboratory/R&D | Under Review |
| 6 | 2020 Bay Road | 2020 Bay Road | East Palo Alto | 1,343,292 sf of office | Under Review |
| 7 | 965 Weeks | 965 Weeks Street | East Palo Alto | 136 residential units | Approved |
| 8 | Strada | 1548 Maple Street | Redwood City | 131 residential units | Under Construction |
| 9 | 150 Charter Street | 150 Charter Street | Redwood City | 72 residential units | Approved |
| 10 | Gatekeeper Townhomes | 505 East Bayshore | Redwood City | 56 residential units | Under Review |
| 11 | Redwood City Discovery | 1330 El Camino Real | Redwood City | 130 residential units | Under Review |
| 12 | 590 Veterans Boulevard and 91 Winslow Street | 590 Veterans Boulevard and 91 Winslow Street | Redwood City | 95 residential units | Under Review |
| 13 | 1304 Middlefield | 1304 Middlefield Road | Redwood City | 94 residential units | Under Review |
| 14 | Harbor View | 320-350 Blomquist Street | Redwood City | 765,150 sf of office | Under Review |
| 15 | Hyatt Place Project | 1690 Broadway | Redwood City | 112 hotel rooms | Under Review |
| 16 | 240 Twin Dolphin Office | 240 Twin Dolphin Drive | Redwood City | 204,000 sf of office space | Approved |
| 17 | 690 Veterans Hotel | 690 Veterans | Redwood City | 91 hotel rooms | Approved |
| 18 | Stanford Precise Plan Block E | 440,500, and 510 Broadway | Redwood City | 265,000 sf of medical office | Under Review |
| 19 | Stanford Precise Plan Block C | 505 Broadway | Redwood City | 250,000 sf of office, 4,000 sf amenity building | Under Review |

County of San Mateo
North Fair Oaks Rezoning and General Plan Amendment Project

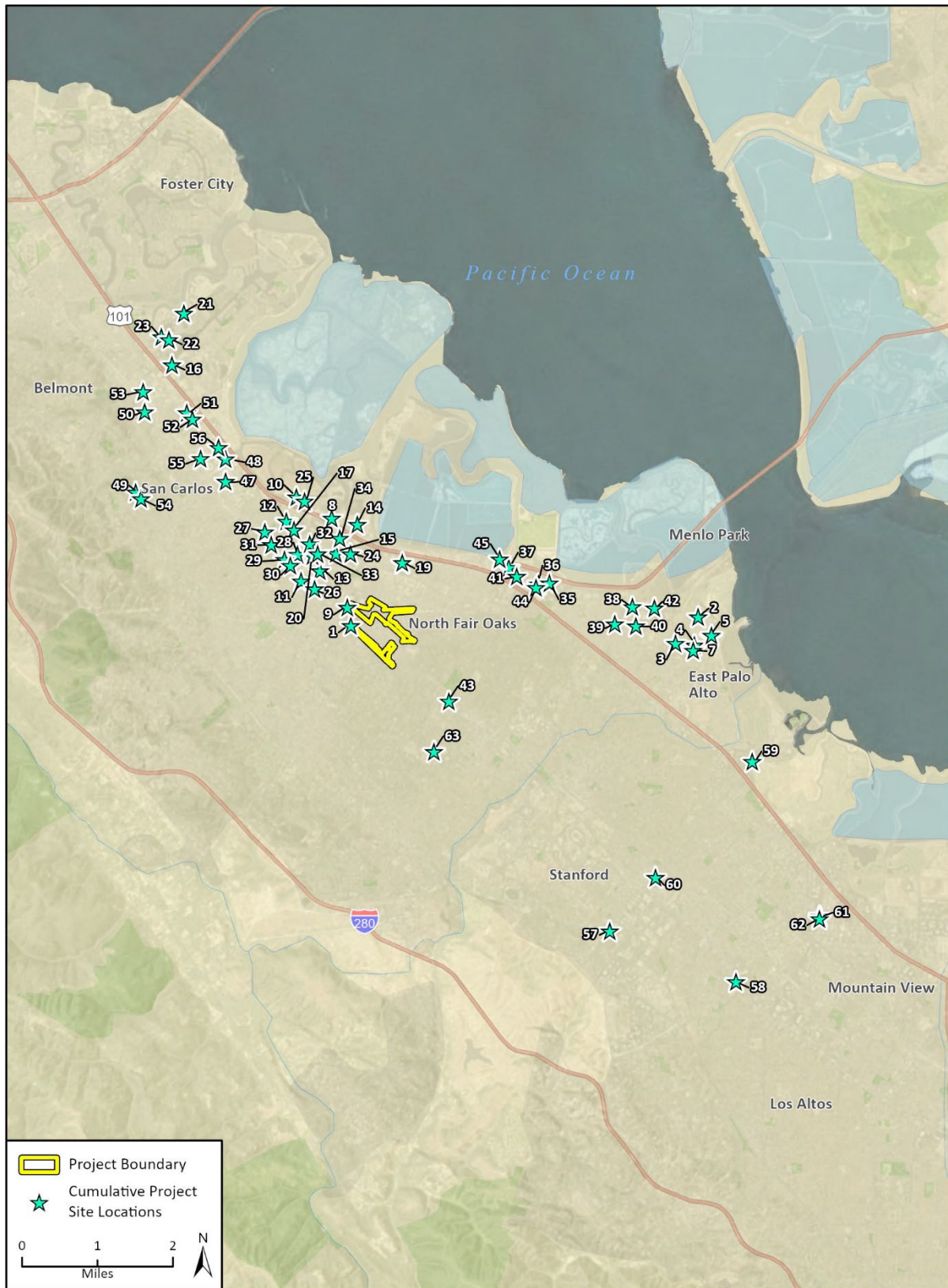
| Project Number | Project Name | Project Location ¹ | Jurisdiction | Proposed Development | Project Status |
|----------------|------------------------------------|---|--------------|--|--------------------|
| 20 | Sequoia Hotel | 800 Main Street | Redwood City | 82 hotel rooms, 5,099 sf of retail | Under Review |
| 21 | Redwood Life | Bridge Parkway | Redwood City | 970,000 sf office park, 3,310,000 sf office campus, 104-room hotel, 46,000 sf amenities building | Under Review |
| 22 | 1 Twin Dolphin | 1 Twin Dolphin Drive | Redwood City | 197,630 sf R&D | Under Review |
| 23 | 10 Twin Dolphin Drive | 10 Twin Dolphin Drive | Redwood City | 654,000 sf R&D | Under Review |
| 24 | Broadway Plaza | 1401-1501 Broadway and 2111 Bay Road | Redwood City | 518 residential units, 420,000 sf of office, 26,000 sf of retail, 10,000 sf day care | Under Construction |
| 25 | Syufy Site | 557 E Bayshore Road | Redwood City | 480 residential units, 97,101 sf recreation | Approved |
| 26 | Elco Yards | 1601 El Camino Real | Redwood City | 540 residential units, 530,000 sf office, 28,841 sf retail, 8,367 sf day care | Under Construction |
| 27 | Arguello Street Mixed Use | 1125 Arguello Street | Redwood City | 33 residential units, 305,000 sf office, 4,000 sf day care | Under Review |
| 28 | Gatekeeper 2300 Broadway | 2300 Broadway | Redwood City | 83 residential units, 213,000 sf office, 13,000 sf retail | Under Review |
| 29 | Gatekeeper 901 ECR | 901 El Camino Real | Redwood City | 100 residential units, 267,958 sf office, 1,203 sf retail, 6,599 sf Teen Center | Under Review |
| 30 | Sequoia Station | 1057 El Camino Real | Redwood City | 631 residential units, 1,230,000 sf office, 166,600 sf retail, 10,000 sf day care, open space | Under Review |
| 31 | Gatekeeper American Legion | 651 El Camino Real | Redwood City | 300 residential units, 12,000 sf American Legion building | Under Review |
| 32 | Gatekeeper Bradford/RCSD | 750 Bradford Street | Redwood City | 122 residential units, 162,031 sf office | Under Review |
| 33 | 1900 Broadway | 1900 Broadway | Redwood City | 71 residential units, 228,260 sf office, 10,100 sf retail | Under Review |
| 34 | Gatekeeper 1205 Veterans Boulevard | 1205 Veterans Boulevard | Redwood City | 409 residential units, 5,600 sf retail, 5,300 sf day care | Under Review |
| 35 | Menlo Uptown | 141 Jefferson Drive and 180-186 Constitution Drive | Menlo Park | 483 residential units, 2,940 sf office | Approved |
| 36 | Menlo Flats | 165 Jefferson Drive | Menlo Park | 158 residential units, 13,400 sf office, 1,600 sf commercial | Approved |
| 37 | Menlo Portal | 104 and 110 Constitution Drive and 115 Independence Drive | Menlo Park | 335 residential units, 34,499 sf office, 1,600 sf commercial | Approved |

| Project Number | Project Name | Project Location ¹ | Jurisdiction | Proposed Development | Project Status |
|----------------|--|--|--------------|---|--------------------|
| 38 | Willow Village | 1350-1390 Willow Road, 925-1098 Hamilton Avenue and 1005-1275 Hamilton Court | Menlo Park | 1,600,000 sf office, 200,000 sf commercial, 1,730 residential units, 193-room hotel | Approved |
| 39 | 1005 O'Brien Drive and 1320 Willow Road | 1005 O'Brien Drive and 1320 Willow Road, | Menlo Park | 227,050 sf R&D | Under Review |
| 40 | 1105-1165 O'Brien Drive | 1105-1165 O'Brien Drive | Menlo Park | 131,285 sf R&D | Under Review |
| 41 | 123 Independence Drive Residential Project | 123 Independence Drive | Menlo Park | 432 residential units | Under Review |
| 42 | 1350 Adams Court | 1350 Adams Court | Menlo Park | 260,400 sf R&D | Under Review |
| 43 | Hampton Inn by Hilton Menlo Park | 1704 El Camino Real | Menlo Park | 70-room hotel | Under Review |
| 44 | Commonwealth Building 3 Project | 162 and 164 Jefferson Drive | Menlo Park | 249,500 sf office | Under Review |
| 45 | Hotel Moxy | 3723 Haven Avenue | Menlo Park | 163-room hotel | Under Review |
| 46 | Alexandria Center for Life Sciences | 900, 960, 961, 967 Industrial Road; 1003, 1011 Commercial Street; and 915, 1055 and 1063 Old County Road | San Carlos | 1,625,390 sf of office and R&D space | Under Review |
| 47 | 1021 Howard Avenue | 1021 Howard Avenue | San Carlos | 190,869 sf R&D | Under Review |
| 48 | 1091 Industrial Road | 1091 Industrial Road | San Carlos | 139,200 sf of commercial space | Under Construction |
| 49 | 155-160 Vista Del Grande | 155-160 Vista Del Grande | San Carlos | 89 residential units | Under Review |
| 50 | Hyatt Place Hotel | 26 El Camino Real | San Carlos | 104-room hotel | Under Construction |
| 51 | 405 Industrial Road | 405 Industrial Road | San Carlos | 304,070 sf R&D | Under Review |
| 52 | 501 Industrial Road | 501 Industrial Road | San Carlos | 191-room hotel | Under Review |
| 53 | 642 Quarry Road | 642 Quarry Road | San Carlos | 410,072 sf R&D and office use | Under Review |
| 54 | 808 Alameda de las Pulgas | 808 Alameda de las Pulgas | San Carlos | 87 residential units | Under Review |
| 55 | 841 Old County Road | 841 Old County Road | San Carlos | 325,448 sf R&D buildings | Under Review |

County of San Mateo
North Fair Oaks Rezoning and General Plan Amendment Project

| Project Number | Project Name | Project Location ¹ | Jurisdiction | Proposed Development | Project Status |
|---|---|---------------------------------------|--------------|--|--------------------|
| 56 | 887 Industrial Road (formerly Meridian 25) | 887 Industrial Road | San Carlos | 528,520 sf commercial | Under Construction |
| 57 | 1451-1501, and 1601 California Avenue | 1451-1501, and 1601 California Avenue | Palo Alto | 180 residential units | Approved |
| 58 | 4256 El Camino Real Hotel Project | 4256 El Camino Real | Palo Alto | 96-room hotel | Approved |
| 59 | Auto Dealership Project | 1700 Embarcadero Road | Palo Alto | 62,000 sf service commercial | Approved |
| 60 | 231 Grant Avenue | 231 Grant Avenue | Palo Alto | 110 residential units | Approved |
| 61 | San Antonio Road Housing | 800 San Antonio Road | Palo Alto | 75 residential units | Approved |
| 62 | Housing Incentive Program Expansion and Mixed-Use Project | 788 San Antonio Road | Palo Alto | 102 residential units, 1,800 sf retail | Approved |
| 63 | Sacred Hearts Schools Academic Arts Building Project | 150 Valparaiso Ave | Atherton | 79,055 sf academic arts building | Approved |
| Source: County of San Mateo 2023; City of East Palo Alto 2023; Redwood City 2023; City of Menlo Park 2023; City of San Carlos 2023; City of Palo Alto 2023; City of Atherton 2023 | | | | | |

Figure 3-1 Location of Cumulative Projects



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Fig X Cumulative Project Sites

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4 Environmental Impact Analysis

This section discusses the possible environmental effects of the project for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. A “significant effect” as defined by the *CEQA Guidelines* Section 15382:

means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds,” which are those criteria adopted by the County and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per *CEQA Guidelines* Section 15093.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under *CEQA Guidelines* Section 15091.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other planned and pending developments in the area listed in Section 3, *Environmental Setting*.

The Executive Summary of this EIR summarizes all impacts and mitigation measures that apply to the proposed project.

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4.1 Aesthetics

This section evaluates the potential impacts on aesthetics, including scenic vistas, scenic resources, visual character and quality, and light and glare, associated with the implementation of the proposed project.

4.1.1 Setting

The unincorporated community of North Fair Oaks is situated on the San Francisco Peninsula, about halfway between San Francisco and San Jose. North Fair Oaks is characterized by a variety of land uses including a high concentration of industrial uses in the northeast parts of the community, single-family residential in the southern and southeastern parts of the community, higher intensity multi-family residential in the northern and northwestern parts of the community, higher intensity commercial in the along Middlefield Road, and higher intensity commercial and retail along the western border of the community. The landscape is characterized by marshlands and sloughs at sea level northeast of the community, which connect to the San Francisco Bay, and hilly terrain to the west of the community. The community itself is relatively flat and does not contain any significant ridgelines. The urban, built-up environment restricts views of the bay and hillsides in the distance. Highway 82 (El Camino Real) runs along the southwest boundary of North Fair Oaks, Highway 101 (Bayshore Freeway) runs just to the west of the area's western border, and Highway 84 (Woodside Road) runs just to the northeast of the community. Caltrain runs directly through North Fair Oaks, and the Southern Pacific Railroad Dumbarton Spur line also transects the community, running roughly northwest to southeast.

a. Visual Characterization of the Project Area

As described in Section 2, *Project Description*, the project would rezone residentially-zoned areas adjacent to El Camino Real and Middlefield Road from the existing R-1 and R-3 single- and multifamily zoning designations to either CMU-1, CMU-3, or NMU¹ to allow more multifamily and commercial-residential mixed-use development. The rezoning portion of the project would result in increased heights and densities in these areas. The following discussion characterizes the existing visual conditions in the project area.

El Camino Real

Commercial uses are found in a narrow business strip which runs the full length of El Camino Real through the county. Some buildings have limited landscaping. The electrical transmission lines are above ground and wires are a dominant visual element as shown in Figure 4.1-1. Although long-range views along El Camino Real are available to the public, they do not offer clear views of landscape elements such as mountains or San Francisco Bay, nor do they feature unified or cohesive architectural and landscape design. Most buildings range from one to two stories. However, the senior living center at the northwest corner of El Camino Real and East Selby Lane, as shown in Figure 4.1-2, and Fair Oaks Commons located at 2851 El Camino Real are three stories tall.

¹ CMU-1 = Commercial Mixed Use-1 District, CMU-3 = Commercial Mixed Use-3 District, NMU = Neighborhood Mixed Use District

Figure 4.1-1 View of Development along El Camino Real



Source: WRT 2022

Figure 4.1-2 Assisted Living Center on El Camino Real/E. Selby Lane



Source: WRT 2022

Middlefield Road

Middlefield Road, shown in Figure 4.1-3 and Figure 4.1-4, is the main commercial. It is characterized by higher-density commercial uses, primarily locally-serving retail, with some scattered residential uses. Some buildings have limited landscaping. Similar to other commercial areas in the community, electrical transmission lines are above ground and wires are a dominant visual element. Commercial uses in the Middlefield Road area of North Fair Oaks are intensely developed up to each property line. Some parcels include parking lots with set back commercial buildings. Building heights range from one to two stories.

Figure 4.1-3 Commerical Development with Lot Set Back Along Middlefield Road



Source: WRT 2022

Figure 4.1-4 Commercial Development Along Middlefield Road



Source: WRT 2022

Residential Areas in North Fair Oaks

The North Fair Oaks' residential area character is shaped by small single-family bungalows with attached garages which are located in a number of areas with low-rise multifamily dwellings, as shown in Figure 4.1-6 and Figure 4.1-6. Exterior construction materials of these dwellings are generally masonry stucco and finished in pastel colors. Many areas use low fences to enclose front yards. Large oak trees sporadically dot the streetscape. Street patterns are typically gridiron with a few curvilinear arrangements and often sidewalks remain undeveloped. Some areas of North Fair Oaks contain large amounts of vegetation, while others have a minimal amount.

Figure 4.1-5 View of Residential Street North of Middlefield Road



Source: WRT 2022

Figure 4.1-6 View of Adjacent Residential Neighborhoods



Source: WRT 2022

b. Light and Glare

As an urbanized area, North Fair Oaks has high light levels associated with development and transportation. Light refers to light emissions (brightness) generated by a source of light. Stationary sources of light include exterior parking lot lighting, building security lighting, and streetlights; mobile sources of light include the headlights of vehicles driving on roadways near the project site.

Glare is defined as focused, intense light emanated directly from a source or indirectly when light reflects from a surface. Daytime glare is caused in large part by sunlight shining on highly reflective surfaces at or above eye level. Reflective surfaces are associated with buildings that have expanses of polished or glass surfaces, light-colored pavement, and the windshields of parked cars.

Surface parking lots exist throughout the community, associated with commercial centers, schools, churches, and other institutions. Some of these have trees growing within the perimeter of the parking lot but others are open to the sun. Cars parked in these lots are more likely to produce glare throughout the day.

4.1.2 Regulatory Setting

a. State

California Scenic Highway Program

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program. The program was created in 1963 with the goal of protecting the aesthetic significance of scenic highways throughout the state. According to the State Streets and Highways Code (Sections 260 through 263), a highway may be designated as scenic based on its scenic quality, how much of the natural landscape can be seen by travelers, and the extent to which development intrudes on the traveler's enjoyment of the view. The California Scenic Highway Program's Scenic Highway System List identifies scenic highways that are either eligible for designation or have already been designated as such within San Mateo County, but none of these occur within the community of North Fair Oaks near the rezone sites (Caltrans 2023). The nearest officially designated State Scenic Highway is Interstate 280 from the Santa Clara County line to north of the San Bruno city limits located approximately 3.7 miles from the project area.

b. Local

San Mateo County General Plan

The Visual Quality Element of the County General Plan describes the visual character of San Mateo County's topography, natural vegetation, water bodies, developed areas, scenic roads and corridors; explains existing visual controls; analyzes relevant issues; and finally, provides statements of policy to guide decision-makers in managing the preservation and modification of these resources. The Visual Quality Element also includes detailed definitions of development, structure, ridgelines and skylines, visual resources, visual quality, public view, scenic road, and other aesthetic-based terms in order to set a standard for the county (County of San Mateo 1986).

The San Mateo County General Plan includes goals and objectives to support cohesive community design and enhance the visual quality of neighborhoods in the county.

Visual Quality Policies

Goal 4.1: Protection of Visual Quality

- a. Protect and enhance the natural visual quality of San Mateo County.
- b. Encourage positive visual quality for all development and minimize adverse visual impacts.
- c. Encourage citizen awareness and interest in San Mateo County's scenic resources.

Goal 4.3: Protection of Vegetation

- a. Minimize the removal of visually significant trees and vegetation to accommodate structural development.

Policy 4.15: Appearance of New Development

- a. Regulate development to promote and enhance good design, site relationships and other aesthetic considerations.
- b. Regulate land divisions to promote visually attractive development.

Policy 4.16: Supplemental Design Guidelines for Communities

Encourage the preparation of supplemental site and architectural design guidelines for communities that include, but are not limited to, criteria that reflect local conditions, characteristics and design objectives and are flexible enough to allow individual creativity.

Policy 4.21: Utility Structures

Minimize the adverse visual quality of utility structures, including roads, roadway and building signs, overhead wires, utility poles, T.V. antennae, distributed energy resources, solar water heaters, and satellite dishes.

Policy 4.22: Scenic Corridors

Protect and enhance the visual quality of scenic corridors by managing the location and appearance of structural development.

Policy 4.36: Urban Area Design Concept

- a. Maintain and, where possible, improve upon the appearance and visual character of development in urban areas.
- b. Ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality.

Policy 4.38: Urban Design Review District

Develop design review regulations which incorporate guidelines on managing design problems found in predominantly urban areas.

Policy 4.39: Commercial Signs and Outdoor Advertisements

Regulate commercial signs and outdoor advertising by using a consolidated set of standards.

Policy 4.40: Scenic Roads

Give special recognition and protection to travel routes in rural and unincorporated urban areas which provide outstanding views of scenic vistas, natural landscape features, historical sites and attractive urban development.

Policy 4.43: Criteria for Scenic Designation

- a. Select a variety of road types irrespective of their traffic functions, as long as the visual quality afforded justifies the selection.
- b. Select roads in rural areas representative of the variety and quality of scenery available in the County such as those which provide views of unusual natural landforms (i.e., exposed rock faces, sea cliffs, steep noticeable slopes, etc.), unique vegetative communities (i.e., large plants or trees, unusually large groups of plants, heritage trees), the coastline, streams, natural and man-made bodies of water, waterfalls, vista points, structures of architectural interest and open space areas where agricultural operations may be viewed.
- c. Select roads in urban areas which display attractive urban development (i.e., State and County historical sites, singular and multiple structures of architectural interest, engineering constructs, and other archaeological, historical, or cultural sites), and provide views of natural scenery in an urban setting.
- d. Consider routes which provide access to and connect public recreation areas and places of historic and cultural interest.

San Mateo County Code

Design Review Zoning Ordinance

San Mateo County Zoning Regulations (SMCZR) Chapter 28.1 aims to guide and regulate the design and appearance of development in order to enhance areas of the county that have deteriorated over time or are no longer up to County design standards. The Design Review Zoning Ordinance is also meant to address areas in the county that have sites or structures that are incompatible with the character of the neighborhood or are insensitive to the natural environment, especially in older undeveloped or partially developed areas, existing and proposed communities, clustered developments, and areas with unique environmental and/or resource value. This chapter aims to establish standards and policies that will promote, preserve, and enhance building design, proper site development, and other environmental characteristics in communities and areas where previous planning and zoning controls have been found inadequate for these purposes and the economic and physical stability is threatened by new development. Included in Chapter 28.1 is Section 6565.18, which sets standards for landscaping, lighting, utility provisions and extensions, and signs that are added to new commercial and mixed-use development on Middlefield Road. In addition, the section specifically requires all new utility lines developed on Middlefield Road to be underground.

Chapter 29: Design Review and Site Development Permit

SMCZR Chapter 29 applies to all areas of North Fair Oaks zoned Commercial Mixed Use-1 (CMU-1), Commercial Mixed Use-2 (CMU-2), Commercial Mixed Use-3, Neighborhood Mixed Use-El Camino Real (NMU-ECR), and certain projects in areas zoned M-1/NFO and M-1/NFO/Edison. The purpose of the design review and site development permit process is to provide a unified manner in which

developments are reviewed, by bringing to bear all of the required criteria and reviews in a single procedure, incorporating to the extent possible, zoning review, review of required environmental mitigation, and design review. Included in Chapter 29 is Section 6566.16, which sets standards for landscaping, lighting, utility provisions and extensions, and signs that are added to new commercial and mixed-use development in areas zoned as CMU-1, CMU-2, and NMU-ECR. Specifically, Section 6566.18 requires that new utility lines be developed underground. All development in the CMU-1, CMU-2, and NMU-ECR Districts must comply with the design standards described in Sections 6566.15 and 6566.16, and must obtain a site development permit according to the procedures and requirements described therein.

Community Design Manual

The Community Design Manual was created to provide guidelines by which the County Design Review Administrator may evaluate individual building permits where the Design Review Zoning District is combined with existing zoning districts. The Manual is designed to be flexible in structure and organization so that additional guidelines and criteria may be added. It is the policy of San Mateo County to avoid and prevent possible community deterioration, through the implantation of the design criteria set forth in the Manual. These criteria help to preserve and enhance property values, the visual character of communities, natural resources, and the public health, safety, and welfare of San Mateo County.

Significant Tree Ordinance

The San Mateo County Significant Tree Ordinance is included as Part Three of Division VIII of the San Mateo County Ordinance Code. San Mateo County deemed existing and future trees in the County as a valuable and distinctive natural resource. The trees and tree communities of the County augment the economic base through provision of resources for forest products, encouragement of tourism, and enhancement of the living environment. The Significant Tree Ordinance prohibits the indiscriminate removal or destruction of trees and tree communities in San Mateo County. In addition, the ordinance requires that the preservation and replacement of significant tree communities on private and public property is necessary to protect the natural beauty of the area, protect property values, and prevent undesirable changes in the environment (County of San Mateo 1990).

Ordinance No. 2427

Ordinance No. 2427 contains the Regulations for the Preservation, Protection, Removal and Trimming of Heritage Trees on Public and Private Property. The heritage tree population in San Mateo County has been an asset in contributing to the economic, environmental, and aesthetic stability of the County and the welfare of its people and of future generations. Destruction of heritage trees could diminish beauty, scientific and historical values, adversely affect the environment, reduce property values, detract from scenic highways, and destroy the County's recreational economy. It is prohibited for any person to cut down, destroy, move, trim or prune a tree so that it effectively removes any heritage tree growing on any public or private property within the unincorporated area of San Mateo County without first obtaining a permit from the San Mateo County Planning Department (County of San Mateo 1977).

North Fair Oaks Community Plan

Chapter 7 of the North Fair Oaks Community Plan established design standards for the community. The design standards and guidelines in this chapter provided direction for the physical development of North Fair Oaks and provide property owners and developers with a clear vision of the type and quality of development the community desires and expects. In addition to the land use regulations described in Chapter 2: Land Use Designations, the standards and guidelines promote high-quality, context-sensitive development. The standards and guidelines are not intended to be only prescriptive. Rather, they are meant to provide sufficient flexibility for creativity and variety in the design and development of public and private space (County of San Mateo 2011a, 2011b).

4.1.3 Impact Analysis

a. Methodology and Significance Thresholds

Pursuant to Public Resources Code Section 21099(d)(1), aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area are not considered significant impacts on the environment. However, impacts to aesthetics have been evaluated here to demonstrate CEQA compliance and consistency with all applicable regulations.

The following thresholds of significance are based on *CEQA Guidelines* Appendix G. For purposes of this EIR, implementation of the proposed project may have a significant adverse impact if it would do any of the following:

1. Have a substantial adverse effect on a scenic vista;
2. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
3. In non-urbanized areas, substantially degrade existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or
4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

b. Project Impacts and Mitigation Measures

| |
|--|
| Threshold 1: Would the project have a substantial adverse effect on a scenic vista? |
|--|

Impact AES-1 THE PROPOSED PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE IMPACT ON A SCENIC VISTA. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Scenic vistas are considered expansive views from elevated positions, such as those from a roadway in the mountains, or views provided from a public place where the landscape is visible into the distance (e.g., looking at mountains across a field with little intervening development or vegetation). North Fair Oaks is characterized by marshlands and sloughs at sea level northeast of the community, which connect to the San Francisco Bay, and hilly terrain to the west of the community. The community consists of primarily urbanized, built up land and flat terrain. Many of the natural visual resources once found in urban areas of San Mateo County have been significantly altered or removed in order to accommodate intense development (County of San Mateo 1986).

The sites proposed for rezoning are located along the El Camino Real and Middlefield Road corridors where public views would not be obstructed due to intervening development. The County identifies El Camino Real between Crystal Springs Road in the City of San Mateo and Easton Drive in the City of Burlingame as a scenic corridor. While one portion of the project area is along the eastern side of El Camino Real, the area designated as a scenic corridor is located approximately 12 miles north of the project area. Thus, the project site would not be visible from an identified scenic corridor. In addition, existing trees along El Camino Real limit views of the hills to the west.

The project would rezone some parcels from R-1 and R-3 single- and multifamily zoning designations to either CMU-1, CMU-3, or NMU, to allow more multifamily and commercial-residential mixed-use development. Existing development in the rezone areas currently obstruct views of visual resources to the east and west. Physical changes resulting from development facilitated by the project may include development of higher-density housing and first-floor commercial uses. However, because views of identified scenic vistas are already obstructed, the proposed project would not have a substantial adverse impact on a scenic vista or surrounding views of the project site. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2: Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Impact AES-2 THE PROPOSED PROJECT WOULD NOT SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS WITHIN A STATE SCENIC HIGHWAY. THERE WOULD BE NO IMPACT.

The project would result in changes to the County's Zoning Regulations, which include physical standards, allowable activities, and development procedures; and changes to the County's General Plan Land Use maps, which specify the basic uses and densities appropriate to various unincorporated areas.

As noted in Section 4.1.2, *Regulatory Setting*, no eligible or officially designated scenic highways run within the project vicinity. In addition, no County designated scenic routes are near the highway. The distance from these highways, densely urbanized area, and mature trees located between scenic highways and the project area do not offer views of any parcels within the project area from a state scenic highway. Future development facilitated by the project would be required to comply with the County's applicable tree ordinances if tree removal is proposed.

Because the project site is not located within proximity of a state- or county-designated or eligible highway, the proposed project would not substantially degrade any scenic resource that would be viewed from a scenic highway. Thus, there would be no impact.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

There would be no impact.

Threshold 3: Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact AES-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CONFLICT WITH REGULATIONS THAT GOVERN SCENIC QUALITY. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The sites proposed for rezone are in an urbanized area. *CEQA Guidelines* Section 21071 defines an urbanized area as an unincorporated area that meets either of the following criteria:

- Is either of the following:
 - Completely surrounded by one or more incorporated cities, and both of the following criteria are met:
 - The population of the unincorporated area and the population of the surrounding incorporated city or cities equals not less than 100,000 persons.
 - The population density of the unincorporated area at least equals the population density of the surrounding city or cities.
 - Located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile. For purposes of this subparagraph, an “urban growth boundary” means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side.
- The Board of Supervisors with jurisdiction over the unincorporated area has previously taken both of the following actions:
 - Issued a finding that the general plan, zoning ordinance, and related policies and programs applicable to the unincorporated area are consistent with principles that encourage compact development in a manner that does both of the following:
 - Promotes efficient transportation systems, economic growth, affordable housing, energy efficiency, and an appropriate balance of jobs and housing.
 - Protects the environment, open space, and agricultural areas.
 - Submitted a draft finding to the Office of Planning and Research at least 30 days prior to issuing a final finding, and allowed the office 30 days to submit comments on the draft findings to the board of supervisors.

The North Fair Oaks community meets the first criteria because the population of its surrounding cities, Redwood City and Atherton, is greater than 100,000 persons and the population density of North Fair Oaks is greater than the population densities of its surrounding cities (California Department of Finance 2022). Therefore, this analysis considers whether the project conflicts with applicable zoning and other regulations governing scenic quality.

Most development facilitated by the project would be infill development intended to increase the visual quality of the affected areas, create a more unified visual experience, and fill in vacant and

undesirable visual areas with attractive new development. Investment in new urban infill typically improves visual quality by developing vacant, underutilized, or aging properties and improving maintenance of existing development.

Development facilitated by the proposed project would be required to comply with Chapter 7, Design Standards & Guidelines, of the North Fair Oaks Community Plan. The chapter includes policies regarding roadway and streetscape design, sidewalks and landscaping, and maintenance of community identity through strategic street planning. In addition, development facilitated by the proposed project would be required to adhere to the SMCZR Chapter 29, which establishes requirements for design review and site development permitting for all areas within North Fair Oaks zoned CMU-1, CMU-2, CMU-3, NMU-ECR, and certain projects in areas zoned M-1/NFO, and M-1/NFO/Edison. The project would amend the SMCZR to incorporate the requirements of Section 6565.18 and Chapter 28.1 into Chapter 29. Developments on Middlefield Road would continue to be required to follow Section 6565.18 standards for the use, type and color of materials used for development, as well as standards for landscaping, lighting, utility provisions and extensions, and signs that are added to new commercial and mixed-use development on Middlefield Road. As part of SMCZR Sections 6565.18 and 6566.16 requirements and consistent with General Plan Policy 4.20, all new utility distribution lines are required to be underground in the CMU-1, CMU-3, NMU-ECR Districts, and along Middlefield Road, which would improve the visual quality of local streets. Part 2 of the Building and Site Design Standards also sets general guidelines for building design and orientation, building elements and materials, site features, utilities, and landscaping. Compliance with these applicable local regulations would minimize impacts to scenic quality, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| |
|---|
| Threshold 4: Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area? |
|---|

Impact AES-4 COMPLIANCE WITH THE SMCZR WOULD ENSURE THAT NEW SOURCES OF LIGHT AND GLARE CREATED BY THE PROPOSED PROJECT WOULD NOT ADVERSELY AFFECT DAYTIME OR NIGHTTIME VIEWS IN THE AREA. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The project site includes some undeveloped and some developed parcels in an urbanized area with commensurate light and glare. Development facilitated by the project would, in large part, occur as infill on already developed parcels along the extent of El Camino Real and along Middlefield Road. New lighting could occur on buildings for safety and in pedestrian walkways, and light could be emitted from interior sources through windows on buildings. The main source of glare would likely be from the sun shining on the windows of parked cars associated with uses at the new development.

The project could affect daytime or nighttime views in the area. For sites zoned as CMU-1, CMU-2, CMU-3, or NMU-ECR, development on these sites would be required to comply with SMCZR Chapter 29. SMCZR Section 6567.6 requires that all exterior and interior lighting in CMU-1 be dark-night compliant and designed and located so that direct rays and glare are confined to the premises. In

addition, SMCZR Section 6567.6 prohibits all flood lights unless an applicant can demonstrate their need on the site. SMCZR Section 6565.20(F) requires that exterior lighting be minimized and designed with a specific activity in mind so that outdoor areas would be illuminated no more than is necessary. Additional guidance pertaining for lighting and design guidance in areas zoned as CMU-2, NMU-ECR, CMU-3 is provided in SMCZR Chapters 29.2, 29.3, and 29.4, respectively. For all areas within a NMU District in North Fair Oaks, SMCZR Section 6395 requires all exterior and interior lighting to be designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade facing public sidewalk. In addition, Design Review Districts, including NMU-ECR/DR, are subject to the lighting requirements presented in the SMCZR Chapter 28.1. Compliance with the SMCZR would ensure that new sources of light and glare created by the proposed project would not adversely affect daytime or nighttime views in the area. Therefore, this impact would be less than significant.

Development facilitated by the project would mainly occur as redevelopment of existing built sites or infill development of unused parcels between existing built sites. When facilities such as parking lots are replaced with buildings, these replacements may reduce nighttime sources of light, because parking lots are often more brightly lit during the nighttime than most buildings. Development of underutilized or vacant parcels may result in new light sources, but they would likely be congruous with nearby light sources (e.g., lighting from residential windows). Furthermore, as the development facilitated by the project would be residential units, light from windows would be mostly filtered or obscured by window coverings.

Finally, as the infill development on the rezone along El Camino Real and Middlefield Road would occur along a major transit corridor, they would be designed to encourage alternative forms of transportation. Therefore, glare associated with parked cars would be reduced. Impacts related to increased light and glare under project implementation would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.1.4 Cumulative Impacts

The geographic unit for cumulative aesthetics and visual quality impacts is the unincorporated county and adjacent incorporated cities, especially areas in five miles of the project area. This geographic scope is appropriate because views beyond five miles of the project area would not be easily seen given the areas relatively flat topography, and due to surrounding development obstructing views in all directions from the project area. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact visual resources.

Past, present, and reasonably foreseeable projects would have limited, site-specific impacts on public viewsheds and scenic resources throughout the County. Most of the projects listed in Table 3-1 would not result in substantial impacts to public viewsheds or scenic resources given the proposed massing and heights of structures, or the proposed locations within developed areas with comparable structures. Similar to the project, those projects would undergo design review or environmental review to mitigate impacts to the extent feasible, and cumulative impacts would be

less than significant. As discussed under Impact AES-1, development facilitated by the project would be required to adhere to applicable zoning and development regulations and General Plan policies. Project implementation and development facilitated by the project would not result in a considerable contribution to this cumulative impact.

Scenic highways traverse the county in some areas but not within the vicinity of the project area. Cumulative development projects would be required to adhere to applicable zoning and development regulations and General Plan policies to mitigate environmental impacts where feasible and discretionary projects would undergo environmental as well as design review, including consideration of whether the projects would affect visual resources within a state scenic highway. Cumulative impacts would not be significant. Development facilitated by the project would also be required to adhere to similar development regulations, and would not have a considerable contribution to cumulative impacts to scenic resources within a state scenic highway.

Cumulative development would be required to adhere to applicable zoning and development regulations and General Plan policies, would undergo design review to mitigate environmental impacts where feasible, and would undergo environmental review where required, including consideration of whether the projects would impact aesthetic resources. With these considerations prior to project approval, cumulative impacts related to aesthetics would be less than significant. As described in Impact AES-3, the visual character of urbanized areas would not significantly change with development in the project area and the proposed project would not have a considerable contribution to cumulative impacts related to visual quality.

An increase in light and glare could be cumulative considerable as the unincorporated county and incorporated cities continue to be built out. Regulations that govern light and glare would apply to cumulative projects, which would undergo individual design review, which would ensure adherence to County and City standards related to light and glare. Cumulative impacts would be less than significant. As described under Impact AES-4, development facilitated by the project would increase the level of light and glare in the project area, and future development would be required to undergo design review, including ensuring compliance with County standards related to light and glare. With these considerations prior to project approval, the proposed project would not have a considerable contribution to cumulative impacts related to light and glare.

4.2 Air Quality

This section analyzes the potential effects on air quality related to implementation of the project, including impacts due to construction, operations, and impacts to nearby sensitive receptors.

4.2.1 Setting

a. Climate and Topography

Air quality is affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric conditions, such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, influence the relationship between air pollutant emissions and air quality.

The project site is in the San Francisco Bay Area Air Basin (SFBAAB), which is comprised of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma Counties. SFBAAB covers approximately 5,540 square miles of complex terrain, consisting of coastal mountain ranges, inland valleys, and the San Francisco Bay. The SFBAAB is generally bounded on the west by the Pacific Ocean, on the north by the Coast Ranges, and on the east and south by the Diablo Range.

The climate within the SFBAAB is dominated by a strong, semi-permanent, subtropical high-pressure cell over the northeastern Pacific Ocean. Climate is also affected by the adjacent oceanic heat reservoir's moderating effects. Mild summers and winters, moderate rainfall and humidity, and daytime onshore breezes characterize regional climatic conditions in the San Francisco Bay Area (Bay Area). In summer, when the high-pressure cell is strongest and farthest north, fog forms in the morning and temperatures are mild. In winter, when the high-pressure cell is weakest and farthest south, occasional rainstorms occur.

Winter daytime temperatures in the SFBAAB typically average in the mid-50s, with nighttime temperatures averaging in the low 40s. Summer daytime temperatures typically average in the 70s, with nighttime temperatures averaging in the 50s. Precipitation varies in the region, but in general, annual rainfall is lowest in the coastal plain and inland valley, higher in the foothills, and highest in the mountains.

b. Air Pollutants of Primary Concern

Criteria air pollutants are defined as those pollutants for which the federal and state governments have established air quality standards for outdoor or ambient concentrations to protect public health with a determined margin of safety. Ozone (O₃) is generally considered to be regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as carbon monoxide (CO), nitrogen dioxide (NO₂), and sulfur dioxide (SO₂) are considered local pollutants because they tend to accumulate in the air locally. Coarse particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}) are considered both regional and local pollutants.

Ozone

O₃ is a highly oxidative unstable gas, produced by a photochemical reaction (triggered by sunlight) between nitrogen oxides (NO_x) and reactive organic gas (ROG)/volatile organic compounds (VOC).¹ ROG are composed of non-methane hydrocarbons (with some specific exclusions), and NO_x is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and NO₂. NO_x is formed during the combustion of fuels, while ROG are formed during combustion and evaporation of organic solvents. As a highly reactive molecule, O₃ readily combines with many different components of the atmosphere. Consequently, high levels of O₃ tend to exist only while high ROG and NO_x levels are present to sustain the O₃ formation process. Once the precursors have been depleted, O₃ levels rapidly decline. Because these reactions occur on a regional rather than local scale, O₃ is considered a regional pollutant. Groups most sensitive to O₃ include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors (United States Environmental Protection Agency [USEPA] 2022a). Depending on the level of exposure, O₃ can result in the following:

- Cause coughing and sore or scratchy throat;
- Make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath;
- Inflammation and damage the airways;
- Make the lungs more susceptible to infection;
- Aggravate lung diseases such as asthma, emphysema, and chronic bronchitis; and/or
- Increase the frequency of asthma attacks.

Carbon Monoxide

CO is a localized pollutant that is found in high concentrations only near its source. The major source of CO, a colorless, odorless, poisonous gas, is the incomplete combustion of petroleum fuels by automobile traffic. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of CO include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces during the winter. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. People with heart disease have restricted blood flow which results in a lack of oxygen to the heart muscle. These people are especially vulnerable to the effects of CO when exercising or under increased stress, when the heart needs more oxygen than usual. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (USEPA 2022b).

Nitrogen Dioxide

NO₂ is a by-product of fuel combustion; the primary sources are motor vehicles and industrial boilers and furnaces. The principal form of NO_x produced by combustion is nitric oxide, but nitric oxide reacts rapidly to form NO₂, creating the mixture of nitric oxide and NO₂, commonly called NO_x. NO₂ is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Such exposures over short periods can aggravate respiratory diseases, particularly

¹ The California Air Resources Board defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this EIR.

asthma, leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), and increase hospital admissions and visits to emergency rooms. Longer exposures to elevated concentrations of NO₂ may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are generally at greater risk for the health effects of NO₂ (USEPA 2022c). NO₂ absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O₃/smog and acid rain.

Sulfur Dioxide

SO₂ is included in a group of highly reactive gases known as “oxides of sulfur.” The largest sources of SO₂ emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO₂ emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO₂ can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO₂ (USEPA 2022d).

Particulate Matter

Suspended atmospheric PM₁₀ and PM_{2.5} is comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. Both PM₁₀ and PM_{2.5} are directly emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. Particulate matter is also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with PM₁₀ and PM_{2.5} can be very different. PM₁₀ is generally associated with dust mobilized by wind and vehicles while PM_{2.5} is generally associated with combustion processes as well as formation in the atmosphere as a secondary pollutant through chemical reactions. PM₁₀ can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For PM_{2.5}, short-term exposures (up to 24-hours duration) have been associated with respiratory issues such as acute bronchitis and asthma attacks. In addition, PM_{2.5} can cause premature mortality, increased hospital admissions for heart or lung issues, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases (California Air Resources Board [CARB] 2022a).

Toxic Air Contaminants

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about 1/70th the diameter of a human hair) and thus is a subset of PM_{2.5}. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2022b).

TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is

typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

TACs include both organic and inorganic chemical substances. While DPM is a main source, TACs may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. People exposed to toxic air pollutants at sufficient concentrations and durations may have an increased chance of developing cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2020).

c. Air Quality Standards and Attainment

The federal and state governments have authority under the Federal and State Clean Air Act (CAA) to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as “the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health” (CARB 2019a). The USEPA is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Federal and state AAQS have been established for six criteria pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead. AAQS are designed to protect those segments of the public most susceptible to respiratory distress, such as children under the age of 14, the elderly (over the age of 65), persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases (USEPA 2016). In addition to the federal criteria pollutants, the California Ambient Air Quality Standards (CAAQS) also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride (CARB 2019b). Table 4.2-1 lists the current National Ambient Air Quality Standards (NAAQS) as well as the CAAQS for regulated pollutants.

USEPA and CARB designate air basins or portions of air basins and counties as being in “attainment” or “nonattainment” for each of the criteria pollutants. Areas that do not meet the AAQS standards are classified as nonattainment areas. The NAAQS (other than O₃, PM₁₀, PM_{2.5}, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. The NAAQS for O₃, PM₁₀, and PM_{2.5} are based on statistical calculations over one- to three-year periods, depending on the pollutant. The CAAQS are not to be exceeded during a three-year period. The attainment status for San Mateo County is included in Table 4.2-2.

Pursuant to the CAA, USEPA designates areas as attainment, nonattainment, or maintenance for each criteria pollutant based on whether the NAAQS have been achieved. Whether an area meets the state and federal standards is based on air quality monitoring data. Areas that are unclassified have insufficient monitoring data for a specific pollutant to determine attainment or nonattainment status, although unclassified areas are typically treated as attainment for a specific pollutant. Since attainment and nonattainment designation is pollutant-specific, an area may be classified as nonattainment for one pollutant and attainment for another. Similarly, because the state and federal standards differ, an area could be classified as attainment for the federal standards of a pollutant and as nonattainment for the state standards of the same pollutant. The region is designated as a nonattainment area for the federal and state Ozone standards and the State PM₁₀ and PM_{2.5} standards. The region is designated unclassified for attainment for all other ambient air quality standards (Bay Area Air Quality Management District [BAAQMD] 2017a).

Table 4.2-1 Federal and State Ambient Air Quality Standards

| Pollutant | Averaging Time | NAAQS | CAAQS |
|-------------------|-----------------|------------------------|-----------------------|
| Ozone | 1-Hour | – | 0.09 ppm |
| | 8-Hour | 0.070 ppm | 0.070 ppm |
| Carbon Monoxide | 8-Hour | 9.0 ppm | 9.0 ppm |
| | 1-Hour | 35.0 ppm | 20.0 ppm |
| Nitrogen Dioxide | Annual | 0.053 ppm | 0.030 ppm |
| | 1-Hour | 0.100 ppm | 0.18 ppm |
| Sulfur Dioxide | Annual | – | – |
| | 24-Hour | – | 0.04 ppm |
| | 1-Hour | 0.075 ppm | 0.25 ppm |
| PM ₁₀ | Annual | – | 20 µg/m ³ |
| | 24-Hour | 150 µg/m ³ | 50 µg/m ³ |
| PM _{2.5} | Annual | 12 µg/m ³ | 12 µg/m ³ |
| | 24-Hour | 35 µg/m ³ | – |
| Lead | 30-Day Average | – | 1.5 µg/m ³ |
| | 3-Month Average | 0.15 µg/m ³ | – |

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m³ = micrograms per cubic meter

Source: CARB 2016; USEPA 2016

Table 4.2-2 Attainment Status of Criteria Pollutants in San Mateo County

| Pollutant | State Designation | Federal Designation |
|-------------------|-------------------|-------------------------|
| O ₃ | Nonattainment | Nonattainment |
| PM ₁₀ | Nonattainment | Unclassified |
| PM _{2.5} | Nonattainment | Unclassified/Attainment |
| CO | Attainment | Attainment |
| NO ₂ | Attainment | Unclassified/Attainment |
| SO ₂ | Attainment | Attainment |

Sources: BAAQMD 2017a

d. Current Ambient Air Quality

The project is in San Mateo County that is under the jurisdiction of BAAQMD. BAAQMD is responsible for achieving and maintaining the state and federal AAQS within its jurisdiction. BAAQMD operates a network of air quality monitoring stations throughout the SFBAAB. The monitoring stations aim to measure ambient concentrations of pollutants and determine whether ambient air quality meets the state and federal standards. The monitoring station closest to the project site is the Redwood City Station, located at 897 Barron Avenue, approximately 0.6 miles north of the project site. This station measures 8-hour O₃, hourly O₃, PM_{2.5}, and NO_x. The San Francisco – Arkansas Street air monitoring station located at 10 Arkansas Street in San Francisco is the closest air monitoring station to the project site that measures PM₁₀. This station is approximately 22.9 miles northwest of the site. Table 4.2-3 indicates the number of days each

federal and state standard was exceeded at the Redwood City and San Francisco – Arkansas Street air monitoring stations. As shown in Table 4.2-3, 8-hour O₃ measurements exceeded federal and state standards in 2019 and 2020. Hourly O₃ measurements exceeded state standards in 2020 and 2021. PM₁₀ measurements exceeded the State standard in 2020 and PM_{2.5} measurements exceeded federal PM_{2.5} standards in 2020. No other state or federal standards were exceeded at these air monitoring stations.

Table 4.2-3 Ambient Air Quality Data

| Pollutant | 2019 | 2020 | 2021 |
|--|-------|-------|-------|
| 8 Hour Ozone (ppm), 8-Hour Average ¹ | 0.077 | 0.077 | 0.063 |
| Number of Days of state exceedances (>0.070 ppm) | 2 | 1 | 0 |
| Number of days of federal exceedances (>0.070 ppm) | 2 | 1 | 0 |
| Ozone (ppm), Worst Hour ¹ | 0.083 | 0.098 | 0.085 |
| Number of days of state exceedances (>0.09 ppm) | 0 | 1 | 1 |
| Nitrogen Dioxide (ppm) - Worst Hour ¹ | 0.055 | 0.050 | 0.041 |
| Number of days of state exceedances (>0.18 ppm) | 0 | 0 | 0 |
| Number of days of federal exceedances (>0.10 ppm) | 0 | 0 | 0 |
| Particulate Matter 10 microns, µg/m ³ , Worst 24 Hours ² | 42.1 | 102.3 | 32.2 |
| Number of days of state exceedances (>50 µg/m ³) | 0 | 2 | 0 |
| Number of days above federal standard (>150 µg/m ³) | 0 | 0 | 0 |
| Particulate Matter <2.5 microns, µg/m ³ , Worst 24 Hours ¹ | 29.5 | 121.1 | 30.1 |
| Number of days above federal standard (>35 µg/m ³) | 0 | 9 | 0 |

¹ Measurements were taken from the Redwood City Station

² Measurements taken from the San Francisco – Arkansas Street Station.

Source: CARB 2022c

e. Sensitive Receptors

Sensitive receptors are facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. According to BAAQMD, sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas (BAAQMD 2017b). Sensitive receptors closest to the northern subarea of the project area include single and multi-family residential uses adjacent to the northern boundary, Connect Community Charter School located approximately 820 feet north of the northern boundary, Hoover Elementary School located approximately 1,300 feet northwest of the northern boundary, single and multi-family residential uses adjacent to the eastern boundary of the project area, Garfield Community School located approximately 345 feet from the eastern boundary of the project area, Izzi at Fair Oaks Preschool located approximately 560 feet from the eastern boundary of the project area, and single and multi-family residential uses adjacent to the southern boundary of the project area. Sensitive receptors closest to the southern subarea of the project area include single and multi-family residential adjacent to the northern and eastern boundary and single-family residential adjacent to the southern boundary.

4.2.2 Regulatory Setting

a. Federal

Federal Clean Air Act

The Federal CAA governs air quality in the United States. The CAA is administered by USEPA at the federal level, CARB at the State level, and by the Air Quality Management Districts at the regional and local levels. The CAA of 1970 and the CAA Amendments of 1971 required the USEPA to establish the NAAQS, with states retaining the option to adopt more stringent standards or to include other specific pollutants. On April 2, 2007, the Supreme Court found that CO₂ is an air pollutant covered by the CAA; however, no NAAQS have been established for CO₂.

The USEPA is responsible for enforcing the federal CAA and establishing NAAQS. NAAQS are required under the 1977 CAA and subsequent amendments. The USEPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain types of locomotives. The agency has jurisdiction over emission sources outside State waters (e.g., beyond the outer continental shelf) and establishes various emission standards, including those for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission standards established by CARB.

USEPA Emission Standards for New Off-Road Equipment

In 1994, USEPA established emission standards for hydrocarbons, NO_x, CO, and PM to regulate new pieces of off-road equipment. These emission standards came to be known as Tier 1. Since that time, increasingly more stringent Tier 2, Tier 3, and Tier 4 (interim and final) standards were adopted by USEPA, as well as by CARB. Each adopted emission standard was phased in over time. New engines built in and after 2015 across all horsepower sizes must meet Tier 4 final emission standards. In other words, new manufactured engines cannot exceed the emissions established for Tier 4 final emissions standards.

b. State

California Clean Air Act

The California CAA allows the state to adopt ambient air quality standards and other regulations provided that they are at least as stringent as federal standards. CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California, including setting the CAAQS. CARB also conducts research, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB also has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

California State Implementation Plan

The SIP is a living document that is periodically modified to reflect the latest emissions inventories, plans, and rules and regulations of air basins, as reported by the agencies with jurisdiction over them. The CAA Amendments dictate that states containing areas violating the NAAQS revise their SIPs to include extra control measures to reduce air pollution. The SIP includes strategies and control measures to attain the NAAQS. The USEPA has the responsibility to review all SIPs to determine if they conform to the requirements of the CAA.

State law makes CARB the lead agency for all purposes related to the SIP. Local air districts and other agencies prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the USEPA for approval and publication in the Federal Register. The BAAQMD 2017 Clean Air Plan is the SIP for the SFBAAB. The 2017 Clean Air Plan accommodates growth by projecting the growth in emissions based on different indicators. For example, population forecasts adopted by the Association of Bay Area Governments (ABAG) are used to forecast population-related emissions. Through the planning process, emissions growth is offset by basin-wide controls on stationary, area, and transportation sources of air pollution.

California Low-Emission Vehicle Program

CARB first adopted low-emission vehicle (LEV) program standards in 1990. These first LEV standards ran from 1994 through 2003. LEV II regulations, running from 2004 through 2010, represent continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 SIP. In 2012, CARB adopted the LEV III amendments to California's LEV regulations. These amendments, also known as the Advanced Clean Car Program, include more stringent emission standards for model years 2017 through 2025 for both criteria pollutants and greenhouse gas (GHG) emissions for new passenger vehicles.

California On-Road Heavy-Duty Vehicle Program

CARB has adopted standards for emissions from various types of new on-road heavy-duty vehicles. Section 1956.8, Title 13, California Code of Regulations contains California's emission standards for on-road heavy-duty engines and vehicles, and test procedures. CARB has also adopted programs to reduce emissions from in-use heavy-duty vehicles including the Heavy-Duty Diesel Vehicle Idling Reduction Program, the Heavy-Duty Diesel In-Use Compliance Program, the Public Bus Fleet Rule and Engine Standards, and the School Bus Program and others.

California Airborne Toxics Control Measure for Asbestos

CARB has adopted Airborne Toxics Control Measures for sources that emit a particular TAC. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate Best Available Control Technology to minimize emissions. In July 2001, CARB approved an Air Toxic Control Measure for construction, grading, quarrying and surface mining operations to minimize emissions of naturally occurring asbestos. The regulation requires application of best management practices (BMPs) to control fugitive dust in areas known to have naturally occurring asbestos and requires notification to the local air district prior to commencement of ground-disturbing activities.

The measure establishes specific testing, notification and engineering controls prior to grading, quarrying, or surface mining in construction zones where naturally occurring asbestos is located on projects of any size. There are additional notification and engineering controls at work sites larger than one acre in size. These projects require the submittal of a “Dust Mitigation Plan” and approval by the air district prior to the start of a project.

Construction sometimes requires the demolition of existing buildings where construction occurs. Buildings often include materials containing asbestos. Asbestos is also found in a natural state, known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present. The project site is not located in an area likely to contain naturally occurring asbestos (California Department of Conservation 2000).

Verified Diesel Emission Control Strategies

USEPA and CARB tiered off-road emission standards only apply to new engines and off-road equipment can last several years. CARB has developed Verified Diesel Emission Control Strategies (VDECS), which are devices, systems, or strategies used to achieve the highest level of pollution control from existing off-road vehicles, to help reduce emissions from existing engines. VDECS are designed primarily for the reduction of diesel PM emissions and have been verified by CARB. There are three levels of VDECS, the most effective of which is the Level 3 VDECS. Tier 4 engines are not required to install VDECS because they already meet the emissions standards for lower tiered equipment with installed controls.

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act

TACs in California are primarily regulated through the Tanner Air Toxics Act (Assembly Bill [AB] 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588), also known as the Hot Spots Act. To date, CARB has identified more than 21 TACs and has adopted the USEPA list of HAPs as TACs.

c. Regional and Local

Bay Area Clean Air Plan

The BAAQMD is responsible for assuring that the federal and state ambient air quality standards are attained and maintained in the Bay Area. BAAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, as well as many other activities.

BAAQMD adopted the *Bay Area Clean Air Plan: Spare the Air, Cool the Climate (Bay Area Clean Air Plan)* on April 19, 2017 as an update to the 2010 Clean Air Plan. The 2017 Clean Air Plan, which

focuses on protecting public health and the climate, defines an integrated, multi-pollutant control strategy that includes feasible measures to reduce emissions for four categories: ground-level ozone and its precursors, ROG and NO_x; PM (primarily PM_{2.5}, and precursors to secondary PM_{2.5}); TACs, and greenhouse gas emissions. The control measures are categorized based on the economic sector framework and include stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, and water. To protect public health, the control strategy will decrease population exposure to PM and TACs in communities that are most impacted by air pollution with the goal of eliminating disparities in exposure to air pollution between communities. The control strategy will also protect the climate by reducing greenhouse gas emissions and developing a long-range vision of how the Bay Area could look and function in a year 2050 post-carbon economy.

BAAQMD Particulate Matter Plan

To fulfill federal air quality planning requirements, BAAQMD adopted a 2010 PM_{2.5} emissions inventory in 2012. The Bay Area Clean Air Plan also included several measures for reducing PM emissions from stationary sources and wood burning. In 2013, USEPA issued a final rule determining that the Bay Area has attained the 24-hour PM_{2.5} NAAQS, suspending federal SIP planning requirements for the SFBAAB. Despite this USEPA action, the SFBAAB will continue to be designated as nonattainment for the national 24-hour PM_{2.5} standard until BAAQMD submits a redesignation request and a maintenance plan to USEPA, and USEPA approves the proposed redesignation.

The SFBAAB is in nonattainment for the federal PM₁₀ and federal PM_{2.5} standards. USEPA lowered the 24-hour PM_{2.5} standard from 65 micrograms per cubic meter (µg/m³) to 35 µg/m³ in 2006, and designated the Air Basin as nonattainment for the new PM_{2.5} standard effective December 14, 2009.

BAAQMD believes that it would be premature to submit a redesignation request and PM_{2.5} maintenance plan at this time. Therefore, BAAQMD will prepare a “clean data” SIP to address the required elements, including:

- An emission inventory for primary PM_{2.5}, as well as precursors to secondary PM formation; and
- Amendments to the BAAQMD’s New Source Review regulation to address PM_{2.5}.

The SFBAAB will continue to be designated as nonattainment for the 24-hour PM_{2.5} NAAQS until the Air District elects to submit, and the USEPA approves, a redesignation request and maintenance plan. At this time, BAAQMD does not have an applicable SIP with which the project would be required to comply. However, development facilitated by the project would be subject to the Bay Area Clean Air Plan, in addition to regulations set forth by BAAQMD as discussed in the following section.

BAAQMD Regulations

Regulation 2, Rule 5 (New Source Review Permitting)

The BAAQMD regulates backup emergency generators, fire pumps, and other sources of TACs through its New Source Review (Regulation 2, Rule 5) permitting process. Although emergency generators are intended to be used only during periods of power outages, monthly testing of each generator is required. BAAQMD limits testing to no more than 50 hours per year. Each emergency generator installed is assumed to meet a minimum of Tier 2 emission standards (before control measures). As part of the permitting process, the BAAQMD limits the excess cancer risk from any facility to no more than 10 per 1-million-population for any permits that are applied for within a 2-

year period, and would require any source that would result in an excess cancer risk greater than 1 per 1 million to install Best Available Control Technology for Toxics.

Regulation 8, Rule 3 (Architectural Coatings)

This rule governs the manufacture, distribution, and sale of architectural coatings and limits the reactive organic gases content in paints and paint solvents. Although this rule does not directly apply to the project, it does dictate the ROG content of paint available for use during the construction.

Regulation 8, Rule 15 (Emulsified and Liquid Asphalts)

Although this rule does not directly apply to the project, it does dictate the reactive organic gases content of asphalt available for use during construction by regulating the sale and use of asphalt and limiting the ROG content in asphalt.

Regulation 7 Rule 301 (Odorous Emissions)

BAAQMD enforces odor control by helping the public to document a public nuisance. Upon receipt of a complaint, BAAQMD sends an investigator to interview the complainant and to locate the odor source if possible. BAAQMD typically brings a public nuisance court action when there are a substantial number of confirmed odor events within a 24-hour period. An odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a substantial effect on receptors. Several BAAQMD regulations and rules apply to odorous emissions. Regulation 7, Rule 301 is the nuisance provision that states that sources cannot emit air contaminants that cause nuisance to a number of persons. Regulation 7 specifies limits for the discharge of odorous substances where BAAQMD receives complaints from 10 or more complainants within a 90-day period. Regulation 7 also precludes discharge of an odorous substance that causes the ambient air at or beyond the property line to be odorous after dilution with 4 parts of odor-free air, and specifies maximum limits on the emission of certain odorous compounds.

Plan Bay Area

On October 2021, the Metropolitan Transportation Commission (MTC) approved Plan Bay Area 2050. Plan Bay Area includes integrated land use and transportation strategies for the region and was developed through OneBayArea, a joint initiative between ABAG, BAAQMD, MTC, and the San Francisco Bay Conservation and Development Commission. Plan Bay Area is also considered the ABAG/MTC Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). In accordance with SB 743, Plan Bay Area included elements designed to encourage the type of land-use development to meet three primary objectives. First, roadway level of service (LOS) could not be considered an environmental impact under the California Environmental Quality Act (CEQA). Second, it introduced changes to vehicle miles traveled (VMT) per capita as a determinant of environmental impact. Third, the use of VMT as an environmental impact in CEQA is considered a mechanism for achieving State and regional GHG reduction goals. As a regional land use plan, Plan Bay Area aims to reduce per-capita GHG emissions through the promotion of more compact, mixed-use residential and commercial neighborhoods located near transit (ABAG 2021).

North Fair Oaks Community Plan

The North Fair Oaks Community Plan was adopted in 2011 and established visions and goals for the development and physical composition of North Fair Oaks through the incorporation of policies, programs, regulations, and strategies to meet the needs of current and future residents. The

following goal and policies from the Health and Wellness Element are relevant to air quality (County of San Mateo 2011a):

Goal 5.21: Ensure that North Fair Oaks has clean, healthy air and water.

Policy 21A: Reduce the impact of direct, indirect and cumulative impacts of stationary and non-stationary sources of pollution such as heavy industry, railroads, diesel trucks and nearby roadways.

Policy 21F: Support regional, state and national initiatives and programs to reduce greenhouse gas emissions and air quality impacts locally.

4.2.3 Impact Analysis

a. Methodology

This analysis uses the BAAQMD 2017 *CEQA Air Quality Guidelines* to evaluate air quality.

Construction Criteria Pollutant and TAC Emissions

Construction-related emissions are limited in duration but may still cause adverse air quality impacts. Construction would generate emissions from three primary sources: the operation of construction vehicles (e.g., scrapers, loaders, dump trucks, etc.); ground disturbance during site preparation and grading, which creates fugitive dust; and the application of asphalt, paint, or other oil-based substances.

At this time, the pace, location, and duration associated with construction are not sufficiently detailed to quantify a specific emission impact, and thus it would be speculative to do so. Rather, construction criteria pollutant and TAC emissions impacts for the project are discussed qualitatively, pursuant to the BAAQMD 2017 *CEQA Air Quality Guidelines*. BAAQMD's 2017 *CEQA Air Quality Guidelines* have no plan-level significance thresholds for construction air pollutants emissions. However, they do include the individual project-level thresholds for construction-related and long-term operational emissions of air pollutants. These thresholds represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions.

Operation Criteria Pollutant and TAC Emissions

Based on plan-level guidance from the BAAQMD 2017 *CEQA Air Quality Guidelines*, long-term operational criteria pollutant and TAC emissions associated with implementation of the project are discussed qualitatively by comparing the project to the 2017 Clean Air Plan goals, policies, and control measures. In addition, comparing the rate of increase of project VMT and population is recommended by BAAQMD for determining significance of criteria pollutants. If the project does not meet either criterion, then impacts would be potentially significant.

Odors

The impact analysis qualitatively evaluates the types of land uses facilitated by the project to evaluate whether major sources of anticipated odors would be present and, if so, whether those sources would likely generate objectionable odors. According to the BAAQMD 2017 *CEQA Air Quality Guidelines*, the project-level threshold for odor sources is if they result in five confirmed complaints per year averaged over three years within the screening distance for land uses shown in

Table 3-3 of the guidelines (BAAQMD 2017b). The plan-level threshold states to identify the location and include policies to reduce the impacts of existing or planned sources of odors. The significance thresholds for odor impacts are qualitative in nature. Specifically, an odor-generating source with five or more confirmed complaints in the new source area per year averaged over three years is considered to have a significant impact on receptors within the screening distances provided in the guidelines.

b. Significance Thresholds

Based on Appendix G of the *CEQA Guidelines* a project may be deemed to have a significant impact on air quality if it would:

1. Conflict with or obstruct implementation of the applicable air quality plan;
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard;
3. Expose sensitive receptors to substantial pollutant concentrations; or
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Consistency with Air Quality Plan

The applicable air quality plan is the BAAQMD 2017 Bay Area Clean Air Plan, which identifies measures to:

- Reduce emissions and reduce ambient concentrations of air pollutants; and
- Safeguard public health by reducing exposure to the air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily affected by air pollution.

The project would be consistent with the Clean Air Plan if it would support the Clean Air Plan goals, include applicable control measures, and not disrupt or hinder implementation of the Clean Air Plan. Consistency with the Clean Air Plan is the basis for determining whether the project would conflict with or obstruct implementation of an applicable air quality plan.

Operational Criteria Pollutant and TAC Emissions Thresholds

BAAQMD's 2017 *CEQA Air Quality Guidelines* contain specific operational plan-level significance thresholds for criteria air pollutants. Plans must show the following over the planning period:

- Consistency with current air quality plan control measures
- VMT or vehicle trips increase is less than or equal to the plan's projected population increase

If a plan can demonstrate consistency with both of these criteria, then impacts are considered less than significant. The same thresholds listed above for construction health risks from TAC and PM_{2.5} would apply to operation.

c. Project Impacts and Mitigation Measures

Threshold 1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact AQ-1 THE PROJECT WOULD BE CONSISTENT WITH BAAQMD'S 2017 CLEAN AIR PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Under BAAQMD's methodology, a determination of consistency with *CEQA Guidelines* thresholds should demonstrate that a project:

- Supports the primary goals of the 2017 Clean Air Plan;
- Includes applicable control measures from the 2017 Clean Air Plan; and
- Does not disrupt or hinder implementation of any 2017 Clean Air Plan control measures.

The following includes a discussion of consistency with these criteria for the project. The 2017 Clean Air Plan contains 85 control measures aimed at reducing air pollution and protecting the climate in the Bay Area. For consistency with climate planning efforts at the State level, the control strategies in the 2017 Clean Air Plan are based on the same economic sector framework used by CARB, which encompass stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants (such as methane and hydrofluorocarbons). Table 4.2-4 identifies applicable control measures and discusses project consistency with the 2017 Clean Air Plan.

Table 4.2-4 Clean Air Plan Control Measures Consistency Analysis

| Control Measures | Consistency |
|--|---|
| Stationary Sources | |
| <p>SS18: Basin-Wide Combustion Strategy. Stabilize and then reduce emissions of GHGs, criteria air pollutant and toxic emissions from stationary combustion sources throughout the Air District by first establishing carbon intensity caps on major GHG sources, and then adopting new rules to (1) reduce fuel use on a source-type by source-type basis, and (2) evaluate alternatives to decarbonize abatement devices.</p> <p>SS21: New Source Review for Air Toxics. Propose revisions to Air District Rule 2-5, New Source Review of Toxic Air Contaminants, based on OEHHA's 2015 Health Risk Assessment Guidelines and CARB/CAPCOA's 2015 Risk Management Guidance. Revise the Air District's health risk assessment trigger levels for each toxic air contaminant using the 2015 Guidelines and most recent health effects values.</p> | <p>Consistent. Stationary sources are regulated directly by BAAQMD, which routinely adopts/revises rules or regulations to implement the Stationary Source control measures to reduce stationary source emissions. Therefore, new stationary sources associated with the project would be required to comply with BAAQMD's regulations.</p> |
| Transportation | |
| <p>TR2: Trip Reduction Programs. Implement the regional Commuter Benefits Program (Rule 14-1) that requires employers with 50 or more Bay Area employees to provide commuter benefits. Encourage trip reduction policies and programs in local plans, e.g., general and specific plans, while providing grants to support trip reduction efforts. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to</p> | <p>Consistent. Development facilitated by the project would promote mixed-use land uses resulting in county residents living and working in closer proximity to each other. The rezoning of parcels to mixed use would allow for commercial and commercially-related uses that would facilitate vehicle access and proximity of jobs near housing within the county.</p> |

| Control Measures | Consistency |
|---|---|
| adopt transit benefits ordinances in order to reduce transit costs to employees, and to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips. Fund various employer-based trip reduction programs. | |
| Energy | |
| <p>EN1: Decarbonize Electricity Production. Engage with PG&E, municipal electric utilities and CCEs to maximize the amount of renewable energy contributing to the production of electricity within the Bay Area as well as electricity imported into the region. Work with local governments to implement local renewable energy programs. Engage with stakeholders including dairy farms, forest managers, water treatment facilities, food processors, public works agencies and waste management to increase use of biomass in electricity production.</p> <p>EN2: Decrease Electricity Demand. Work with local governments to adopt additional energy-efficiency policies and programs. Support local government energy efficiency program via best practices, model ordinances, and technical support. Work with partners to develop messaging to decrease electricity demand during peak times.</p> | <p>Consistent. Measures EN1 and EN2 are intended to decrease energy use as a means of reducing adverse air quality emissions. Additionally, buildings developed as part of the project would comply with 2022 Building Energy Efficiency Standards (or most recent version of the California Building Code) requirements that commercial and residential buildings be electric-ready and standards for expanded solar and battery storage.</p> |
| Buildings | |
| <p>BL1: Green Buildings. Collaborate with partners such as KyotoUSA to identify energy-related improvements and opportunities for on-site renewable energy systems in school districts; investigate funding strategies to implement upgrades. Identify barriers to effective local implementation of the CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/enforcement. Work with ABAG's BayREN program to make additional funding available for energy-related projects in the buildings sector. Engage with additional partners to target reducing emissions from specific types of buildings.</p> <p>BL2: Decarbonize Buildings. Explore potential Air District rulemaking options regarding the sale of fossil fuel-based space and water heating systems for both residential and commercial use. Explore incentives for property owners to replace their furnace, water heater or natural-gas powered appliances with zero-carbon alternatives. Update Air District guidance documents to recommend that commercial and multi-family developments install ground source heat pumps and solar hot water heaters.</p> | <p>Consistent. Measures BL1 and BL2 focus on working with local governments to improve building energy efficiency and incentivize zero-carbon appliances, that would improve air quality in residential and commercial buildings. As discussed above for the Energy and Climate control measures, buildings developed as part of the project would comply with 2022 Building Energy Efficiency Standards (or the most recent version of the California Building Code) requirements that commercial and residential buildings be electric-ready and standards for expanded solar and battery storage.</p> |
| Waste Management Control Measures | |
| <p>WA4: Recycling and Waste Reduction. Develop or identify and promote model ordinances on community-wide zero waste goals and recycling of construction and demolition materials in commercial and public construction projects.</p> | <p>Consistent. Measure WA4 includes strategies to increase waste diversion rates through efforts to reduce, reuse, and recycle. Development facilitated by the project would comply with Assembly Bill 341, which requires mandatory commercial recycling for businesses that generate four cubic yards or more of commercial solid waste per week. For further discussion of waste diversion, please refer to Section 4.14, <i>Utilities and Service Systems</i>.</p> |

Source: BAAQMD 2017c

BAAQMD has identified examples of how a project or plan may disrupt or delay local government implementation of these control measures, such as a project that may preclude an extension of a transit line or bike path, or that propose excessive parking beyond parking requirements. Development within the project area does not include improvements to the circulation system or propose excessive parking beyond parking requirements. Therefore, the project would not disrupt or delay local government implementation of control measures.

Overall, the project would be consistent with the three criteria for evaluating consistency with the 2017 Clean Air Plan. As such, the project would not conflict with or obstruct implementation of the applicable air quality plan, and this impact would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2: Would the project 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?

Impact AQ-2 THE PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF CONSTRUCTION CRITERIA POLLUTANTS. THE PROJECT WOULD RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF OPERATIONAL CRITERIA POLLUTANTS. IMPACTS FROM CONSTRUCTION WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION. IMPACTS FROM OPERATION WOULD BE SIGNIFICANT AND UNAVOIDABLE.

Construction

The project would involve activities that result in air pollutant emissions. Specifically, construction activities such as demolition, grading, construction worker travel, delivery and hauling of construction supplies and debris, and fuel combustion by on-site construction equipment would generate pollutant emissions. These construction activities would create emissions of dust, fumes, equipment exhaust, and other air contaminants, particularly during site preparation and grading. The extent of daily emissions generated by construction equipment, particularly ROG_x and NO_x, would depend on the quantity of equipment used and the hours of operation for each project. The extent of PM_{2.5} and PM₁₀ emissions would depend upon the following factors: 1) the amount of disturbed soils; 2) the length of disturbance time; 3) whether existing structures are demolished; 4) whether excavation is involved; and 5) whether transporting excavated materials off site is necessary. Dust emissions can lead to both nuisance and health impacts. According to the 2017 BAAQMD *CEQA Air Quality Guidelines*, PM_{2.5} is the greatest pollutant of concern during construction.

The BAAQMD 2017 *CEQA Air Quality Guidelines* have no plan-level significance thresholds for construction air pollutant emissions that would apply to the project. However, the guidelines include project-level thresholds for construction emissions. If an individual project's construction emissions fall below the project-level thresholds, the project's impacts on regional air quality would be individually and cumulatively less than significant. BAAQMD has also identified feasible fugitive dust control measures for construction activities. These Basic Construction Mitigation Measures are recommended for all projects. In addition, BAAQMD and CARB have regulations that address the

handling of hazardous air pollutants such as lead and asbestos, which could be aerially disbursed during demolition activities. BAAQMD rules and regulations address both the handling and transport of these contaminants. Construction of development facilitated by the project would temporarily increase air pollutant emissions, possibly creating localized areas of unhealthy air pollution concentrations or air quality nuisances, resulting in a potentially significant impact.

However, implementation of Mitigation Measure AQ-2a, which incorporates Mitigation Measure 5-1 from the North Fair Oaks Community Plan Draft EIR (County of San Mateo 2011b), and the BAAQMD Basic Construction Mitigation Measures, which would be required with implementation of Mitigation Measure AQ-2b during future project-level construction would reduce fugitive dust and exhaust emissions from construction activities. Actions include watering on site, sweeping roads and public streets daily, reducing vehicle speed on unpaved roads to limit the amount of soil and dust disturbed, reducing construction equipment idling, and properly tuning and maintaining equipment. With implementation of mitigation measures AQ-2a and AQ-2b, cumulative construction impacts associated with violating an air quality standard or contributing substantially to an existing or projected air quality violation in terms of criteria air pollutant emissions would be less than significant with mitigation.

Operation

The greatest source of criteria pollutants in San Mateo County and the project area is and would continue to be from transportation sources, specifically mobile emissions from roadway traffic. The project emphasizes reducing VMT on area roadways through increased mixed uses in the area, allowing for proximity of residents to jobs and commercial services. Policies from the North Fair Oaks Community Plan Circulation and Parking Element that support a VMT reduction, and thus a reduction in mobile criteria pollutant emissions, are described in Chapter 4.13, *Transportation*. These policies focus on supporting alternative modes of travel by improving existing pedestrian facilities and providing new facilities throughout the project area, improving bicycle connectivity and wayfinding, and strengthening local and regional transit connectivity.

According to the BAAQMD 2017 *CEQA Air Quality Guidelines*, the threshold for criteria air pollutants and precursors requires a comparison of the percent increase in VMT and population. Table 4.2-5 summarizes the net increase in population versus VMT for future buildout of the project based on data provided by W-Trans (2023). The project is projected to accommodate a population of 1,129 persons, which is an increase of 918 persons or 435 percent compared to baseline conditions (211 persons). The project would generate an estimated daily VMT of 49,208 miles at buildout of the project, which is an increase of 42,138 miles or 596 percent compared to existing conditions (7,070 miles).

Table 4.2-5 Comparison of VMT and Population Increase due to the Project

| Scenario | Existing | Future | Net Increase |
|--------------------------|----------|--------|--------------|
| Population | 211 | 1,129 | 918 |
| Percentage change | | | 435% |
| VMT | 7,070 | 49,208 | 42,138 |
| Percentage change | | | 596% |

Source: See Appendix B with CalEEMod outputs.

As shown in Table 4.2-5, VMT would increase more than the population because of the emphasis on retail development in the project area through the focus on mixed-use land uses. Retail development generates additional VMT while having no direct increase on population within the project area. Therefore, while the North Fair Oaks Community Plan policies described in Chapter 4.13, *Transportation*, would have the effect of reducing mobile VMT, and in turn operational criteria pollutants, in the project area, the proportional VMT increase would exceed the population increase in the project area. No feasible mitigation measures beyond these North Fair Oaks Community Plan policies can be implemented to reduce VMT-related criteria pollutant emissions. Ultimately vehicle emissions depend on individual transportation choices that the County would not have full control over. Therefore, the project would increase overall VMT, which would lead to a considerable net increase of operational criteria pollutants. Project impacts from operational criteria pollutant emissions would be significant and unavoidable.

Mitigation Measures

AQ-2a *Implement Construction Best Management Practices*

The County shall require all discretionary development projects within the project area that propose grading, demolition, or construction activities to implement the following or similar best management practices:

- Dust control measures by construction contractors, where applicable:
 - During *demolition* of existing structures:
 - Use dust-proof chutes to load debris into trucks whenever feasible.
 - During all *construction* phases:
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
 - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - Replant vegetation in disturbed areas as quickly as possible.
 - Consult with BAAQMD prior to demolition of structures suspected to contain asbestos to ensure that demolition/construction work is conducted in accordance with BAAQMD rules and regulations.
- Best management controls on emissions by diesel-powered construction equipment used by construction contractors, where applicable:
 - When total construction projects at any one time would involve greater than 270,000 square feet of development or demolition, a mitigation program to ensure that only equipment that would have reduced NO_x and particulate matter exhaust emissions shall be implemented. This program shall meet BAAQMD performance standards for NO_x standards – e.g., should demonstrate that diesel-powered construction equipment would achieve fleet-average 20 percent NO_x reductions and 45 percent particulate matter reductions compared to the year 2023 CARB statewide fleet average.

- Ensure that visible emissions from all on-site diesel-powered construction equipment do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired or replaced immediately.
- The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
- Properly tune and maintain equipment for low emissions.

AQ-2b Implement BAAQMD Basic Construction Mitigation Measures

The County shall require that discretionary projects implement the BAAQMD Basic Construction Mitigation Measures. The BAAQMD Basic Construction Mitigation Measures are listed below:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 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.
- 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 five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the County of San Mateo regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's number shall also be visible to ensure compliance with applicable regulations.

Significance After Mitigation

Impacts on criteria air pollutants during construction would be less than significant after implementation of mitigation measures AQ-2a and AQ-2b. The increase in VMT would exceed the population increase in the project area and no feasible mitigation measures are available to reduce VMT-related criteria pollutant emissions. Ultimately vehicle emissions depend on individual transportation choices that the County would not have full control over. Therefore, impacts on criteria air pollutants during operation would be significant and unavoidable.

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| Threshold 3: Would the project expose sensitive receptors to substantial pollutant concentrations? |
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Impact AQ-3 CONSTRUCTION ACTIVITIES FOR PROJECTS LASTING LONGER THAN TWO MONTHS OR LOCATED WITHIN 1,000 FEET OF SENSITIVE RECEPTORS COULD EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS. DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO OPERATIONAL SOURCES OF TOXIC AIR CONTAMINANTS. IMPACTS FROM CONSTRUCTION WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION. IMPACTS FROM OPERATION WOULD BE LESS THAN SIGNIFICANT.

Construction

The project would result in DPM exhaust emissions from off-road, heavy-duty diesel equipment associated with site preparation (e.g., excavation, grading, clearing), building construction, and other miscellaneous construction activities. The potential cancer risk from the inhalation of DPM, as discussed below, outweighs the potential non-cancer² health impacts (CARB 2022b).

Generation of DPM from construction typically occurs in a single area for a short period. Construction of development facilitated by the project would occur over a period of many years, but use of diesel-powered construction equipment in any one area would likely occur for no more than a few years for an individual project and would cease when construction is completed in that area. It is impossible to quantify risk without identifying specific project details and locations.

The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period. According to the California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the development (OEHHA 2015). BAAQMD uses an exposure period of 30 years (BAAQMD 2016).

The maximum PM₁₀ and PM_{2.5} emissions would occur during demolition, site preparation and grading activities, which would only occur for a portion of the overall estimated timeframe for individual project construction. These activities would typically last for approximately two weeks to two years, depending on the extent of grading and excavation required (e.g., projects with subterranean parking structures or geological constraints require additional grading as compared to those without). PM₁₀ and PM_{2.5} emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less intensive construction equipment. While the maximum DPM emissions associated with demolition, site preparation, and grading activities would only occur for a portion of the overall construction period, these activities represent the worst-case condition for the total construction period. On a project-by-project basis, this would represent between 0.1 to 7 percent of the total 30-year exposure period for health risk calculation.

² Non-cancer risks include premature death, hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma, increased respiratory symptoms, and decreased lung function (CARB 2021a).

Future development facilitated by the project would also be required to be consistent with the applicable 2017 Clean Air Plan, BAAQMD regulatory requirements and control strategies, and the CARB In-Use Off-Road Diesel Vehicle Regulation, which are intended to reduce emissions from construction equipment and activities. Additionally, development facilitated by the project would be required to comply with Mitigation Measure AQ-2a requiring implementation of construction emission measures which would reduce construction-related TACs. According to the OEHHA, construction of individual projects lasting longer than two months and placed within 1,000 feet of sensitive receptors could potentially expose nearby sensitive receptors to substantial pollutant concentrations and therefore could result in potentially significant risk impacts. These future projects could exceed BAAQMD's thresholds of an increased cancer risk of greater than 10.0 in a million and an increased non-cancer risk of greater than 1.0 Hazard Index (Chronic or Acute). Therefore, construction impacts from TAC emissions would be potentially significant. However, implementation of Mitigation Measure AQ-3 would require the preparation of a Construction Health Risk Assessment for future projects with construction durations greater than two months and within 1,000 feet of sensitive receptors. This would mitigate potential construction-related TACs exposure impacts to a less than significant level.

Operation

The BAAQMD *CEQA Guidelines* include a methodology for jurisdictions wanting to evaluate the potential impacts from placing sensitive receptors proximate to major air pollutant sources. For assessing community risk and hazards for siting a new receptor, sources within a 1,000-foot radius of a project site are typically considered. Sources are defined as freeways or high-volume roadways with 10,000 vehicles or more per day and permitted sources (BAAQMD 2017).

Project implementation could facilitate up to 332 additional dwelling units and 74,179 square feet of commercial space. Project implementation would not site land uses that typically generate TAC, such as industrial land uses, in close proximity to residential land uses. Additionally, if commercial uses site a new stationary TAC source, like an emergency generator, then that stationary source would be required to receive a permit from BAAQMD. The permitting process would ensure that the stationary source does not present a health risk to existing nearby sensitive receptors.

As development facilitated by the project are evaluated on a project-by-project basis, Policy 21A of the North Fair Oaks Community Plan, described in Section 4.2.2(c), *Regulatory Setting*, would be implemented to reduce impacts and ensure that sensitive receptors would not be exposed to substantial pollutant concentrations due to location or design. Therefore, with adherence to this policy, operational impacts related to TAC emissions would be less than significant.

Mitigation Measures

AQ-3 Conduct Construction Health Risk Assessment

The County shall require a construction health risk assessment (HRA) for future development projects that have the following three characteristics:

- The project is located within 1,000 feet of sensitive receptors.
- Project construction would last longer than two months.
- Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment.

The construction HRA shall determine potential risk and compare the risk to the following BAAQMD thresholds:

- Non-compliance with Qualified Community Risk Reduction Plan;
- Increased cancer risk of > 10.0 in a million;
- Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or
- Ambient PM_{2.5} increase of > 0.3 µg/m³ annual average.

If risk exceeds the thresholds, the project applicant and/or construction contractor shall incorporate measures such as requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment to reduce the risk to appropriate levels. The project applicant shall provide the construction HRA to the County for review and concurrence prior to project approval.

Significance After Mitigation

Construction related TACs exposure impacts would be less than significant with implementation of Mitigation Measure AQ-3.

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| Threshold: | Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? |
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Impact AQ-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CREATE OBJECTIONABLE ODORS THAT COULD ADVERSELY AFFECT A SUBSTANTIAL NUMBER OF PEOPLE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction of development facilitated by the project would require the operation of construction equipment and asphalt paving, which could generate oil, diesel fuel, and asphalt odors. The odors would be limited to the construction period and would be temporary. Therefore, odors emitted from the construction of individual future projects under the project would be less than significant.

As stated in the BAAQMD *CEQA Guidelines*, land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food manufacturing plants, chemical plants, composting, refineries, landfills, and confined animal facilities. Development facilitated by the project would include residential, commercial, and mixed-use land uses. These land uses typically do not produce objectionable odors. Odors from new developments proposed under the project would also be evaluated under BAAQMD Regulation 7: Odorous Substances, the standard BAAQMD odor complaint procedures, and would be required to implement applicable best management practices that would limit exposure of new sensitive receptors to odors, as well as Mitigation 5-3 from the North Fair Oaks Community Plan Draft EIR (2011b). Other odors from buildout of the project would be limited to odors associated with vehicle and engine exhaust and idling; however, odors from vehicles are not stationary and are dispersed throughout the roadway network. Therefore, operational odor impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Level of Significance

Impacts would be less than significant without mitigation.

4.2.4 Cumulative Impacts

The geographic scope of the cumulative air quality analysis is the regional air basin, specifically the SFBAAB. The cumulative analysis considers the nearby past, present, and reasonably foreseeable future plans and projects within the County in addition to proposed plans.

Criteria Air Pollutants

The SFBAAB is in non-attainment for federal standards of ozone and $PM_{2.5}$ and in non-attainment for the State standard for ozone, $PM_{2.5}$, and PM_{10} . The SFBAAB is in attainment of all other federal and State standards. Development facilitated by the project would generate particulate matter and the ozone precursors (ROG and NO_x) in the area during construction and operation. As described under Impact AQ-1, the project would be consistent with the overall goal of the 2017 Clean Air Plan control measures. Development facilitated by the project does not contain elements that would disrupt or hinder implementation of any 2017 Clean Air Plan control measures. In addition, the project would support the primary goals of the 2017 Clean Air Plan. Discussion of these impacts considers the cumulative nature of criteria pollutants in the region. Therefore, cumulative impacts would be less than significant and the project would not result in a considerable contribution to a conflict with or obstruction of implementation of the applicable air quality plan.

As described under Impact AQ-2, construction facilitated by the project would temporarily increase air pollutant emissions, possibly creating localized areas of unhealthy air pollution levels or air quality nuisances. BAAQMD has identified feasible fugitive dust control measures for construction activities because fugitive PM_{10} and $PM_{2.5}$ are of concern. These temporary impacts would be mitigated with mitigation measures AQ-2a and AQ-2b. Discussion of these impacts considers the cumulative nature of criteria pollutants in the region; therefore, cumulative impacts would be less than significant with mitigation, and the project would not result in a considerable contribution to cumulative criteria pollutant impacts from construction emissions.

In addition, as described under Impact AQ-2, buildout of the project would result in an increase of VMT that would proportionally exceed the projected population increase. Therefore, per the BAAQMD CEQA Air Quality Guidelines for operational emissions from plans, cumulative impacts from operational criteria pollutants would be significant. There is no feasible mitigation to reduce the increase of VMT, thus the project would result in a considerable contribution to operational criteria pollutant impacts.

Toxic Air Contaminants

As identified under Impact AQ-3, development facilitated by the project would not have a significant impact from TACs with implementation of Mitigation Measure AQ-3. Discussion of these impacts considers the cumulative nature of the pollutants in the region. In other words, the cancer risk and non-cancer risk thresholds have been set per existing cancer risks in the area and exceeding those thresholds would be considered a significant cumulative impact. As implementation of the project would not exceed those thresholds, it would not expose sensitive receptors to a cumulatively considerable amount of substantial pollutant concentrations from TACs. Therefore, the project would not result in a considerable contribution to cumulative impacts related to toxic air contaminants.

Odors

Cumulative projects could result in significant odor impacts. As identified under Impact AQ-4, development facilitated by the project would not have a significant impact from odor emissions. Construction emissions would disperse rapidly with distance, and therefore construction projects near one another would not result in combined odors above those analyzed. In addition, development associated with the project would not contain uses known to result in objectionable odors and therefore cumulative odor impacts from development facilitated by the project would not result in a cumulatively considerable increase in odors. Therefore, the project would not result in a considerable contribution to cumulative odor impacts.

4.3 Biological Resources

This section addresses impacts to biological resources, including special-status species, sensitive natural communities, regulated waters and wetlands, sensitive habitat and mature native trees, and wildlife movement corridors.

4.3.1 Setting

a. Land Cover Types

The entire project area consists of urban land cover. Most of the project area is developed, interspersed with small sections of non-native vegetation and bare ground. No native vegetative communities, wetlands, or waterways exist within the project area.

b. Special-Status Species

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) under the Federal Endangered Species Act (FESA), those listed or candidates for listing as rare, threatened, or endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA), animals designated as “Species of Special Concern” by CDFW, and CDFW Special Plants, specifically those with a California Rare Plant Rank of 1A, 1B, and 2, as assigned by the California Native Plant Society’s (CNPS) online Inventory of Rare and Endangered Plants of California (Inventory; CNPS 2022).

Data used to characterize the biological resources on and adjacent to the project area included aerial photographs, topographic maps, and accepted scientific texts to identify species. Other data on biological resources were collected from a query of CDFW’s California Natural Diversity Database (CNDDDB; CDFW 2022), the USFWS Information for Planning and Conservation (IPaC; USFWS 2022c), and the CNPS Inventory of Rare and Endangered Plants of California (CNPS 2022). The query of these data sources was conducted for the USGS *Palo Alto* 7.5-minute series quadrangle and eight surrounding quadrangles in December 2022. This query range encompasses the project limits and a five-mile buffer of the project area. The Critical Habitat Mapper (USFWS 2022b), National Wetlands Inventory (USFWS 2022a), and eBird (eBird 2022) were also queried.

A target list of special-status plant and animal species that could potentially occur in the project area was developed based on the outcome of the database queries and resultant lists of special-status species that were reviewed by Rincon’s regional biological experts for accuracy and completeness. The final list of special-status species and sensitive natural communities was evaluated based on documented occurrences in the nine-quadrangle search area and biologists’ expert opinions on species known to occur in the region. The evaluation results and justification were compiled into a table (Appendix C).

Plants

Based on the database and literature review, 44 special-status plant species occur in the nine-quadrangle area, including and surrounding the project area. All these species were determined to have no potential to occur within the project area due to a combination of factors, including absence of recorded observations, absence of suitable habitat, lack of specific microhabitat or soil

requirements, such as serpentine, alkaline, or sandy soils, and/or the elevation range of the species outside the range of the project area.

Wildlife

Based on the database and literature review, 44 special-status wildlife species occur in the nine-quadrangle area including and surrounding the project area. Given the urbanized condition, the project area does not contain adequate habitat to support 40 of the 44 special-status wildlife species. Of the four remaining special-status wildlife species, the white-tailed kite (CDFW Fully Protected), American peregrine falcon (CDFW Fully Protected), and bald eagle (State Endangered), all have a low potential to occur in the project area, while the Cooper's hawk (CDFW Watch List) has a high potential to occur in the project area. For the purposes of CEQA analysis, non-listed special-status species with low potential to occur on-site (i.e., white-tailed kite and American peregrine falcon) will not be addressed further.

c. Wildlife Corridors

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitats that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network. The California Essential Habitat Connectivity project commissioned by the California Department of Transportation and CDFW identifies "Natural Landscape Blocks" that support native biodiversity and the "Essential Connectivity Areas" that link them (Spencer et al. 2010). Because the project area is thoroughly urbanized, the project area does not provide value as a wildlife corridor.

4.3.2 Regulatory Setting

Federal, State, and local authorities under a variety of statutes and guidelines share regulatory authority over biological resources. The primary authority for general biological resources lies within the land use control and planning authority of local jurisdictions, which in this instance is the County of San Mateo. CDFW is a trustee agency for biological resources throughout the state, as defined within CEQA, and also has direct jurisdiction under the California Fish and Game Code, which includes, but is not limited to, resources protected by the State of California under the California Endangered Species Act (CESA). In addition, the San Francisco Bay Regional Water Quality Control Board (RWQCB) is a responsible agency for Waters of the State in the project area. Below are summaries of the federal, State, and local regulations or guiding documents that could apply.

a. Federal

Federal Endangered Species Act

Under the FESA, authorization is required to "take" a listed species. Take is defined under Section 3 of the FESA as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Under federal regulation (50 Code of Federal Regulations [CFR] Sections 17.3, 222.102), "harm" is further defined to include habitat modification or degradation where it would be expected to result in death or injury to listed wildlife by significantly

impairing essential behavioral patterns, including breeding, feeding, or sheltering. Critical habitat is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. Section 7 of the FESA outlines procedures for federal interagency cooperation to conserve federally listed species and designated critical habitat.

Section 7(a)(2) of the FESA and its implementing regulations require federal agencies to consult with USFWS or NMFS to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species, or result in the destruction or adverse modification of critical habitat. For projects where federal action is not involved and take of a listed species may occur, the project proponent may seek to obtain an incidental take permit under Section 10(a) of the FESA. Section 10(a) allows USFWS to permit the incidental take of listed species if such take is accompanied by a Habitat Conservation Plan that includes components to minimize and mitigate impacts associated with the take.

The USFWS and NMFS share responsibility and regulatory authority for implementing the FESA (7 United States Code [USC] Section 136, 16 USC Section 1531 et seq.).

Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act

The Migratory Bird Treaty Act authorizes the Secretary of the Interior to regulate the taking of migratory birds. The act provides that it is unlawful, except as permitted by regulations, “to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, [...] any migratory bird, or any part, nest, or egg of any such bird” (16 USC Section 703(a)). The Bald and Golden Eagle Protection Act is the primary law protecting eagles, including individuals and their nests and eggs. The USFWS implements the Migratory Bird Treaty Act (16 USC Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). Under the Bald and Golden Eagle Protection Act’s Eagle Permit Rule (50 CFR 22.26), USFWS may issue permits to authorize limited, non-purposeful take of bald eagles and golden eagles.

b. State

California Endangered Species Act

CESA (California Fish and Game Code Section 2050 et seq.) prohibits take of State-listed threatened and endangered species without a CDFW incidental take permit. Take under CESA is restricted to direct harm of a listed species and does not prohibit indirect harm by way of habitat modification.

Protection of fully protected species is described in California Fish and Game Code Sections 3511, 4700, 5050 and 5515. These statutes prohibit take or possession of fully protected species.

Incidental take of fully protected species may be authorized under an approved Natural Communities Conservation Plan.

Natural Community Conservation Planning Act

The Natural Communities Conservation Planning Act, established by the California Legislature, is directed by the CDFW and implemented by the State and public and private partnerships to protect habitat in California. The Natural Communities Conservation Planning Act takes a regional approach to preserving habitat. A Natural Communities Conservation Plan (NCCP) identifies and provides for the regional protection of plants, animals and their habitats, while allowing compatible and

appropriate economic activity. Once an NCCP has been approved, CDFW may provide take authorization for all covered species, including fully protected species, Section 2835 of the California Fish and Game Code.

California Fish and Game Code

California Fish and Game Code Sections 3503, 3503.5 and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (California Fish and Game Code Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

c. Local

San Mateo County General Plan

The San Mateo County General Plan includes goals and objectives to protect habitats, plants, and wildlife throughout the county.

Vegetative, Water, Fish, and Wildlife Resources Policies

Goal 1.1: Conserve, Enhance, Protect, Maintain and Manage Vegetative, Water, Fish and Wildlife Resources

Promote the conservation, enhancement, protection, maintenance and managed use of the County's Vegetative, Water, Fish and Wildlife Resources.

Policy 1.23: Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources

- a. Regulate land uses and development activities to prevent, and if infeasible mitigate to the extent possible, significant adverse impacts on vegetative, water, fish and wildlife resources.
- b. Place a priority on the managed use and protection of vegetative, water, fish and wildlife resources in rural areas of the County.

Policy 1.27: Protect Fish and Wildlife Resources

Ensure that development will minimize the disruption of fish and wildlife and their habitats.

San Mateo County Ordinance Code

Section 12.020 of San Mateo County Ordinance Code (SMCOC) requires a permit be obtained for the cutting down, pruning that effectively removes a tree, poisoning or otherwise killing or destroying or causing to be removed any significant tree or community of trees, whether indigenous or exotic, on any private property.

SMCOC Section 11.051 makes it unlawful for any person to cut down, destroy, move, trim or prune a tree so that it effectively removes any heritage tree growing on any public or private property within the unincorporated area of San Mateo County without first obtaining a permit from the San Mateo County Planning Department except as herein provided. The Community Development Director may require that a permit for trimming of a heritage tree in an area defined by the General Plan as urbanized be carried out only by a licensed tree surgeon. A minimal charge shall be made for permits required by this ordinance.

4.3.3 Impact Analysis

a. Methodology and Significance Thresholds

The impact analysis is based on available literature regarding the existing biological resources in San Mateo County. Data used for this analysis are summarized in Section 4.3.1. Project impacts to flora and fauna are focused upon rare, threatened, endangered species, or species listed under *CEQA Guidelines* Section 15380.

The following threshold criteria, as defined by the *CEQA Guidelines* Appendix G Checklist, were used to evaluate potential environmental effects. Based on these criteria, the proposed project would have a significant effect on biological resources if it would:

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 or U.S. Fish and Wildlife Service;
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service;
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;
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, or impede the use of native wildlife nursery sites;
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
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.

b. Project Impacts and Mitigation Measures

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| Threshold: | Would the project 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 or U.S. Fish and Wildlife Service? |
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IMPACT BIO-1 DEVELOPMENT FACILITATED BY THE PROJECT COULD DISTURB KNOWN SPECIAL-STATUS SPECIES OR THEIR ASSOCIATED HABITAT, INCLUDING THROUGH HABITAT MODIFICATIONS, ON A 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 OR U.S. FISH AND WILDLIFE SERVICE. DEVELOPMENT FACILITATED BY THE PROJECT DURING THE NESTING BIRD SEASON COULD DIRECTLY AND/OR INDIRECTLY AFFECT NESTING BIRDS PROTECTED UNDER THE MIGRATORY BIRD TREATY ACT AND THE CALIFORNIA FISH AND GAME CODE 3503. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

As discussed in Section 4.3.1, Cooper's hawk and bald eagle are the only special-status species with potential to occur within the project area. As these are avian species who can move freely

throughout the area, they are unlikely to be physically impacted by development within the project area; however, impacts to these species would be potentially significant if present during the breeding season.

Development facilitated by the project may involve the removal of existing trees and other vegetation that may be used by native resident or migratory birds as nesting habitat. Construction disturbance during the breeding season (February 1 through August 31, for most species) could result in the incidental loss of eggs or nestlings, either directly through the destruction or disturbance of active nests or indirectly by causing the abandonment of nests. Even if nests themselves are not removed, impacts such as noise and sustained human presence in proximity to active nests can disrupt nesting behavior and cause nest abandonment and failure. Disturbance or destruction of active bird nests from construction would be a potentially significant impact. Implementation of Mitigation Measure BIO-1, which represents an update to Mitigation Measure 6-1 from the North Fair Oaks Community Plan EIR (2011), would reduce this impact to less than significant levels.

Mitigation Measures

BIO-1 Nesting Bird Avoidance

To the extent feasible, construction activities in the project area shall be scheduled to avoid the nesting season. The nesting season for most birds in San Mateo County extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then the County shall require project applicants to retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities and shall be conducted prior to tree removal, tree trimming, or other vegetation clearing. During the survey, the biologist shall inspect all trees and other potential nesting habitats, including trees, shrubs, ruderal grasslands, and buildings in the impact areas for nests. The biologist shall also survey within 100 feet of the impact area for non-raptor species and within 300 feet for raptors, as access allows.

If an active nest is found sufficiently close to work areas and would be disturbed by these activities, the biologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 50 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Game Code are disturbed during project implementation.

Significance After Mitigation

With implementation of Mitigation Measure BIO-1, potential impacts to special-status species and migratory and nesting birds would be reduced to a less than significant level.

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| Threshold: | Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? |
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IMPACT BIO-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE. THERE WOULD BE NO IMPACT.

The project area does not include riparian habitat, or other sensitive natural communities, nor is the project area within 0.5 miles of riparian habitat or sensitive natural communities. Development of the project would have no impact.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

The project would have no impact.

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| Threshold: | Would the project 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? |
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IMPACT BIO-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON STATE OR FEDERALLY PROTECTED WETLANDS. THERE WOULD BE NO IMPACT.

There are no State or federally protected wetlands within or adjacent to the project area. Development within the project area would have no impact to these resources.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

The project would have no impact.

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| Threshold: | Would the project 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? |
|-------------------|---|

IMPACT BIO-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT SUBSTANTIALLY IMPEDE WILDLIFE MOVEMENT AREAS OR NATIVE WILDLIFE NURSERY SITES. THERE WOULD BE NO IMPACT.

The project does not include recognized Natural Landscape Blocks or Essential Connectivity Areas. Existing development in the project area likely deters wildlife movement through the project area. No impacts to wildlife movement areas or wildlife nursery sites would occur.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

The project would have no impact.

| | |
|-------------------|--|
| Threshold: | Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? |
|-------------------|--|

IMPACT BIO-5 DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT WOULD BE SUBJECT TO THE COUNTY'S POLICIES AND REQUIREMENTS PROTECTING BIOLOGICAL RESOURCES, INCLUDING TREE PRESERVATION. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As discussed in Section 2, *Project Description*, all parcels within the project area are currently developed with a mix of commercial uses, including auto services, industrial, retail, restaurants, a motel, and office buildings; and residential uses, including multi-family and single-family buildings. The rezoning that would occur as part of the project could change the maximum density allowed on certain sites; however, this would not have a significant impact on biological resources because the project area is already a developed urban environment. Development facilitated by the project could require some tree removal and would be determined during each individual project's design and application process. Tree removal could be considered a significant impact if it conflicted with existing policies and ordinances. However, development facilitated by the project would be required to comply with County's General Plan goals and policies. Development facilitated by the project would also be required to comply with the County's tree protection policies (SMCOC Sections 12.020 and 11.051) that require permits to be obtained before removing any tree deemed by the county to be Significant or Heritage. Compliance with these regulations would ensure that impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| | |
|-------------------|---|
| Threshold: | Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan? |
|-------------------|---|

IMPACT BIO-6 DEVELOPMENT FACILITATED BY 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. THERE WOULD BE NO IMPACT.

The project does not exist within a Habitat Conservation Plan, Natural Community Conservation Plan, or any other local, regional, or State Habitat Conservation Plan. No conflict with any of these plans will occur and there would be no impact.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

The project would have no impact.

4.3.4 Cumulative Impacts

The geographic extent for the analysis of cumulative impacts associated with biological resources includes the areas immediately surrounding the project area. This extent is appropriate for cumulative impacts because the project area and surrounding areas are primarily urban, with no natural habitat present. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact biological resources.

There are no sensitive habitats, riparian and wetland areas, or wildlife movement or nurseries within or in the vicinity of the project area; therefore, cumulative impacts would not be significant and the proposed project would not result in a considerable contribution to cumulative impacts related to these resources. The sensitive species with potential to occur within the project area are Cooper's hawk, white-tailed kite, American peregrine falcon, and bald eagle. Cumulative projects would be required to implement similar mitigation to Mitigation Measure BIO-1, which would ensure cumulative impacts are not significant. With implementation of Mitigation Measure BIO-1, the project would not result in a considerable contribution to cumulative impacts on sensitive species. Cumulative development would occur within an existing urban environment and relevant policies and regulations would apply, providing protection for biological resources; therefore, the project would not result in a considerable contribution to cumulative impacts on biological resources in the region.

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4.4 Cultural and Tribal Cultural Resources

This section assesses potential impacts on archaeological resources, historic resources, human remains, and tribal cultural resources related to implementation of the proposed project.

4.4.1 Setting

a. Indigenous History

The project area lies in the San Francisco Bay Area archaeological region (Milliken et al. 2007, Moratto 1984). Milliken et al. (2007) generally divided the pre-contact chronology of the Bay Area into five periods: The Early Holocene (8000 to 3500 Before the Common Era [BCE]), Early Period (3500 to 500 BCE), Lower Middle Period (500 BCE to CE 430 Common Era [CE]), the Upper Middle Period (430 to 1050 CE), and the Late Period (1050 CE to contact).

It is presumed that early Paleoindian groups lived in the area prior to 8000 BCE due to evidence in Alta California and the Channel Islands (McLaren et al. 2019). However, no evidence for this period has been discovered in the San Francisco Bay Area (Milliken et al. 2007). Sites dating to this period may be submerged or deeply buried as a result of rising sea levels and widespread sediment deposition that has occurred since the Terminal Pleistocene (Byrd et al. 2017). For this reason, the Terminal Pleistocene Period (ca. 11,700 to 8000 BCE) is not discussed here.

The earliest intensive study of archaeology of the San Francisco Bay Area began with N. C. Nelson of the University of California, Berkeley, between 1906 and 1908. Mr. Nelson documented over 400 shell mounds throughout the area. Nelson was the first to identify the Bay Area as a discrete archaeological region (Moratto 1984).

Early Holocene (8000 to 3500 BCE)

Archaeological evidence from the early Holocene is limited as sites dating to this period are likely buried under Holocene alluvial deposits (Moratto 1984; Ragir 1972). Available data suggests that the Early Holocene in the San Francisco Bay Area is characterized by a mobile forager pattern and the presence of millingslabs, handstones, and a variety of leaf-shaped projectile points. Two archaeological sites (CA-CCO-696 and CA-CCO-637) dating to this period have been identified in Contra Costa County at the Los Vaqueros Reservoir. Early dates for the Early Holocene come from the CA-CCO-696, dating to approximately 7000 BCE (Milliken et al. 2007).

Early Period (3500 to 600 BCE)

The Early Period saw increased sedentism with the introduction of new ground stone technologies (i.e., mortar and pestle) with an increase in regional trade, and the first cut shell beads. The earliest evidence for the use of the mortar and pestle in the San Francisco Bay Area dates to 3800 BCE and comes from CA-CCO-637. By 1500 BCE, mortars and pestles had almost completely replaced millingslabs and handstones, indicating a greater reliance on processing nuts, especially acorns. Faunal evidence from various sites during this period indicate a diverse faunal exploitation pattern based on the presence mussel and other shellfish, marine mammals, terrestrial mammals, and birds within sites dating to this period (D'Oro 2009).

The earliest cut bead horizon is also associated with this period. Rectangular *Haliotis* spp. (abalone) and *Olivella* (*Callianax biplicata*) (Vellanoweth et al. 2014) (snail) beads have been identified at

several Early Period sites, including CA-CCO-637, CA-SCL-832 in Sunnyvale and CA-ALA-307 in Berkeley (Milliken et al. 2007). These early examples of cut beads were recovered from mortuary contexts.

Lower Middle Period (500 BCE to 430 CE)

The Lower Middle Period saw numerous changes from the previous period. The presence of chipped stone points and bone tools became typical. Rectangular shell beads, common during the Early Period, disappear completely and are replaced by split-beveled and saucer Olivella beads. *Haliotis* spp. ornaments, bone tools and ornaments, and basketry awls also became typical, indicating the development of coiled basketry technology. Mortars and pestles continued to be the dominant grinding tool (Luby and Gruber 1999; Milliken et al. 2007).

Evidence for the Lower Middle Period in the Bay Area comes from sites such as the Emeryville shell mound (CA-ALA-309) and Ellis Landing (CA-CCO-295). CA-ALA-309 is one of the largest shell mounds in the San Francisco Bay Area and contains multiple cultural sequences. The lower levels of the site, which date to the Middle Period, contain flexed burials with bone implements, chert bifaces, charmstones, and oyster shells (Moratto 1984).

Upper Middle Period (430 to 1050 CE)

Around 430 CE, Olivella saucer bead trade networks that had been established during earlier periods collapsed and over half of known sites occupied during the Lower Middle Period were abandoned. Olivella saucer beads were replaced with Olivella saddle beads. New types of material culture appear within these sites, including elaborate, decorative blades, fishtail charmstones, new *Haliotis* spp. ornament forms, and mica ornaments. Sea otter bones became more abundant, while salmon and other fish became less so, suggesting changes in faunal exploitation patterns from earlier periods (Milliken et al. 2007; Simons and Carpenter 2009). Excavations at CA-ALA-309 indicate that a shift from mussels to oysters, and oysters to clams may have occurred (Gifford 1916). Isotopic analysis confirms that San Francisco Bay Area individuals shifted from hunting higher trophic-level foods in the Early Period to gathering foods like plants and shellfish in the Middle and Upper periods (Burns et al. 2012). Subsistence analyses at various sites dating to this period indicate a diverse diet that included numerous species of fish, mammals, birds, shellfish, and plant resources that varied by location in the San Francisco Bay Area (Hylkema 2002).

Late Period (1050 CE to Contact)

The Late Period saw an increase in social complexity, indicated by differences in burials and an increased level of sedentism relative to preceding periods, evidenced by mortars weighing up to 90.7 kilograms (Lentz 2012: 198). An increase in imported Napa Valley obsidian occurred during this time for the production of smaller points, preforms and simple flake tools. Small, finely worked projectile points of the Stockton Serrated series associated with bow and arrow technology appear around 1250 CE. Olivella shell beads disappeared and were replaced with Olivella-lipped and spire-lopped beads in the south bay and clamshell disk beads in the north bay. Thicker and larger beads indicated higher affluence. The toggle harpoon, hopper mortar, and magnesite tube beads also appeared during this period (Milliken et al. 2007; Lentz 2012; Von Der Porten et al. 2014). As did an increase in the intensity of resource exploitation that correlates with an increase in population (Moratto 1984). Many of the well-known sites of earlier periods, such as the Emeryville shell mound (CA-ALA-309) and the West Berkeley site (CA-ALA-307), were abandoned, as indicated by the lack of Late Period elements. Researchers have suggested that the abandonment of these sites may have

resulted from fluctuating climates and drought that occurred throughout the Late Period (Lightfoot and Luby 2002).

b. Ethnographic Setting

The project area is located in the traditional territory of the Ohlone (or Costanoan) people. According to early ethnographers, Ohlone territory extends along the California coast from the point where the San Joaquin and Sacramento rivers merge into the San Francisco Bay to Point Sur. Their inland boundary was limited to the interior Coast Ranges. The Ohlone language belongs to the Penutian family, with several distinct dialects throughout the region (Kroeber 1925). Ethnographers divided it into eight regional dialects: Karkin, Chochenyo, Ramaytush, Awaswas, Taymen, Mutsun, Rumsen, and Chalon (Milliken et al. 2009; Jones 2015).

The pre-contact Ohlone were semi-sedentary with a settlement system characterized by base camps and seasonal reserve camps composed of tule reed houses with thatched roofs made of matted grass (Schick 1994; Skowronek 1998). Just outside base camps, large sweat houses were built into the ground near stream banks used for spiritual ceremonies and possibly hygiene (Jones 2015; Schick 1994). Villages were divided into small polities, each of which was governed by a chief responsible for settling disputes, acting as a war leader during times of conflict, and supervising economic and ceremonial activities (Skowronek 1998; Kroeber 1925). Social organization appeared flexible to ethnographers, and any sort of social hierarchy was not apparent to mission priests (Skowronek 1998).

Archaeological investigations helped inform Ohlone mortuary rituals along with ethnographic evidence. Cemeteries were set away from villages and visited during the annual Mourning Anniversary (Leventhal and DiGiuseppe 2009). Ceremonial human grave offerings might include Olivella beads, as well as tools like drills, mortars, pestles, hammerstones, bone awls, and utilized flakes (Leventhal and DiGiuseppe 2009). Ohlone mythology includes animal characterization and animism, which was the basis for several creation narratives. Ritually burying animals, such as a wolf, squirrel, deer, mountain lion, gray fox, elk, badger, grizzly bear, blue goose, and bat ray, was commonly practiced. Similar to human burials, ceremonial offerings were added to ritual animal graves like shell beads, ornaments, and exotic goods (Kroeber 1925; Field and Leventhal 2003; Jones 2010).

Ohlone food sources were based on hunting, gathering, and fishing (Kroeber 1925; Skowronek 1998). Larger animals, like bears, might be avoided, but smaller game was hunted and snared on a regular basis (Schick 1944: 17). The acorn was an important staple and was prepared by leaching acorn meal in openwork baskets and in holes dug into the sand (Kroeber 1925; Levy 1978). The Ohlone also practiced controlled burning to facilitate plant growth (Kroeber 1925; Skowronek 1998). During specific seasons or in times of drought, the reserve camps would be utilized for gathering seasonal food and accessing food storage (Schick 1994). The Ohlone fished from tule reed canoes using nets and gorge hooks (Schick 1994: 16–17). Mussels were a particularly important food resource. Sea mammals such as sea lions and seals were hunted, and beached whales were consumed (Kroeber 1925).

Seven Franciscan missions were built in Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually brought into the mission system (Kroeber 1925; Skowronek 1998; Milliken et al. 2009). After the establishment of the missions, Ohlone population dwindled from roughly 10,000 people in 1770 to 1,300 by 1814 (Skowronek 1998). In 1973, the population of people with Ohlone descent was estimated at fewer than 300. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize aspects of

their culture (Skowronek 1998). Today, the descendant communities of the Ohlone can be found in multiple tribes throughout Northern and Central California.

c. Post-Contact Setting

Post-Contact history for the state of California is generally divided into three periods: the Spanish Period (1769–1822), Mexican Period (1822–1848), and American Period (1848–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican American War, signals the beginning of the American Period when California became a territory of the United States.

Spanish Period (1769 to 1822)

Spanish explorers made sailing expeditions along the coast of California between the mid-1500s and mid-1700s. Juan Rodriguez Cabrillo in 1542 led the first European expedition to observe what was known by the Spanish as Alta (upper) California. For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968; Rolle 2003). The Spanish crown laid claim to Alta California based on the surveys conducted by Cabrillo and Vizcaíno (Bancroft 1885; Gumprecht 1999).

By the 18th century, Spain developed a three-pronged approach to secure its hold on the territory and counter against other foreign explorers. The Spanish established military forts known as presidios, as well as missions and pueblos (towns) throughout Alta California. The 1769 overland expedition by Captain Gaspar de Portolá marks the beginning of California's Historic period, occurring just after the King of Spain installed the Franciscan Order to direct religious and colonization matters in assigned territories of the Americas. Portolá established the Presidio of San Diego as the first Spanish settlement in Alta California in 1769. Franciscan Father Junípero Serra also founded Mission San Diego de Alcalá that same year, the first of the 21 missions that would be established in Alta California by the Spanish and the Franciscan Order between 1769 and 1823 (Graffy 2010).

Construction of missions and associated presidios was a major emphasis during the Spanish Period in California to integrate the Native American population into Christianity and communal enterprise. Incentives were also provided to bring settlers to pueblos or towns; just three pueblos were established during the Spanish Period, only two of which were successful and remain as California cities (San José and Los Angeles).

Spain began making land grants in 1784, typically to retiring soldiers, although the grantees were only permitted to inhabit and work the land. The land titles technically remained property of the Spanish king (Livingston 1914).

Mexican Period (1822 to 1848)

Several factors kept growth within Alta California to a minimum, including the threat of foreign invasion, political dissatisfaction, and unrest among the indigenous population. After more than a decade of intermittent rebellion and warfare, New Spain won independence from Spain in 1821. In

1822, the Mexican legislative body in California ended isolationist policies designed to protect the Spanish monopoly on trade, and decreed California ports open to foreign merchants (Dallas 1955).

Extensive land grants were established in the interior during the Mexican Period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts. The secularization of the missions following Mexico's independence from Spain resulted in the subdivision of former mission lands and establishment of many additional ranchos. Commonly, former soldiers and well-connected Mexican families were the recipients of these land grants, which now included the title to the land (Graffy 2010).

During the supremacy of the ranchos (1834–1848), landowners largely focused on the cattle industry and devoted large tracts to grazing. Cattle hides became a primary southern California export, providing a commodity to trade for goods from the east and other areas in the United States and Mexico. The number of nonnative inhabitants increased during this period because of the influx of explorers, trappers, and ranchers associated with the land grants. The rising California population contributed to the introduction and rise of diseases foreign to the Native American population, who had no associated immunities.

American Period (1848 to Present)

The United States went to war with Mexico in 1846. During the first year of the war, John C. Fremont traveled from Monterey to Los Angeles with reinforcements for Commodore Stockton and evaded Californian soldiers in Santa Barbara's Gaviota Pass by taking the route over the San Marcos grade instead (Kyle 2002). The war ended in 1848 with the Treaty of Guadalupe Hidalgo, ushering California into its American Period.

California officially became a state with the Compromise of 1850, which also designated Utah and New Mexico (with present-day Arizona) as US territories (Waugh 2003). Horticulture and livestock, based primarily on cattle as the currency and staple of the rancho system, continued to dominate the southern California economy through 1850s. The discovery of gold in the northern part of the state led to the Gold Rush beginning in 1848, and with the influx of people seeking gold, cattle were no longer desired mainly for their hides but also as a source of meat and other goods. During the 1850s cattle boom, rancho vaqueros drove large herds from southern to northern California to feed that region's burgeoning mining and commercial boom.

A severe drought in the 1860s decimated cattle herds and drastically affected rancheros' source of income. In addition, property boundaries that were loosely established during the Mexican era led to disputes with new incoming settlers, problems with squatters, and lawsuits. Rancheros often were encumbered by debt and the cost of legal fees to defend their property. As a result, much of the rancho lands were sold or otherwise acquired by Americans. Most of these ranchos were subdivided into agricultural parcels or towns (Dumke 1944).

History of North Fair Oaks Area

North Fair Oaks, originally a part of the town Atherton (then known as Fair Oaks), was initially developed beginning in 1863 by wealthy citizens of the San Francisco Peninsula, who established large estates following the construction of the railroad. During this early period, it remained largely open ranch land with numerous groves of oak trees.

The first population boom occurred shortly after the 1906 San Francisco earthquake when more San Francisco residents moved inland. They were attracted to the area's oak trees and low land prices (Shoecraft 2022). Much of North Fair Oaks was subsequently subdivided by 1920. In 1923, the town

Fair Oaks was incorporated and renamed Atherton. The incorporation, however, did not include North Fair Oaks because it consisted of swamplands that were vulnerable to flooding (Shoecraft 2022). Unincorporated North Fair Oaks offered lower taxes and real estate prices than neighboring Atherton. As a result, the area experienced an influx of new settlers, including refugees from the Dust Bowl, in the 1930s (Nibbeline 2017).

By the end of World War II, all subdivided lots were developed. Typical of post-war development within the region, development in North Fair Oaks included houses built on smaller lots and low rise-multi-family apartment buildings (Shoecraft 2022). During this time, North Fair Oaks residents proposed incorporating with nearby Redwood City to address issues related to infrastructure, zoning, and services (Nibbeline 2017). However, most residents of North Fair Oaks opposed the idea of incorporation due to the fear of higher taxes with unsuccessful efforts to incorporate the town continuing until the 1980s (Nibbeline 2017).

In the following years, the community formed a number of groups and initiatives to address the economic, infrastructure, and service needs for the community. Largely developed by the end of World War II, building since that time has been primarily limited to infill development. North Fair Oaks remains an unincorporated area of San Mateo County.

d. Existing Conditions

Historical Resources in Project Area

To identify known historical resources located in North Fair Oaks, background research completed in support of this EIR included a review of the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), and the California State Office of Historic Preservation Built Environment Directory (BERD), along with the existing San Mateo County General Plan, the 2011 North Fair Oaks Community Plan Update, and San Mateo County Landmarks. As a result of this background research, no properties in the project area are listed in, or have been previously determined eligible for the NRHP, CRHR, or designated as San Mateo County Landmarks. Previously recorded properties within the project area were all determined ineligible for listing in the NRHP according to the BERD.

Archaeological Resources in the Project Area

The County requested a review of the Sacred Lands File (SLF) and received a response from the Native American Heritage Commission (NAHC) on June 9, 2022, that indicated that the project area is positive for Sacred Lands. It is known that archaeological resources have been identified within San Mateo County. However, information on archaeological resources is confidential and will not be further discussed here.

Tribal Cultural Resources in the Project Area

As part of its tribal cultural resource identification process pursuant to California AB 52 and SB 18, the County sent letters via certified mail to nine Native American tribal contacts identified by the NAHC as being traditionally and culturally affiliated with the project area. The tribal contacts included the following:

- Irene Zwierlein, Chairperson of the Amah Mutsun Band of Mission San Juan Bautista
- Tony Cerda, Chairperson of the Costanoan Rumsen Carmel Tribe

- Kanyon Sayers-Roods, Most Likely Descendant (MLD) of the Indian Canyon Mutsun Band of Costanoan
- Ann Marie Sayers, Chairperson of the Indian Canyon Mutsun Band of Costanoan
- Monica Arellano, Vice Chairwoman of the Muwekma Ohlone Indian Tribe of the SF Bay Area
- Charlene Nijmeh, Chairperson of the Muwekma Ohlone Indian Tribe of the SF Bay Area
- Quirina Geary, Chairperson of the Tamien Nation
- Andrew Galvan, contact for the Ohlone Indian Tribe
- Kenneth Woodrow, Chairperson of the Wuksache Indian Tribe/Eshom Valley Band

Under AB 52, tribes have 30 days and under the provisions of SB 18, have 90 days to respond and request consultation. To date, the City has not received responses requesting consultation under AB 52 or SB 18.

4.4.2 Regulatory Setting

a. Federal

National Register of Historic Places

Although the project does not have a federal nexus, properties which are listed in or have been formally determined eligible for listing in the NRHP are automatically listed in the CRHR. The following is therefore presented to provide applicable regulatory context. The NRHP was authorized by Section 101 of the National Historic Preservation Act and is the nation's official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Per 36 CFR Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

- Criterion A:** Is associated with events that have made a significant contribution to the broad patterns of our history.
- Criterion B:** Is associated with the lives of persons significant in our past.
- Criterion C:** Embodies the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- Criterion D:** Has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The National Park Service recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, defined as follows:

- Location:** The place where the historic property was constructed or the place where the historic event occurred
- Design:** The combination of elements that create the form, plan, space, structure, and style of a property
- Setting:** The physical environment of a historic property

- Materials:** The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property
- Workmanship:** The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory
- Feeling:** A property's expression of the aesthetic or historic sense of a particular period of time
- Association:** The direct link between an important historic event or person and a historic property

Certain properties are generally considered ineligible for listing in the NRHP, including cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must be at least 50 years of age to be eligible for listing in the NRHP. The National Park Service states that 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluate significance (National Park Service 1997:41). Properties which are less than 50 years must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

b. State

California Environmental Quality Act

California PRC Section 21804.1 requires lead agencies determine if a project could have a significant impact on historical or unique archaeological resources. As defined in PRC Section 21084.1, a historical resource is a resource listed in, or determined eligible for listing in, the CRHR, a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or cultural significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the NRHP are automatically listed in the CRHR and are, therefore, historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a "unique archaeological resource" as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: 1) it contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information, 2) has a special and particular quality such as being the oldest of its type or the best available example of its type, or 3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources will be less than significant and need not be considered further (*CEQA Guidelines* Section 15064.5[c][4]). *CEQA Guidelines* Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to CEQA, an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (*CEQA Guidelines* Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (*CEQA Guidelines* Section 15064.5[b][2][A]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a][b]).

CEQA Guidelines Section 15126.4 stipulates an EIR shall describe feasible measures to minimize significant adverse impacts. In addition to being fully enforceable, mitigation measures must be completed within a defined time period and be roughly proportional to the impacts of the project. Generally, a project which is found to comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (the Standards) is considered to be mitigated below a level of significance (*CEQA Guidelines* Section 15126.4 [b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (*CEQA Guidelines* Section 15126.4[b][3]).

California Register of Historical Resources

The CRHR was established in 1992 and codified by PRC Sections 5024.1 and 4852. The CRHR is an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change (PRC Section 5024.1[a]). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use to include a range of historical resources that better reflect the history of California (PRC Section 5024.1[b]). Unlike the NRHP however, the CRHR does not have a defined age threshold for eligibility; rather, a resource may be eligible for the CRHR if it can be demonstrated sufficient time has passed to understand its historical or architectural significance (California Office of Historic Preservation 2006). Further, resources may still be eligible for listing in the CRHR even if they do not retain sufficient integrity for NRHP eligibility (California Office of Historic Preservation 2006). Generally, the California Office of Historic Preservation recommends resources over 45 years of age be recorded and evaluated for historical resources eligibility (California Office of Historic Preservation 1995:2).

Properties are eligible for listing in the CRHR if they meet one of more of the following criteria:

- Criterion 1:** Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Criterion 2:** Is associated with the lives of persons important to our past.

Criterion 3: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history.

California Public Resources Code

Section 5097.5 of the California PRC states:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

As used here, “public lands” means lands owned by or under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC Section 5097.5 for their activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

If a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a-c]).

Codes Governing Human Remains

The disposition of human remains is governed by Section 7050.5 of the California Health and Safety Code and PRC Sections 5097.94 and 5097.98 and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to Section 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

California Health and Safety Code

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined if the remains are subject to the Coroner’s authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification.

Assembly Bill 52 of 2014

AB 52 expanded CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “a project with an effect that may cause a substantial adverse change in the

significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). AB 52 further states when feasible, the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe,” and meets either of the following criteria:

- a. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k).
- b. 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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments and with respect to the interests and roles of project proponents, it is the intent AB 52 to accomplish the following:

1. Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.
2. Establish a new category of resources in CEQA called “tribal cultural resources” that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.
3. Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.
4. Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated (because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources).
5. In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, early in the CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision-making body of the lead agency.
6. Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA.
7. Ensure that local and tribal governments, public agencies, and project proponents have information available, early in CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process.

8. Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.
9. Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified or adopted. AB 52 requires that lead agencies “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed in the jurisdiction of the lead agency.

Senate Bill 18

California Government Code Section 65352.3 (adopted pursuant to the requirements of SB 18) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government’s jurisdiction, and are identified, upon request, by the Native American Heritage Commission. As noted in the California Office of Planning and Research’s Tribal Consultation Guidelines (2005), “The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.”

c. Local

County of San Mateo General Plan

Adopted in 1986, and updated in 2013, the County of San Mateo General Plan identifies and outlines policies for enhancing protection of archaeological and built environment historical resources. Chapter 5: Historical and Archaeological Resources, include the following.

Historical and Archaeological Resources Policies

Goal 5.1: Historic Resources Protection

Protect historic resources for their historic, cultural, social, and educational values and the enjoyment of future generations.

Goal 5.2: Rehabilitation of Historic Structures

Encourage the rehabilitation, preservation, and use of historically significant structures.

Goal 5.3: Protection of Archaeological/Paleontological Sites

Protect archaeological/paleontological sites from destruction in order to preserve and interpret them for future scientific research, and public educational programs.

Goal 5.4: Historical Resources Inventory

Encourage the development of inventories of historical resources which have national, State and Countywide significance.

Goal 5.5: Planning and Historic Preservation

Integrate historical preservation into the planning process of the County.

Goal 5.6: Increase Public Awareness

Develop increase public awareness of the County's heritage to foster widespread support and understanding for the need to preserve historical resources.

Policy 5.15: Character of New Development

- a. Encourage the preservation and protection of historic resources, districts and landmarks on sites which are proposed for new development.
- b. Ensure that new development in historic districts is compatible in bulk, height, material and design with that of the historic character and qualities of the district.
- c. Encourage the use of the Secretary of the Interior's guidelines and standards for rehabilitation of historic structures by: (1) those undertaking the rehabilitation of historic structures, and (2) those responsible for the architectural review and permit approval.

Policy 5.16: Demolition of Resources

Discourage the demolition of any designated historic district or landmark.

Policy 5.20: Site Survey

Determine if sites proposed for new development contain archaeological/paleontological resources. Prior to approval of development for these sites, require that a mitigation plan, adequate to protect the resource and prepared by a qualified professional, be reviewed and implemented as a part of the project.

Policy 5.21: Site Treatment

- a. Encourage the protection and preservation of archaeological sites.
- b. Temporarily suspend construction work when archaeological/paleontological sites are discovered. Establish procedures which allow for the timely investigation and/or excavation of such sites by qualified professionals as may be appropriate.
- c. Cooperate with institutions of higher learning and interested organizations to record, preserve, and excavate sites.

County of San Mateo Historic Preservation Ordinance

The County of San Mateo's Historic Preservation Ordinance (Chapter 7, Sections 7730 to 7739 of the County of San Mateo Planning and Building Division Development Standards) addresses the safeguarding of historic structures and sites of San Mateo County and authorizes the County Board of Supervisors to designate a structure as an historic landmark or an area as an historic district if it satisfies the requirements set forth below.

- 1. It exemplifies or reflects elements of the County's cultural, social, economic, political, aesthetic, engineering, or architectural history; or
- 2. It has a special aesthetic or artistic interests or values; or
- 3. It is identified with persons or events significant in local, State, or national history; or
- 4. It embodies distinctive architectural characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
- 5. It is representative of the notable work of a master builder, designer, or architect.

4.4.3 Impact Analysis

a. Methodology and Significance Thresholds

If a project may cause a substantial adverse change in the characteristics of a resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register, either through demolition, destruction, relocation, alteration, or other means, then the project would have a significant effect on the environment (*CEQA Guidelines* Section 15064.5[b]). Appendix G of the *CEQA Guidelines* indicates that a project's impacts to cultural and tribal cultural resources would be significant if the project would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
3. Disturb any human remains, including those interred outside of formal cemeteries; or
4. 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:
 - a. 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), or
 - b. 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Threshold 1 broadly refers to historical resources. To more clearly differentiate between archaeological and built environment resources, analysis under Threshold 1 has been limited to built environment resources. Archaeological resources, including those that may be considered historical resources pursuant to Section 15064.5 and those that may be considered unique archaeological resources pursuant to Section 21083.2, are considered under Threshold 2.

Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of cultural resources within the project area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation. Removal, demolition, or alteration of historical resources can permanently impact the historic fabric of an archaeological site, building, structure, or historic district.

The State Legislature, in enacting the CRHR, amended CEQA to clarify which properties are significant, as well as which project impacts are considered to be significantly adverse. A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have significant effect on the environment (*CEQA Guidelines* Section 150645[b]). A substantial adverse change in the significance of a historical resource means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (*CEQA Guidelines* Section 150645[b][1]).

The *CEQA Guidelines* further state that “[t]he significance of an historical resource is materially impaired when a project... [d]emolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in the California Register ... local register of historic resources... or its identification in an historic resources survey.” As such, the test for determining whether or not the project will have a significant impact on identified historical resources is whether it will materially impair physical integrity of the historic resource such that it could no longer be listed in the CRHR or a local landmark program.

In accordance with both AB 52 and SB 18, the County has conducted consultation as the lead agency. This consultation included written communication with the following seven Native American tribes (nine contacts total): the Amah Mutsun Tribal Band of Mission San Juan Bautista, Costanoan Rumsen Carmel Tribe, the Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Indian Tribe of the SF Bay Area, Tamien Nation, Ohlone Indian Tribe, and the Wuksache Indian Tribe/Eshom Valley Band. The AB 52/SB 18 letters were sent on July 11, 2022; no Native American Tribes requested consultation under AB 52 or SB 18 within the respective 30-day and 90-day response windows.

b. Project Impacts and Mitigation

| |
|---|
| Threshold 1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? |
|---|

Impact CUL-1 THE PROJECT HAS THE POTENTIAL TO CAUSE A SIGNIFICANT IMPACT ON A HISTORIC RESOURCE IF DEVELOPMENT FACILITATED BY THE PROJECT WOULD CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF THAT RESOURCE. THIS IMPACT WOULD BE SIGNIFICANT AND UNAVOIDABLE.

There are no properties in the project area are listed in, or have been previously determined eligible for the NRHP, CRHR, or designated as San Mateo County Landmarks. However, there may be yet identified resources which are eligible for inclusion in the NRHP, CRHR, or San Mateo County Landmarks.

Although the project does not in itself include any construction activities, development facilitated by the project would have a significant impact on historical resources if such activities would cause a substantial adverse change in the significance of a historical resource, which as defined below would include the demolition or substantial alteration of a resource such that it would no longer be able to convey its significance. Historical resources include properties eligible for listing in the NRHP or CRHR or as a San Mateo County Historic Landmark. Pursuant to PRC Section 15064.5, “[s]ubstantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion or eligibility for inclusion in the CRHR.

Reasonably foreseeable development facilitated by the project could impact historical resources through associated demolition and construction activities. As such, these activities could have the potential to result in the physical demolition, destruction, relocation, or alteration of potential historical resources.

The County General Plan goals and policies (specifically 5.1-5.6 and 5.15 and 5.16) would reduce the potential for historical resources to be adversely impacted from the development facilitated by the

proposed project, but there would still be potential for development to impact historical resources. Implementation of mitigation measures CUL-1a and CUL-1b would reduce impacts to historical resources to the extent feasible by identifying and evaluating significant historical resources and managing relocation, rehabilitation, or alteration in compliance with the Standards as applicable. These mitigation measures replace Mitigation Measure 8-2 of the North Fair Oaks Community Plan Draft EIR (2011) for future development facilitated by the project in the project area. Nonetheless, even with implementation of mitigation measures CUL-1a and CUL-1b, eligible historical resources could still be materially impaired by future development that would be carried out under the proposed project. Therefore, impacts related to historical resources would be significant and unavoidable with mitigation.

Mitigation Measures

CUL-1a Historical Resources Built Environment Assessment

Prior to approval of a development project on a property that includes buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older at the time of the permit application, the County shall require the project applicant to hire a qualified architectural historian to prepare an historical resources evaluation. The qualified architectural historian or historian shall meet the Secretary of the Interior's (SOI) Professional Qualifications Standards (PQS) in architectural history or history (as defined in 36 CFR Part 61). The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices recommended by the State Office of Historic Preservation to identify any potential historical resources in the proposed project area. Under the guidelines, properties 45 years of age or older shall be evaluated within their historic context and documented in a technical report and on Department of Parks and Recreation Series 523 forms. The report will be submitted to the County for review prior to any permit issuance. If no historical resources are identified, no further analysis is warranted. If historical resources are identified through the historical resources evaluation, the project shall be required to implement Mitigation Measure CUL-1b.

CUL-1b Historical Resources Built Environment Mitigation

If historical resources are identified in an area proposed for redevelopment as described in Mitigation Measure CUL-1a, the project applicant shall reduce impacts to the extent feasible. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any project that may affect the historical resource, the project applicant shall make efforts to design the project to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), which generally mitigate impacts to a less than significant level (as defined in *CEQA Guidelines* Section 15364.5[b][3]). The project applicant shall provide a report identifying and specifying the treatment of character-defining features and compliance with the Standards to the County for review and approval, prior to permit issuance. Any and all features and construction activities shall become Conditions of Approval for the project and shall be implemented prior to issuance of construction (demolition and grading) permits.

If compliance with the Standards is determined to be infeasible, the applicant shall prepare documentation of the historical resource in the form of a Historic American Building Survey (HABS)-like report. The HABS report shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and

compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the PQS and submitted to the County prior to issuance of any permits for demolition or alteration of the historical resource.

Significance After Mitigation

Even with implementation of mitigation measures CUL-1a and CUL-1b, it is possible that development facilitated by the project may not be able to avoid impacts to a historical resource. Should a future project result in the demolition or substantial alteration of a historical resource, it would have the potential to materially impair the resource. Therefore, even with mitigation such as HABS, impacts may not be reduced to a less than significant level, and the impact would remain significant and unavoidable.

Threshold 2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Impact CUL-2 THE PROJECT HAS THE POTENTIAL TO CAUSE A SIGNIFICANT IMPACT ON ARCHAEOLOGICAL RESOURCES IF DEVELOPMENT FACILITATED BY THE PROJECT WOULD CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE, INCLUDING THOSE THAT QUALIFY AS HISTORICAL RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Although no known archaeological resources are present within the project area, ground-disturbing activities associated with development facilitated by the project have the potential to damage or destroy historic-age or prehistoric archaeological resources that may be present on or below the ground surface, particularly in areas not studied in a cultural resources investigation or when excavation depths exceed those attained previously for past development. Each of the rezoned parcels has the potential to contain archaeological resources. Consequently, damage to or destruction of known or previously unknown, archaeological resources could occur because of the project. Therefore, mitigation measures would be required. Part c of Mitigation Measure 8-1 of the North Fair Oaks Community Plan Draft EIR (2011) would apply to the project area, and this measure is replaced by Mitigation Measure CUL-2b for future development facilitated by the project in the project area.

Mitigation Measures

CUL-2a Archaeological Resources Assessment

For discretionary projects involving ground disturbance substantially beyond or deeper than previous disturbance, project applicants shall prepare an archaeological resources assessment under the supervision of an archaeologist who meets the SOI's PQS in either prehistoric or historic archaeology prior to project approval. Assessments will include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) at Sonoma State University and of the SLF search maintained by the NAHC. The records searches will characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the project site. A Phase I pedestrian survey shall be undertaken in proposed project areas that are undeveloped to locate any surface cultural materials. By performing a records search, consultation with the NAHC, and a Phase I survey, a qualified archaeologist shall be able to classify the project area as having high, medium, or low sensitivity for archaeological resources.

If the Phase I archaeological survey identifies resources that may be affected by the project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant levels by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The County will review and approve the Phase II or Phase III reports, and ensure that mitigation measures are implemented as appropriate prior to or during construction.

CUL-2b Stop Work in the Event of Unanticipated Discoveries During Construction

If cultural resources are encountered during ground-disturbing activities, work within 60 feet of the find shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology in either prehistoric or historic archaeology shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work such as excavating the cultural deposit to fully characterize its extent, and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist will consult with the County to begin Native American consultation procedures.

Significance After Mitigation

Implementation of mitigation measures CUL-2a and CUL-2b would reduce impacts to archaeological resources to less than significant levels by ensuring the avoidance of archaeological resources to the extent feasible, or by identifying, evaluating, and conducting data recovery archaeological resources that may be impacted by future projects in a timely manner. With implementation of these measures, impacts to archaeological resources would be less than significant.

Threshold 3: Would the project disturb any human remains, including those interred outside of formal cemeteries?

Impact CUL-3 GROUND DISTURBANCE ASSOCIATED WITH DEVELOPMENT FACILITATED BY THE PROJECT MAY DISTURB OR DAMAGE KNOWN OR UNKNOWN HUMAN REMAINS. ADHERENCE WITH EXISTING REGULATIONS WOULD ENSURE IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Regulations exist to address the discovery of human remains. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If an unanticipated discovery of human remains occurs, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a most likely descendant, who shall complete an inspection of the site and provide recommendations for treatment to the landowner within 48

hours of being granted access. With adherence to existing regulations, the archaeological resources mitigation measures identified above, program and project impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4a: Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 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)?

Threshold 4b: Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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?

Impact CUL-4 DEVELOPMENT FACILITATED BY THE PROJECT HAS THE POTENTIAL TO IMPACT TRIBAL CULTURAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

Although no tribes responded to request consultation and no specific TCRs were identified during the preparation of this document, TCRs are known to exist in San Mateo County. Development facilitated by the project has the potential to adversely impact tribal cultural resources. Potential impacts to tribal cultural resources would be less than significant with implementation of mitigation measure CUL-4, conducted in tandem, when appropriate, with mitigation measures CUL-1a, CUL-1b, CUL-2a, and CUL-2b.

Mitigation Measures

CUL-4 Suspension of Work Around Tribal Cultural Resources During Construction

In the event that cultural resources of Native American origin are identified during construction of a project, all earth-disturbing work within 60 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, the applicant shall prepare and implement a mitigation plan in accordance with State guidelines and in consultation with local Native American group(s). The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The County shall review and approve the mitigation plan prior to implementation.

Significance After Mitigation

Implementation of Mitigation Measure CUL-4 would reduce potential impacts to tribal cultural resources from development facilitated by the project to less than significant levels.

4.4.4 Cumulative Impacts

The geographic scope for cumulative cultural resource impacts for includes areas in the vicinity of the project area, including adjacent unincorporated County land and adjacent incorporated cities. This geographic scope is appropriate for cultural resources because such resources are regionally specific. The geographic scope for cumulative tribal cultural resource impacts includes Ohlone (Costanoan) traditional territory. This geographic scope is appropriate for tribal cultural resources because tribal cultural resources are regionally specific and determined by the local tribes. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact cultural and tribal cultural resources.

Buildout of cumulative projects would result in significant cumulative impacts to unknown historical resources. It is possible that future cumulative projects would result in impacts to known or unknown cultural resources. While impacts to such resources would be addressed on a case-by-case basis, and would likely be subject to mitigation measures similar to those imposed for development facilitated by the project, cumulative development may result in the destruction of historical resources. As such, cumulative historical impacts would be significant. Development facilitated by the project would implement mitigation measures CUL-1a and CUL-1b to ensure impacts to unknown historical resources are adequately mitigated. However, even after implementation of mitigation measures CUL-1a and CUL-1b, the project would result in a considerable contribution to this cumulative impact.

Buildout of cumulative projects would result in significant cumulative impacts to unknown archaeological resources. In the event that individual cumulative projects would result in impacts to known or unknown cultural resources, impacts to such resources would be addressed on a case-by-case basis, and would likely be subject to mitigation measures similar to those imposed for development facilitated by the project. As such, cumulative archaeological impacts would be less than significant with mitigation. Development facilitated by the project would implement mitigation measures CUL-2a and CUL-2b to ensure impacts to unknown archaeological resources are adequately mitigated, and the current County of San Mateo General Plan includes policies for the protection of archaeological resources from unnecessary impacts. After implementation of mitigation measures CUL-2a and CUL-2b, the project would not result in a considerable contribution to this cumulative impact.

Future projects and cumulative projects in the region would involve ground-disturbing activities which could encounter human remains. If human remains are found, the proposed project and cumulative projects would be required to comply the State of California Health and Safety Code Section 7050.5, as described in Impact CUL-3, above. With adherence to existing regulations relating to human remains, cumulative impacts would be less than significant, and the project would not result in a considerable contribution to this cumulative impact.

Cumulative development in the region would disturb areas with the potential to contain tribal cultural resources. Given the potential to damage these unknown tribal cultural resources, cumulative impacts are considered significant without mitigation. Cumulative projects are reviewed separately by the appropriate jurisdiction and undergo environmental review when it is determined that the potential for significant impacts exists. In the event that future cumulative projects would

result in impacts to known or unknown tribal cultural resources, impacts to such resources would be addressed on a case-by-case basis, and would likely be subject to mitigation measures similar to those imposed for this project as a result of the CEQA process. Cumulative impacts to tribal cultural resources would therefore be significant but mitigable. As described under Impact CUL-4, Mitigation Measure CUL-4 would reduce potential impacts to tribal cultural resources to less than significant. Therefore, the project would not result in a considerable contribution to cumulative impacts to tribal cultural resources.

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4.5 Geology and Soils

This section evaluates the potential impacts relating to geology and soils associated with implementation of the proposed project, including geologic hazards and paleontological resources.

4.5.1 Setting

a. Regional Geology

The project area is located in the Coast Ranges, one of the eleven geomorphic provinces in California (California Geological Survey 2002), defined as a region of unique topography and geology that is distinguished from other regions based on its landforms and geologic history. The Coast Ranges extend along the majority of California's coast from the California-Oregon border to Point Arguello in Santa Barbara County in the south and consist of northwest-trending mountain ranges and valleys. The Coast Ranges are composed of Mesozoic and Cenozoic sedimentary, igneous, and metamorphic strata. The eastern side is characterized by strike-ridges and valleys in the Upper Mesozoic strata. The coastline is primarily comprised of uplifted, wave-cut marine terraces. The Coast Ranges are generally often split into northern and southern portions divided by San Francisco Bay. The Coast Ranges province runs parallel to and overlaps the San Andreas Fault in some areas (California Geological Survey 2002).

b. Local Geologic Setting

Soils within the project area are classified as Urban Land – Orthents Cut and Fill Complex on nearly level to gently sloping land. These soils can be poorly drained to well-drained, and are present on alluvial fans, flood plains, and stream terraces (County of San Mateo 2011).

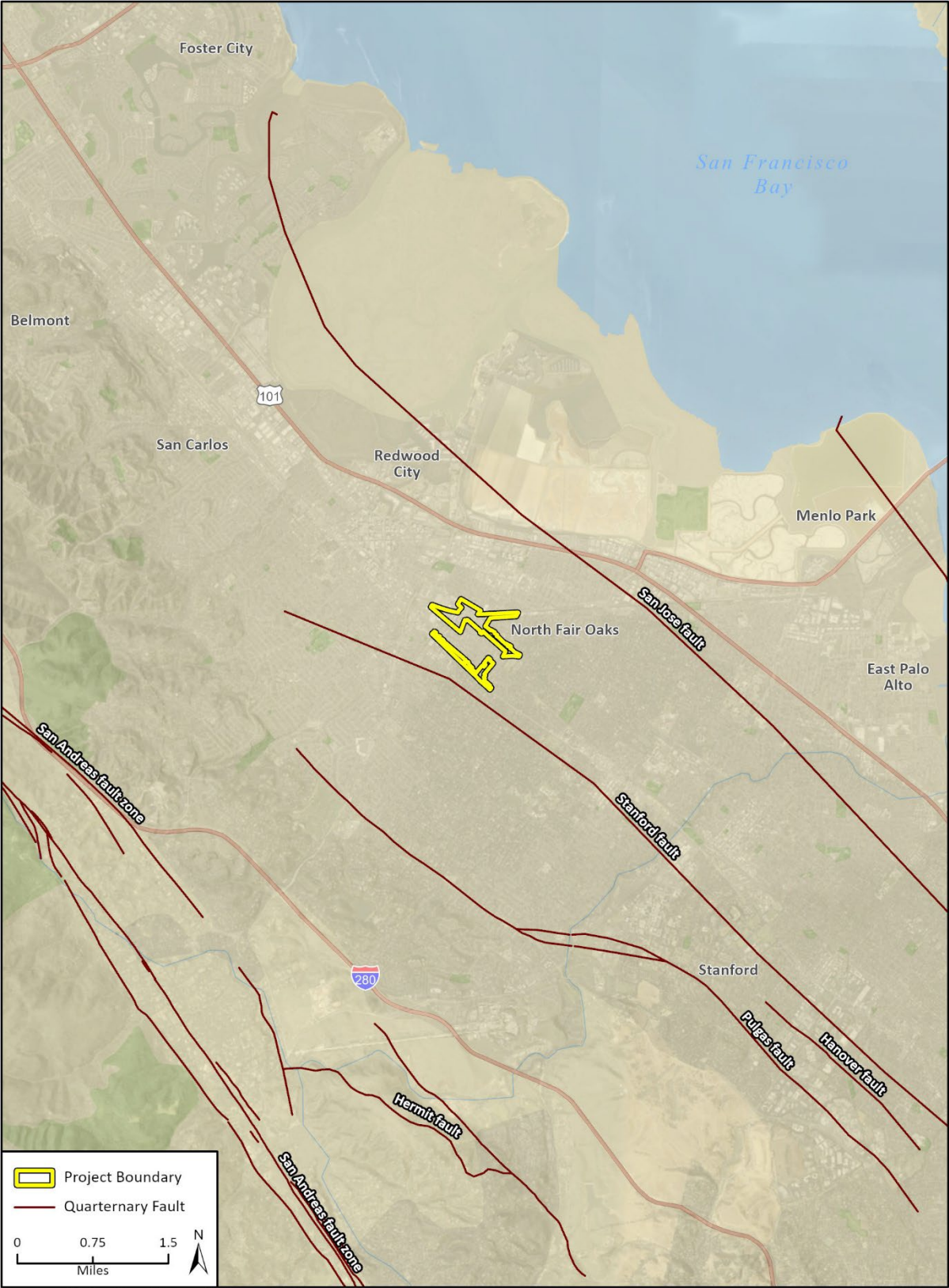
Seismic Hazards and Soil Stability

Northern California is a region of high seismic activity. Like most areas in the region, North Fair Oaks is subject to risks associated with potentially destructive earthquakes. Earthquakes are most common along geologic faults that are planes of weakness or fractures along which rocks have been displaced. There are no Holocene, or recently active, fault lines within the project area. The closest fault zone is the San Andreas Fault Zone, located approximately 3.5 miles from the project area boundary to the southwest. Older, quaternary fault lines, such as the San Jose and Stanford faults, run to the north and to the south, respectively, of the project area. Figure 4.5-1 shows faults near the project area.

Surface Rupture

Surface rupture represents the breakage of ground along the surface trace of a fault, which is caused by the intersection of the fault surface area ruptured in an earthquake with the earth's surface. Fault displacement occurs when material on one side of a fault moves relative to the material on the other side of the fault. This can have particularly adverse consequences when buildings are located within the rupture zone. It is not feasible, from a structural or economic perspective, to design and build structures that can accommodate rapid displacement involved with surface rupture. Surface displacement can range from a few inches to tens of feet during a rupture event.

Figure 4.5-1 Faults Near Project Area



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21-11539 EPS LU
Fig 4.5-1 Fault Zones

Faults are geologic hazards because of both surface fault displacement and seismic ground shaking that are distinct but related properties. Surface fault displacement results when the fault plane ruptures and that rupture surface extends to, or intersects, the ground surface. Surface fault rupture can be very destructive to structures constructed across active faults. However, the zone of damage is limited to a relatively narrow area along either side of the fault as opposed to seismic ground shaking damage that can be quite widespread. Faults are categorized as active, potentially active, and inactive. A fault is classified as active if it has moved during the Holocene time, which consists of approximately the last 11,000 years. A fault is classified as potentially active if it has experienced movement within Quaternary time, which is during the last 1.8 million years. Faults that have not moved in the last 1.8 million years are generally considered inactive.

Ground Shaking

The major cause of structural damage from earthquakes is ground shaking. The intensity of ground motion expected at a particular site depends upon the magnitude of the earthquake, the distance to the epicenter, and the geology of the area between the epicenter and the property. Greater movement can be expected at sites located on poorly consolidated material, such as alluvium, within close proximity to the ruptured fault, or in response to a seismic event of great magnitude. Historically, North Fair Oaks has been impacted by ground shaking during major earthquakes in the seismically active Northern California region and is likely to experience ground shaking from major earthquakes in the future.

Liquefaction

Liquefaction is a seismic phenomenon in which loose, saturated granular and non-plastic fine-grained soils lose their structure/strength when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: 1) shallow groundwater within the top 50 feet of the ground surface; 2) low-density non-plastic soils; and 3) high-intensity ground motion. Soils in the project area are subject to moderate liquefaction susceptibility (ABAG 2021).

Landslides and Slope Stability

Seismic ground shaking can also result in landslides and other slope instability issues. Landslides occur when slopes become unstable and masses of earth material move downslope. Landslides are usually rapid events, often triggered during periods of rainfall or by earthquakes. Mudslides and slumps are a more shallow type of slope failure. They typically affect the upper surficial soils horizons rather than bedrock features. Usually, mudslides and slumps occur during or soon after periods of rainfall, but they can be triggered by seismic shaking. The areas most susceptible to landslides are shown on maps prepared by the California Division of Mines and Geology. In addition, landslides occur where faults have fractured rock and along the base of slopes or cliffs where supporting material has been removed by stream or wave erosion, or human activities. Heavy rainfall, human actions, or earthquakes can trigger landslides. They may take the form of a slow continuous movement such as a slump or may move very rapidly as a semi-liquid mass such as a debris flow or avalanche. North Fair Oaks is relatively flat and does not have areas mapped inside a landslide zone (California Geological Survey [CGS] 2021).

Soil Hazards

Subsidence

Subsidence or settlement can occur from immediate settlement, consolidation, shrinkage of expansive soil, and liquefaction. Immediate settlement occurs when a load from a structure or placement of new fill material is applied, causing distortion in the underlying materials. This settlement occurs quickly and is typically complete after placement of the final load. Consolidation settlement occurs in saturated clay from the volume change caused by squeezing out water from the pore spaces. Consolidation occurs over a period of time and is followed by secondary compression, which is a continued change in void ratio under the continued application of the load. Soils tend to settle at different rates and by varying amounts depending on the load weight or changes in properties over an area, which is referred to as differential settlement. Areas underlain by soft sediments or undocumented fills are most prone to settlement. Portions of the project area that contain loose or non-engineered fill may be susceptible to differential settlement. Portions of the project area located within former tidal flats would be expected to be susceptible to settlement due to low strength native soils and potential unconsolidated fill (County of San Mateo 2011).

Expansive Soils

Expansive soils swell with increases in moisture content and shrink with decreases in moisture content. These soils usually contain high clay content. Foundations for structures constructed on expansive soils require special design considerations. Because expansive soils can expand when wet and shrink when dry, they can cause foundations, basement walls and floors to crack, causing substantial structural damage. As such, structural failure due to expansive soils near the ground surface is a potential hazard. These types of soils can be found throughout North Fair Oaks (County of San Mateo 2011).

Soil Erosion

Erosion refers to the removal of soil by water or wind. Factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. Depending on how well protected the soil is from these forces, the erosion process can be very slow or rapid. Properties of the soil also contribute to how likely or unlikely it is to erosion. Removal of natural or man-made protection can result in substantial soil erosion and excessive sedimentation and pollution problems in streams, lakes, and estuaries. Construction activities represent the greatest potential cause of erosion. Areas susceptible to erosion would include areas exposed during construction and along the shoreline where soil would be subjected to wave action.

c. Paleontological Resources

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in “soil” but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010). Fossils occur in a non-continuous and often unpredictable distribution within some

sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to evaluate the potential for geologic units to contain scientifically important paleontological resources, and therefore evaluate the potential for impacts to those resources and provide mitigation for paleontological resources if they are discovered during construction of a development project.

Paleontological Resources Sensitivity

Paleontological sensitivity refers to the potential for a geologic unit to produce scientifically significant fossils. Direct impacts to paleontological resources occur when earthwork activities, such as grading or trenching, cut into the geologic deposits within which fossils are buried and physically destroy the fossils. Since fossils are the remains of prehistoric animal and plant life, they are nonrenewable. Such impacts have the potential to be significant and, under the *CEQA Guidelines*, may require mitigation. Sensitivity is determined by rock type, history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit. Paleontological sensitivity is derived from the known fossil data collected from the entire geologic unit, not just from a specific survey.

The SVP outlines in its Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources guidelines for categorizing paleontological sensitivity of geologic units within a project area (SVP 2010). The SVP (2010) describes sedimentary rock units as having a high, low, undetermined, or no potential for containing significant nonrenewable paleontological resources. This criterion is based on rock units within which vertebrates or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. Significant paleontological resources are fossils or assemblages of fossils, which are unique, unusual, rare, uncommon, diagnostically, stratigraphically, taxonomically, or regionally. The paleontological sensitivity of the project site has been evaluated according to the following SVP (2010) categories:

- a. **High Potential (Sensitivity).** Rock units from which significant vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant non-renewable fossiliferous resources. These units include but are not limited to, sedimentary formations and some volcanic formations which contain significant nonrenewable paleontological resources anywhere within their geographical extent, and sedimentary rock units temporally or lithologically suitable for the preservation of fossils. Sensitivity comprises both (a) the potential for yielding abundant or significant vertebrate fossils or for yielding a few significant fossils, large or small, vertebrate, invertebrate, or botanical and (b) the importance of recovered evidence for new and significant taxonomic, phylogenetic, ecologic, or stratigraphic data. Areas which contain potentially datable organic remains older than recent, including deposits associated with nests or middens, and areas that may contain new vertebrate deposits, traces, or trackways are also classified as significant. Full-time monitoring is typically recommended during any project-related ground disturbance in geologic units with high sensitivity.
- b. **Low Potential (Sensitivity).** Sedimentary rock units that are potentially fossiliferous but have not yielded fossils in the past or contain common and/or widespread invertebrate fossils of well documented and understood taphonomic (processes affecting an organism following death, burial, and removal from the ground), phylogenetic species (evolutionary relationships among organisms), and habitat ecology. Reports in the paleontological literature or field surveys by a qualified vertebrate paleontologist may allow determination that some areas or units have low potentials for yielding significant fossils prior to the start of construction. Generally, these units

will be poorly represented by specimens in institutional collections and will not require protection or salvage operations.

- c. **Undetermined Potential (Sensitivity).** Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potentials. Field surveys by a qualified vertebrate paleontologist to specifically determine the potentials of the rock units are required before programs of impact mitigation for such areas may be developed.
- d. **No Potential.** Rock units of metamorphic or igneous origin are commonly classified as having no potential for containing significant paleontological resources.

Geologic Setting

The geology of the region was mapped by Brabb et al. (2000) who identified three geologic units underlying the project area: Holocene basin deposits, Holocene alluvial fan and fluvial deposits, and Pleistocene alluvial fan and fluvial deposits (Figure 4.5-2).

Holocene Basin Deposits

Holocene basin deposits underlie the northern part of the project area (Figure 4.5-2). Holocene basin deposits consist of silt, silty clay, or clay, that was deposited in flat basins along the edges of alluvial fans. Holocene basin deposits are likely too young (i.e., less than 5,000 years old) to preserve paleontological resources (SVP 2010). Therefore, Holocene basin deposits have low paleontological sensitivity.

Holocene Alluvial Fan and Fluvial Deposits

Holocene alluvial fan and fluvial deposits underlie much of the southern part of the project area (Figure 4.5-2). Holocene alluvial fan and fluvial deposits consist of brown or tan sediment ranging from silty clay to sandy gravel (Brabb et al. 2000). Holocene alluvial fan and fluvial deposits are likely too young (i.e., less than 5,000 years old) to preserve paleontological resources (SVP 2010). Therefore, Holocene alluvial fan and fluvial deposits have low paleontological sensitivity.

Pleistocene Alluvial Fan and Fluvial Deposits

Pleistocene alluvial fan and fluvial deposits underlie the southernmost part of the project area (Figure 4.5-2). Pleistocene alluvial fan and fluvial deposits consist of brown sediment ranging from clayey gravel to sandy clay (Brabb et al. 2000). Pleistocene-aged alluvial sediments have produced many significant paleontological resources in San Mateo County, including taxa such as mammoth (*Mammuthus*), ground sloth (*Paramylodon*), sabre-toothed cat (*Smilodon*), bison (*Bison*), birds, invertebrates, and plants (Jefferson 2010; Paleobiology Database 2022; University of California Museum of Paleontology 2022). Given this fossil-producing history, Pleistocene alluvial fan and fluvial deposits have high paleontological sensitivity.

Figure 4.5-2 Geologic Map of Project Area



4.5.2 Regulatory Setting

a. Federal

Clean Water Act

Congress enacted the Clean Water Act (CWA), formerly the Federal Water Pollution Control Act of 1972, with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). NPDES permitting authority is administered by the California State Water Resources Control Board (SWRCB) and its nine RWQCBs. North Fair Oaks is located within the San Francisco Bay RWQCB jurisdiction.

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) is part of the Omnibus Public Land Management Act of 2009 (PL 111-011 Subtitle D). This act directs the Secretary of the Interior or the Secretary of Agriculture to manage and protect paleontological resources on federal land and to develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources. It prohibits the removal of paleontological resources from federal land without a permit issued under this act, establishes penalties for violation of this act, and creates a program to increase public awareness about these resources. A paleontological resource use permit is required to collect paleontological resources of scientific interest. The act requires that paleontological resources collected under a permit remain United States property, preserved for the public in an approved repository, and available for scientific research and public education. The act also requires that the nature and location of paleontological resources on public lands remain confidential as a means of protecting the resources from theft and vandalism. Section 6301 of the PRPA and Departmental Proposed Rule at 43 CFR Part 49 define a paleontological resource as:

Any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth, except that the term does not include— (A) any materials associated with an archaeological resource... (B) any cultural item... (3) Resources determined in writing by the authorized officer to lack paleontological interest or not provide information about the history of life on earth, based on scientific and other management considerations.

Consistent with the definition of a paleontological resource under the PRPA, those paleontological resources that lack scientific interest (e.g., resources that are ubiquitous or do not provide information about the history of life on earth) are considered scientifically non-significant fossils.

b. State

California Building Code

The California Building Code (CBC) is contained in the California Code of Regulations, Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which by law is responsible for coordinating all building standards. The CBC incorporates by reference the federal Uniform Building Code with necessary California

amendments. The CBC is the regulatory tool that includes building code standards to address geologic and seismic hazards. Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (the Act) of 1990 was passed into law following the destructive October 17, 1989, magnitude 6.9 Loma Prieta earthquake. The Act directs the CGS to delineate Seismic Hazard Zones. The purpose of the Act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards, such as liquefaction, landslides, amplified ground shaking, and inundation by tsunami or seiche. Cities, counties, and State agencies are directed to use seismic hazard zone maps developed by CGS in their land-use planning and permitting processes. The Act requires that site-specific geotechnical investigations be performed prior to permitting most urban development projects within seismic hazard zones. CGS maintains these required maps.

California Public Resources Code

PRC Section 5097.5 states:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

Here “public lands” means those owned by, or under the jurisdiction of, the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with Public Resources Code Section 5097.5 for their own activities, including construction and maintenance, and for permit actions (e.g., encroachment permits) undertaken by others.

c. Local

San Mateo County Hazard Mitigation Plan

The San Mateo County Hazard Mitigation Plan, adopted July 2016, assesses the County’s vulnerabilities to various hazards and presents mitigation strategy, including goals, objectives, and actions that the County will strive to implement over the next five years. These hazards include earthquakes and landslides. The hazard mitigation plan seeks to identify opportunities for reasonable mitigation actions and sets out a five-year implementation plan.

San Mateo County General Plan

Chapter 5 Historical and Archaeological Resources of the County of San Mateo General Plan contains Goal 5.3 Protection of Archaeological/Paleontological Sites which states “The County will... Protect archaeological/paleontological sites from destruction in order to preserve and interpret them for future scientific research, and public educational programs.” (County of San Mateo 2013). The County of San Mateo General Plan includes several policies designed to implement Goal 5.3:

Soil Resources Policies

Goal 2.2: Minimize Soil Erosion

Minimize soil erosion through application of appropriate conservation practices.

Policy 2.17: Regulate Development to Minimize Soil Erosion and Sedimentation

Regulate development to minimize soil erosion and sedimentation; including, but not limited to, measures which consider the effects of slope, minimize removal of vegetative cover, ensure stabilization of disturbed areas and protect and enhance natural plant communities and nesting and feeding areas of fish and wildlife.

Policy 2.23: Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion

Regulate excavation, grading, filling, and land clearing activities to protect against accelerated soil erosion and sedimentation.

Policy 2.25: Regulate Topsoil Removal Operations Against Accelerated Soil Erosion

Regulate topsoil removal operations to protect against accelerated soil erosion and sedimentation through measures which ensure slope stabilization and surface drainage control.

Historical and Archaeological Resources Policies

Goal 5.3: Protection of Archaeological/Paleontological Sites

Protect archaeological/paleontological sites from destruction in order to preserve and interpret them for future scientific research, and public educational programs.

Policy 5.14: Registration of Significant Archaeological/Paleontological Sites

Recommend State and/or national register status for significant archaeological/paleontological sites.

Policy 5.20: Site Survey

Determine if sites proposed for new development contain archaeological/paleontological resources. Prior to approval of development for these sites, require that a mitigation plan, adequate to protect the resource and prepared by a qualified professional, be reviewed and implemented as a part of the project.

Policy 5.21: Site Treatment

- a. Encourage the protection and preservation of archaeological sites.
- b. Temporarily suspend construction work when archaeological/paleontological sites are discovered. Establish procedures which allow for the timely investigation and/or excavation of such sites by qualified professionals as may be appropriate.
- c. Cooperate with institutions of higher learning and interested organizations to record, preserve, and excavate sites.

Policy 5.25: Archaeological/Paleontological Resource Data Base

Maintain and update a comprehensive archaeological/paleontological data base.

Policy 5.26: Discovering Unrecorded Archaeological/Paleontological Sites

Support comprehensive studies to discover unrecorded archaeological and paleontological sites, particularly in areas under pressure for development.

Natural Hazards Policies

Policy 15.19: Appropriate Land Uses and Densities in Geotechnical Hazard Areas

- a. In urban areas, consider higher density land uses that are compatible with the surrounding pattern of development to be appropriate if adequate site specific review of geotechnical hazards has been undertaken and appropriate mitigation measures can feasibly be incorporated into development projects.

Policy 15.20: Review Criteria for Locating Development in Geotechnical Hazard Areas

- a. Avoid the siting of structures in areas where they are jeopardized by geotechnical hazards, where their location could potentially increase the geotechnical hazard, or where they could increase the geotechnical hazard to neighboring properties.
- b. Wherever possible, avoid construction in steeply sloping areas (generally above 30%).
- c. Avoid unnecessary construction of roads, trails, and other means of public access into or through geotechnical hazard areas
- d. In extraordinary circumstances when there are no alternative building sites available, allow development in geotechnically hazardous and/or steeply sloping areas when appropriate structural design measures to ensure safety and reduce hazardous conditions to an acceptable level are incorporated into the project.

Policy 15.21: Requirement for Detailed Geotechnical Investigations

- a. In order to more precisely define the scope of the geotechnical hazards, the appropriate locations for structures on a specific site and suitable mitigation measures, require an adequate geotechnical investigation for public or private development proposals located: (1) in an Alquist-Priolo Special Studies Zone, or (2) in any other area of the County where an investigation is deemed necessary by the County Department of Public Works.
- b. In order to minimize economic impacts on applicants for development and avoid duplication of information, use the existing information base when the Department of Public Works or appropriate County agency determines that it is adequate.

Policy 15.24: Incorporate Geotechnical Concerns During Review of Proposals for New Development

Incorporate geotechnical concerns into the review of proposals for new development through measures including but not limited to: (1) regulation of land use and limitation of density; (2) siting and design of roads, grading, utilities, improvements and structures; (3) requiring site specific geotechnical investigations where appropriate and conformance to the recommendations of those investigations; (4) conformance to defined hazardous areas design criteria; and (5) conformance with established building code requirements.

San Mateo County Erosion and Sediment Control Plan

The County requires development projects to submit an erosion and sediment control plan that shows what Best Management Practices (BMPs) will be used, when, and where, specific to the project scope, along with the total disturbance area and installation details and notes for the proposed BMPs. Measures include those necessary to delineate areas of work, prevent erosion of unstable or denuded areas, plan for construction staging and storage logistics, construction of stabilized access points, and proper containment measures for construction materials and waste. A plan and inspection is required prior to issuance of a building permit for construction, demolition, or grading purposes.

4.5.3 Impact Analysis

a. Methodology and Significance Thresholds

The following thresholds are based on *CEQA Guidelines* Appendix G. For purposes of this EIR, impacts related to geology and soils are considered significant if implementation of the proposed project would:

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - a. 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,
 - b. Strong seismic ground shaking,
 - c. Seismic-related ground failure, including liquefaction, or
 - d. Landslides;
2. Result in substantial soil erosion or the loss of topsoil;
3. 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;
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirectly risks to life or property;
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; or
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

To determine the uniqueness of a given paleontological resource, it must first be identified or recovered (i.e., salvaged). CEQA does not define “a unique paleontological resource or site.” However, SVP has defined a “significant paleontological resource” in the context of environmental review as follows:

Fossils and fossiliferous deposits, here defined as consisting of identifiable vertebrate fossils, large or small, uncommon invertebrate, plant, and trace fossils, and other data that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, and/or biochronologic information. Paleontological resources are typically older than recorded

human history and/or older than middle Holocene (i.e., older than about 5,000 radiocarbon years) (SVP 2010).

b. Project Impacts and Mitigation Measures

Threshold 1a: Would the project 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?

Impact GEO-1 THE PROJECT AREA IS NOT LOCATED IN AN ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE. DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT DIRECTLY OR INDIRECTLY CAUSE SUBSTANTIAL ADVERSE EFFECTS INVOLVING RUPTURE OF A KNOWN EARTHQUAKE FAULT. THERE WOULD BE NO IMPACT.

None of the sites in the project are located within or near Alquist-Priolo Earthquake Fault Zones. In addition, there are no faults under the project area, as shown in Figure 4.5-1. Therefore, development facilitated by the project would not directly or indirectly cause substantial adverse effects involving rupture of a known earthquake fault.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

No impact would occur.

Threshold 1b: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Threshold 1c: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Threshold 1d: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Threshold 3: Would the project 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?

Impact GEO-2 DEVELOPMENT FACILITATED BY THE PROJECT COULD EXPOSE PEOPLE OR STRUCTURES TO A RISK OF LOSS, INJURY, OR DEATH FROM SEISMIC EVENTS. DEVELOPMENT FACILITATED BY THE PROJECT COULD BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE OR BECOME UNSTABLE RESULTING IN LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS WOULD ENSURE THAT IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project would result in additional residents who would be potentially exposed to the effects of fault rupture, seismic ground shaking, and liquefaction from local and regional earthquakes. New structures could also experience substantial damage during seismic ground shaking events. The project area would not be subject to landslides as the

topography of the area is flat. Development in the project area would be required to be built to current seismic standards that could better withstand the adverse effects of strong ground shaking. Potential structural damage and the exposure of people to the risk of injury or death from structural failure would be minimized by compliance with CBC engineering design and construction measures. Foundations and other structural support features would be required to be designed to resist or absorb damaging forces from strong ground shaking and liquefaction. The project site is located on a flat area and would not be subject to landslides. Under the project, proposed rezoning would allow for increased allowable building heights. The increase in allowable height could result in foundations and other structural support features to be more robust to support the additional height; however, compliance with CBC regulations would ensure that the buildings would meet seismic safety standards.

In addition to compliance with mandatory CBC requirements, including Chapter 16 regarding earthquake loads and Chapter 18 discussing soils and foundations, implementation of General Plan goals and policies would further reduce the potential for loss, injury, or death following a seismic event. Adherence to General Plan goals and policies listed in Section 4.5.2, *Regulatory Setting*, would help to reduce risks from seismic hazards.

Implementation of these goals and policies, in addition to compliance with applicable laws and regulations, would minimize the potential for loss, injury, or death following a seismic event and would reduce this potential impact to a less than significant level.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| |
|--|
| Threshold 2: Would the project result in substantial soil erosion or the loss of topsoil? |
|--|

Impact GEO-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD INCLUDE GROUND DISTURBANCE SUCH AS EXCAVATION AND GRADING THAT WOULD RESULT IN LOOSE OR EXPOSED SOIL. DISTURBED SOIL COULD BE ERODED BY WIND OR DURING A STORM EVENT, WHICH WOULD RESULT IN THE LOSS OF TOPSOIL. ADHERENCE TO PERMIT REQUIREMENTS AND COUNTY REGULATIONS WOULD ENSURE THAT IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project would involve construction activities such as stockpiling, grading, excavation, paving, and other earth-disturbing activities. Loose and disturbed soils are more prone to erosion and loss of topsoil by wind and water.

As described in Section 4.8, *Hydrology and Water Quality*, development on rezoning parcels would be subject to the applicable NPDES Municipal Separate Storm Sewer System Permit (Municipal Permit Order No. R9-2015- 0049, NPDES Permit No. CA0029921) which requires measures to reduce and eliminate stormwater pollutants, installation of appropriate BMPs to control stormwater runoff from construction sites, and that grading and drainage permits be obtained prior to construction. Grading and drainage plans accompanying the permit application must include BMPs for erosion prevention and sediment control, fencing at waterways and in sensitive areas, and limitation of disturbed areas through temporary features. The permit applications must also demonstrate compliance with NPDES Municipal Separate Storm Sewer System Permit provisions. Enforcement of

these permit requirements would reduce soil erosion impacts. Additionally, prior to issuance of building permits, the County requires submittal of an Erosion and Sediment Control Plan detailing specifics on when, where, and which BMPs will be used. Adherence to General Plan Goal 2.2 and policies 2.17, 2.23, and 2.25, as well as adherence to County-required BMPs, would reduce the potential for development facilitated by the project to cause erosion or the loss of topsoil by ensuring proper management of loose and disturbed soil.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4: Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact GEO-4 DEVELOPMENT FACILITATED BY THE PROJECT MAY BE LOCATED ON EXPANSIVE SOIL AND COULD BE SUBJECT TO LIQUEFACTION HAZARDS. COMPLIANCE WITH THE CBC WOULD REDUCE LIQUEFACTION HAZARDS. EXISTING SAFETY ELEMENT POLICIES WOULD APPLY TO DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT IN HAZARD ZONES FOR LIQUEFACTION OR LATERAL SPREADING OF SOILS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project that is constructed on expansive soils could be subject to damage or could become unstable when the underlying soil shrinks or swells. The adverse effects of expansive soils can be avoided through proper subsoil preparation, drainage, and foundation design. In order to design an adequate foundation, it must be determined if the site contains expansive soils through appropriate soil sampling and laboratory soils testing. Expansive soils are identified through expansion tests of samples of soil or rock, or by means of the interpretation of Atterberg limit tests, a standard soils testing procedure. The CBC includes requirements to address soil-related hazards, including testing to identify expansive soils and design specifications where structures are to be constructed on expansive soils. Typical measures to treat expansive soil conditions involve removal, proper fill selection, and compaction. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils. Compliance with the requirements of the CBC, as well as relevant General Plan policies (including Policies 15.20, 15.21, and 15.24), would reduce impacts related to expansive soils to a less than significant level, and no mitigation measures would be required.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 5: Would the project 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?

Impact GEO-5 DEVELOPMENT FACILITATED BY THE PROJECT WOULD OCCUR ON URBAN SITES THAT WOULD BE SERVED BY EXISTING SANITATION INFRASTRUCTURE. NEW DEVELOPMENT WOULD NOT INCLUDE THE USE OF SEPTIC SYSTEMS. THERE WOULD BE NO IMPACT.

Development facilitated by the project would occur in urban areas where existing wastewater infrastructure exists. Therefore, the proposed project would not require the use of septic tanks or alternative wastewater disposal systems and there would be no impact.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

No impact would occur.

Threshold 6: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact GEO-6 DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT HAS THE POTENTIAL TO IMPACT PALEONTOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

The project area is underlain by three geologic units (Figure 4.5-2), one of which, Pleistocene alluvial fan and fluvial deposits (Qpaf), has high paleontological sensitivity. This sensitive unit does not underlie parcels that are identified for rezoning, and is limited to a few parcels located in the southern portion of the project area. Ground-disturbing construction activities (e.g., grading, boring, excavating, trenching) in previously undisturbed sediments with high paleontological sensitivity have the potential to significantly impact paleontological resources.

Adverse effects to paleontological resources can only be determined once a specific project has been proposed because the effects are highly dependent on both the individual project site conditions and the characteristics of the proposed ground-disturbing activity. Although the project area is completely developed for urban uses, future construction could require deeper excavations into previously undisturbed, highly paleontologically sensitive sediments. Consequently, damage to or destruction of fossils could occur due to development under the proposed project. Impacts would be potentially significant, but mitigable.

Policy 5.20 of the San Mateo County General Plan requires that sites on which new development is proposed are to be assessed for the presence of paleontological resources and for the development of a mitigation plan if deemed necessary (County of San Mateo 2013). Policy 5.21 requires construction to cease if a potential paleontological resource is discovered until the find is evaluated and/or excavated by a qualified professional (County of San Mateo 2013). The County would continue to require Mitigation Measure 8-3 of the North Fair Oaks Community Plan EIR (2011), which addresses unanticipated discovery of paleontological resources during construction activities. This measure is included as Mitigation Measure GEO-6, below.

Mitigation Measures

GEO-6 Unanticipated Discovery of Paleontological Resources

If paleontological resources are encountered during future grading or excavation in the Community Plan area, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded and determined appropriate treatment of the resource, in consultation with the County. Project personnel shall not collect cultural resources. Appropriate treatment may include collection and processing of "standard" samples by a qualified paleontologist to recover micro vertebrate fossils; preparation of significant fossils to a reasonable point of identification; and depositing significant fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens.

Significance After Mitigation

Mitigation Measure GEO-6 would reduce potential impacts during unanticipated discovery of paleontological resources to less than significant.

4.5.4 Cumulative Impacts

The geographic scope for cumulative geology and soils impacts is limited to development sites in close proximity to the project area. This geographic scope is appropriate for geology and soils because impacts, such as erosion and loss of topsoil, can affect adjacent sites but do not typically impact regional areas as a whole. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact geology and soils.

Cumulative development would gradually increase population and therefore gradually increase the number of people exposed to potential geological hazards, including effects associated with seismic events such as seismic shaking, liquefaction, and landslides. However, cumulative development projects would be required to conform with the current CBC and other laws and regulations described above, ensuring that cumulative impacts associated with seismic shaking, liquefaction, and landslides would be less than significant. Therefore, the proposed project would not result in a considerable contribution to cumulative impacts related to seismic hazards.

Cumulative development would also increase ground disturbance in the vicinity of the project area, which would contribute to erosion and loss of topsoil in the area. However, cumulative development projects would be required to conform with the County erosion prevention and sediment control requirements. These standard requirements would ensure that cumulative impacts associated with erosion and loss of topsoil would be less than significant. Accordingly, cumulative impacts would be less than significant, and the proposed project would not result in a considerable contribution to cumulative impacts related to erosion and loss of topsoil.

Compliance with existing State and local laws, regulations, and policies such as the CBC and County-required BMPs would ensure that the impacts from implementation of the cumulative projects on potentially expansive soil would be minimized by requiring the submittal and review of detailed soils and/or geologic reports prior to construction. Therefore, cumulative impacts resulting from expansive soils would be less than significant, and the project would not result in a considerable contribution to cumulative impacts related to expansive soils.

Existing policies and regulations that are protective of paleontological resources would apply to cumulative development in the project vicinity. Therefore, cumulative impacts related to

paleontological resources would be less than significant, and the project would not result in a considerable contribution to cumulative impacts related to paleontological resources.

4.6 Greenhouse Gas Emissions

This section summarizes the setting for GHG emissions and climate change and analyzes the impacts related to GHG emissions and climate change due to the project.

4.6.1 Setting

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂); methane (CH₄); nitrous oxides (N₂O); fluorinated gases such as hydrofluorocarbons (HFC) and perfluorocarbons (PFC); and sulfur hexafluoride (SF₆). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as “carbon dioxide equivalent” (CO₂e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a 100-year GWP of 30, meaning its global warming effect is 30 times greater than CO₂ on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2021).¹

GHGs are emitted by natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are usually by-products of fossil fuel combustion, and CH₄ results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO₂, include fluorinated gases and SF₆ (United States Environmental Protection Agency [USEPA] 2022a).

Climate change is the observed increase in the average temperature of the Earth’s atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term “climate change” is often used interchangeably with the term “global warming,” but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record, which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The IPCC expressed in their Sixth Assessment Report that the rise and continued growth of atmospheric CO₂ concentrations is unequivocally due to human activities (IPCC 2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, a total of 2,390 gigatons of anthropogenic CO₂ was emitted. It is likely that anthropogenic activities have increased the global

¹ The Intergovernmental Panel on Climate Change’s (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change’s (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWP of 25.

surface temperature by approximately 1.07 degrees Celsius between the years 2010 through 2019 (IPCC 2021).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 33 degrees Celsius (°C) cooler (World Meteorological Organization 2013). However, since 1750, estimated concentrations of CO₂, CH₄, and N₂O in the atmosphere have increased by 47 percent, 156 percent, and 23 percent, respectively, primarily due to human activity (IPCC 2021). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

a. Greenhouse Gas Emissions Inventory

Global Emissions Inventory

Worldwide anthropogenic GHG emissions totaled 47,000 million metric tons (MMT) of CO₂e in 2015, which is a 43 percent increase from 1990 GHG levels (USEPA 2022b). Specifically, 34,522 MMT of CO₂e of CO₂, 8,241 MMT of CO₂e of CH₄, 2,997 MMT of CO₂e of N₂O, and 1,001 MMT of CO₂e of fluorinated gases were emitted in 2015. The largest source of GHG emissions were energy production and fuel use from vehicles and buildings, which accounted for 75 percent of the global GHG emissions. Agriculture uses and industrial processes contributed 12 percent and six percent, respectively. Waste sources contributed three percent and international transportation sources contributed two percent. These sources account for approximately 98 percent because there was a net sink of two percent from land-use change (including afforestation/reforestation and emissions removals by other land use activities) (USEPA 2022b).

United States Emissions Inventory

Total United States (U.S.) GHG emissions were 5,981.4 MMT of CO₂e in 2020. Emissions decreased by 9.0 percent from 2019 to 2020. The decrease from 2019 to 2020 is largely due to impacts of the coronavirus (COVID-19) pandemic on travel and economic activity. The decline also reflects the combined impacts of several long-term trends, including population changes, economic growth, energy market shifts, technological changes such as improvements in energy efficiency, and decrease carbon intensity of energy fuel choices. In 2020, transportation activities accounted for 27 percent of the nationwide GHG emissions; while electric power and industry accounted for 25 percent and 24 percent, respectively, of nationwide GHG emissions. Agricultural activities and commercial and residential sectors accounted for 11 percent, 7 percent, and 6 percent, respectively, of the nationwide GHG emissions (USEPA 2022c).

California Emissions Inventory

Based on the CARB California Greenhouse Gas Inventory for 2000-2020, California produced 369.2 MMT of CO₂e in 2020, which is 35.3 MMT of CO₂e lower than 2019 levels and 61.8 MMT of CO₂e below the 2020 GHG limit of 431 MMT of CO₂e. The major source of GHG emissions in California is the transportation sector, which comprises 37 percent of the state's total GHG emissions. The industrial sector is the second largest source, comprising 20 percent of the state's GHG emissions, while electric power accounts for approximately 16 percent (CARB 2022a). The decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic. Economic recovery from the pandemic may result in emissions increases over the next few years (CARB 2022a).

Local Emissions Inventory

Based on the San Mateo County Community Climate Action Plan (CCAP), the County generated 396,922 MT of CO₂e in 2015 (County of San Mateo 2021). Transportation was the major source of emissions accounting for 52 percent of the total, largely due to passenger vehicles. Commercial/industrial energy was the second largest source of emissions at 25 percent. Residential energy usage represented 16 percent. Emissions from energy consumption have declined in recent years due to the introduction of Peninsula Clean Energy (PCE), which provides options for County customers to purchase 100% renewable electricity. Solid waste, airports, and agriculture represented 2 percent each of emissions (County of San Mateo 2022).

b. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Each of the past three decades has been warmer than all the previous decades on record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature from 2015 to 2017 was approximately 1.0°C higher than the average global mean surface temperature over the period from 1880 to 1900 (National Oceanic and Atmospheric Administration 2020). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature obtained from station observations jointly indicate that Land-Surface Air Temperature and sea surface temperatures have increased.

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 0.6 to 1.1°C higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, larger forest fires, and more drought years (State of California 2018). In addition to statewide projections, *California's Fourth Climate Change Assessment* includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally specific climate change case studies (State of California 2018). However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. A summary follows of some of the potential effects that could be experienced in California because of climate change.

Air Quality

Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century (State of California 2018). Higher temperatures are conducive to air pollution formation, and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone. The magnitude of the effect of the increased concentration of ground-level ozone, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (State of California 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks

throughout the state. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains could tend to temporarily clear the air of particulate pollution, which would effectively reduce the number of large wildfires and thereby ameliorate the pollution associated with them (California Natural Resources Agency 2009).

Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources 2018). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (State of California 2018). The Sierra snowpack provides most of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack (State of California 2018). Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (State of California 2018).

Hydrology and Sea Level Rise

Climate change could affect the intensity and frequency of storms and flooding (State of California 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2022, observed by satellites, is approximately 3.5 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2022). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. While the project area is not located along the coastline, sea level rise may jeopardize California's water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (State of California 2018).

Agriculture

California has an over \$50 billion annual agricultural industry that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts (California Department of Food and Agriculture 2020). Higher CO₂ levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (State of California 2018). Temperature increases could

also change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

Ecosystems

Climate change and the potential resultant changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions because of higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; State of California 2018).

4.6.2 Regulatory Setting

a. Federal

Federal Clean Air Act

The U.S. Supreme Court determined in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) that the USEPA has the authority to regulate motor vehicle GHG emissions under the federal Clean Air Act. The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the U.S. Supreme Court held the USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

Safer Affordable Fuel-Efficient Vehicles Rule

On September 27, 2019, the USEPA and the National Highway Traffic Safety Administration published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program. The SAFE Rule Part One revokes California's authority to set its own GHG emissions standards and to adopt its own zero-emission vehicle mandates. On April 30, 2020, the USEPA and the National Highway Traffic Safety Administration published Part Two of the SAFE Vehicles Rule, which revised corporate average fuel economy and CO₂ emissions standards for passenger cars and trucks of model years 2021-2026, such that the standards increase by approximately 1.5 percent each year through model year 2026, as compared to the approximately 5 percent annual increase required under the 2012 standards (National Highway Traffic Safety Administration 2022).

b. State

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. There are numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

California Advanced Clean Cars Program

AB 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, the USEPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the USEPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the LEV, zero emissions vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

California Advanced Clean Trucks Program

In June 2020, CARB approved the Advanced Clean Trucks regulation, which requires manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. In addition, the regulation requires company and fleet reporting for large employers and fleet owners with 50 or more trucks. By 2045, all new trucks sold in California must be zero-emission. Implementation of this regulation would reduce consumption of nonrenewable transportation fuels as trucks transition to alternative fuel sources.

Executive Order B-48-18: Zero-Emission Vehicles

On January 26, 2018, Governor Brown signed Executive Order B-48-18 requiring all State entities to work with the private sector to have at least 5 million ZEVs on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 electric vehicle (EV) charging stations by 2025. It specifies that 10,000 of the EV charging stations should be direct current fast chargers. This order also requires all State entities to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. The Governor's Office of Business and Economic Development is required to publish a Plug-in Charging Station Design Guidebook and update the 2015 Hydrogen Station Permitting Guidebook to aid in these efforts. All State entities are required to participate in updating the 2016 ZEV Action Plan, along with the 2018 ZEV Action Plan Priorities Update, which includes and extends the 2016 ZEV Action Plan (Governor's Interagency Working Group on Zero-Emission Vehicles 2016, 2018) to help expand private investment in ZEV infrastructure with a focus on serving low-income and disadvantaged communities.

Executive Order N-79-20

Governor Gavin Newsom signed Executive Order N-79-20 in September 2020, which sets a Statewide goal that 100 percent of all new passenger car and truck sales in the State will be zero-emissions by 2035. It also sets a goal that 100 percent of statewide new sales of medium- and

heavy-duty vehicles will be zero emissions by 2045, where feasible, and for all new sales of drayage trucks to be zero emissions by 2035. Additionally, the Executive Order targets 100 percent of new off-road vehicle sales in the State to be zero emission by 2035. CARB is responsible for implementing the new vehicle sales regulation.

California Global Warming Solutions Act of 2006 (Assembly Bill 32, Senate Bill 32, and Assembly Bill 1279)

The “California Global Warming Solutions Act of 2006,” (AB 32), outlines California’s major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 MMT of CO₂e, which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others (CARB 2008).

The CARB approved the 2013 Scoping Plan update in May 2014. The update defined the CARB’s climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California’s progress toward meeting the “near-term” 2020 GHG emission reduction goals defined in the original Scoping Plan.

On September 8, 2016, the governor signed SB 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100 (discussed below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies.

AB 1279, “The California Climate Crisis Act,” was passed on September 16, 2022, and declares the State would achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045. The 2022 Scoping Plan lays out a path to achieve AB 1279 targets (CARB 2022b). The actions and outcomes in the 2022 Scoping Plan would achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state’s ability to reach AB 32 goals by directing the CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPO) are required to adopt a SCS, which allocates

land uses in the MPO's RTP. Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

San Mateo County is within the planning area of the ABAG. ABAG was assigned targets of a 10 percent reduction in GHGs from transportation sources by 2020 and a 19 percent reduction in GHGs from transportation sources by 2035 (CARB 2022c).

Assembly Bill 1493 (Reduce GHG Emissions from Vehicle Use)

AB 1493 (Chapter 200, Statutes of 2002), known as the Pavley Bill, amended Health and Safety Code Sections 42823, and added Section 43018.5 requiring CARB to develop and adopt regulations that achieve maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles, light-duty trucks, and other vehicles used for noncommercial personal transportation in California.

Assembly Bill 1007 (State Alternative Fuels Plan)

AB 1007 (Chapter 371, Statutes of 2005) required the California Energy Commission (CEC) to prepare a State plan to increase the use of alternative fuels in California. The CEC prepared the State Alternative Fuels Plan (SAF Plan) in partnership with CARB and in consultation with other federal, State, and local agencies. The SAF Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The SAF Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-State production of biofuels without causing a significant degradation of public health and environmental quality.

CARB In-Use On-Road and Off-Road Diesel Rules

The CARB rule imposes limits on idling, restricts the addition of older vehicles, and requires the retirement or replacement of older engines depending on their fleet size category. This policy indirectly impacts energy consumption.

More specifically, CARB is also charged with developing air pollution control regulations based upon the best available control measures and implementing feasible control measures under the State and Federal Clean Air Act (Health and Safety Code, Sections 39602.5, 39667, 43013, subdivisions (a) and (h), 43018, 40600, 40601, 40612(a)(2) and (c)(1)(A)). Pursuant to these statutory authorities, more stringent emission standards were adopted in 2004 for off-road construction equipment (i.e. "Tier 4" standards) (40 Code of Federal Regulations Parts 1039, 1065, and 1068; California Code of Regulations, title 13, Section 2025). CARB also adopted emission standards for on-road heavy duty diesel vehicles (i.e., haul trucks). (California Code of Regulations, title 13, Section 1956.8.) These haul truck regulations mandate fleet turn-over to ensure that by January 1, 2023, nearly all on-road diesel trucks will have 2010 model year engines or equivalent [i.e., Tier 4]. In addition, interim steps are incorporated into the regulations (e.g., vehicles older than 1999 will be replaced with newer engines by 2020). On November 17, 2022, CARB approved amendments aimed at further reducing emissions from the off-road sector. The amendments phase-in starting in 2024 through the end of 2036. The amendments require fleets to phase-out use of the oldest and highest polluting off-road diesel vehicles in California, prohibit the addition of high-emitting vehicles to a fleet, and require the use of R99 or R100 renewable diesel in off-road diesel vehicles (CARB 2022d).

California Integrated Waste Management Act (Assembly Bill 341)/Assembly Bill 1826 (Mandatory Recycling/Composting)

The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows diversion away from landfills of 75 percent of all solid waste by 2020 and annually thereafter. AB 1826 requires recycling of organic waste (i.e., composting). All businesses and public entities that generate four or more cubic yards of solid waste per week and multi-family residential dwellings that have five or more units are required to recycle and compost.

Senate Bill 1383

Adopted in September 2016, SB 1383 requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

SB 1383 also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 100

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state's Renewables Portfolio Standard (RPS) Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045. The 2020 goal was met, with approximately 36 percent of electricity coming from renewable sources in March 2021 (CEC 2021).

Executive Order B-55-18

On September 10, 2018, the former Governor Brown issued Executive Order B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

Senate Bill 1020

SB 1020, signed into law on September 16, 2022, requires renewable energy and zero-carbon resources to supply 90 percent of all retail electricity sales by 2035, 95 percent by 2040, and 100 percent by 2045. All State agencies facilities must be served by 100 percent renewable and zero-carbon resources by 2030. SB 1020 also requires the Public Utilities Commission, Energy Commission, and CARB to issue a joint progress report outlining the reliability of the electrical grid with a focus on summer reliability and challenges and gaps. Additionally, SB 1020 requires the Public Utilities Commission to define energy affordability and use energy affordability metrics to develop protections, incentives, discounts, or new programs for residential customers facing hardships due to energy or gas bills.

CARB Gas Appliances Sales Ban

As part of the 2022 State Implementation Plan, CARB adopted a ban on new sales of natural gas heaters, water heaters, and furnaces by 2030 in September of 2022. This new measure is intended to reduce emissions from new residential and commercial space and water heaters sold in the State. An emission standard for space and water heaters will go into effect in 2030. Beginning in 2030, 100 percent of the sales of new natural gas-powered heaters and water heaters would need to comply with the emission standard, such as putting in electric heaters or other zero-emission options.

Title 24, Building Standards Code and CALGreen Code

The CEC first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the State. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

Part 11 of the Title 24 Building Standards is referred to as the California Green Building Standards (CALGreen) Code and was developed to help the State achieve its GHG reduction goals under HSC Division 25.5 (e.g., AB 32) by codifying standards for reducing building-related energy, water, and resource demand, which in turn reduces GHG emissions from energy, water, and resource demand. The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental air quality.” The CALGreen Code is not intended to substitute for or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality.

On August 11, 2021, the CEC adopted the 2022 Title 24 Standards, which went into effect on January 1, 2023. The 2022 standards continue to improve upon the previous (2019) Title 24 standards for new construction of, and additions and alterations to, residential and non-residential buildings (CEC 2022a). The 2022 Title 24 Standards “build on California’s technology innovations, encouraging energy efficient approaches to encourage building decarbonization, emphasizing in particular on heat pumps for space heating and water heating. This set of Energy Codes also extends the benefits of photovoltaic and battery storage systems and other demand flexible technology to work in combinations with heat pumps to enable California buildings to be responsive to climate change. This Energy code also strengthens ventilation standards to improve indoor air quality. This update provides crucial steps in the state’s progress toward 100 percent clean carbon neutrality by midcentury” (CEC 2022b). The 2022 Energy Code is anticipated to reduce GHG emissions by 10 MMT of CO₂e over the next 30 years and result in approximately 1.5 billion dollars in consumer savings (CEC 2022c). Compliance with Title 24 is enforced through the building permit process.

c. Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a State-mandated, integrated long-range transportation, land-use, and housing plan, known as an RTP/SCS, that would support a growing economy, provide more housing and transportation choices and reduce transportation-related pollution in the nine-county San Francisco Bay Area. Plan Bay Area 2050 builds on earlier efforts to develop an efficient transportation network and grow in a financially and environmentally responsible way. The Plan presents a total of 35 strategies, which include, but are not limited to, the following: providing affordable housing, allowing higher-density in proximity to transit-corridors, optimizing the existing roadway network, creating complete streets, providing subsidies for public transit, reducing climate emissions, and expanding open space area. An implementation plan is also included as part of the Plan to assess the requirements needed to carry out the strategies, identify the roles of pertinent entities, create an appropriate method to implement the strategies, and create a timeline for implementation.

San Mateo County Transportation Authority

The San Mateo County Transportation Authority (TA) plans, funds and delivers transportation programs and projects throughout San Mateo County. The TA was formed in 1988 with the passage of the voter-approved half-cent sales for countywide transportation projects and programs. The TA is responsible for improving transit and relieving traffic congestion in San Mateo County. The Alternative Congestion Relief Transportation Demand Management (TDM) Plan is a guide for initiating and selecting projects that aim to reduce reliance on automobile travel and increase the efficiency of the transportation network in San Mateo County.

San Mateo County Energy Efficiency Climate Action Plan

The San Mateo County Energy Efficiency Climate Action Plan (EECAP) was adopted in June 2013 and outlines the County's strategies to adapt to a changing climate, and protect the built environment, public health, and natural resources from the vulnerabilities caused by changing climate conditions in unincorporated San Mateo County. The EECAP includes GHG reduction strategies focusing on residential energy efficiency, commercial energy efficiency, green building ordinance, renewable energy, transportation, alternative fuels, waste diversion, water efficiency, sustainable agriculture practices, off-road technology, and sequestration. The EECAP also includes a goal of reducing GHG emissions 17 percent below baseline emissions by 2020, exceeding AB 32's target of reducing emissions 15 percent below baseline emissions by 2020 (County of San Mateo 2013a). The County met these GHG reduction goals early, achieving a 33 percent reduction in emissions over 1990 levels by 2017. The EECAP has been replaced with the San Mateo County Climate Action Plan, which is discussed below.

San Mateo County Community Climate Action Plan

The San Mateo County CCAP was adopted in October 2022 and provides a framework and path for unincorporated San Mateo County to reduce GHG emissions by 45 percent by 2030 and reach carbon neutrality by 2040. The CCAP includes strategies and actions to improve energy efficiency, electrify buildings and transportation, and use microgrids to generate local renewable energy. It recommends development patterns that reduce urban sprawl, preserve agricultural lands, and emphasize multi-modal transportation that allow people to go about their business on foot, by

bicycle, or via public transportation. It also offers ways to divert organic and inorganic waste that would otherwise go to landfills. In addition, the CCAP includes actions to increase carbon sequestration on agricultural lands and urban green spaces and to provide community education and outreach regarding the CCAP and local sustainability efforts. The CCAP includes a target of reducing communitywide GHG emissions output to 254,621 MT of CO₂e by 2030 (exceeding the California Senate Bill 32 target of 40 percent below 1990 emissions by 2030, which would translate into 277,726 MT of CO₂e by 2030 for San Mateo County) and achieving carbon neutrality by 2040.

San Mateo County General Plan

The Energy and Climate Change Element of the County of San Mateo General Plan was adopted and updated June 2013. This element demonstrates the County's commitment to achieve energy efficiency and mitigate its impact on climate change by reducing GHG emissions. The following policies within the Energy and Climate Change Element apply to the project (County of San Mateo 2013b):

Goal 1: Promote and implement policies and programs to reduce county-wide greenhouse gas emissions.

Policy 1.2: Evaluate the greenhouse gas emissions impacts of development projects as part of plan review.

Goal 4: Promote and implement policies and programs to reduce vehicle miles traveled by all vehicles traveling in the unincorporated county.

Policy 4.1: Expand transit-oriented and mixed-use development that reduces reliance on vehicular travel.

Goal 6: Promote and implement policies and programs with the goal of achieving zero waste.

Policy 6.1: Continue to expand recycling and reduce landfilled waste.

Implementing Strategy 6.1D Require new development to provide appropriate trash and recycling enclosures.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan was adopted in 2011 and established visions and goals for the development and physical composition of North Fair Oaks through the incorporation of policies, programs, regulations, and strategies to meet the needs of current and future residents. The following goal and policies from the Health and Wellness Element are relevant to GHG (County of San Mateo 2011):

Goal 5.21: Ensure that North Fair Oaks has clean, healthy air and water.

Policy 21F: Support regional, state and national initiatives and programs to reduce greenhouse gas emissions and air quality impacts locally.

Policy 21H: Ensure that any new developments or redevelopments include "green" features such as rainwater collection, green roofs, bicycle storage, alternative energy systems, and others. Specifically encourage features that reduce reliance on non-renewable sources of energy.

Policy 21I: Encourage, as part of new development projects, and as part of public and private right-of-way improvements, installation of electrical vehicle (EV) charging stations, and/or provisions of infrastructure (including appropriate conduit) for future installation of EV charging stations, to provide opportunities for future EV charging without requiring retrofitting of existing facilities.

4.6.3 Impact Analysis

a. Significance Thresholds

Based on Appendix G of the *CEQA Guidelines* a project may be deemed to have a significant impact on GHG emissions if it would:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Most individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence on climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (*CEQA Guidelines*, Section 15064[h][1]).

On the plan level, the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans* contains two approaches for determining significance of GHGs:

1. Consistency with a qualified GHG reduction plan
2. Meets the State's goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045

If a plan level document is not consistent with one of these approaches, it could be considered to have an incremental significant impact on GHG emissions.

According to *CEQA Guidelines* Section 15183.5 and the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*, a qualified GHG reduction strategy must:

- Quantify GHG emissions, both existing and projected over a specified period, resulting from activities in a defined geographic area
- Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable
- Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated in the geographic area

- Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level
- Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels
- Be adopted in a public process following environmental review

The San Mateo County CCAP meets these requirements as a qualified GHG reduction plan, since it contains targets to reduce emissions to 45 percent below 1990 levels by 2030, which is 5 percent higher than the State's target to reduce emissions to 40 percent below 1990 levels by 2030, and achieve carbon neutrality by 2040, which is earlier than the State's goal to achieve carbon neutrality by 2045. As such, the County uses the first approach to determine the significance of GHGs for development facilitated by the project.

b. Methodology

Based on plan-level guidance from the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*, GHG emissions associated with project implementation are discussed qualitatively by comparing the project to the 2022 BAAQMD GHG thresholds, namely whether policies work towards reducing emissions to 40 percent below 1990 levels by 2030 and achieving carbon neutrality by 2045. As mentioned the San Mateo County CCAP contains targets to reduce emissions to 45 percent below 1990 levels by 2030 and achieve carbon neutrality by 2040, exceeding the State's goals. In addition, the project is qualitatively compared to other applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs.

c. Project Impacts and Mitigation Measures

| | |
|---------------------|--|
| Threshold 1: | Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment? |
| Threshold 2: | Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |

Impact GHG-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE CONSISTENT WITH THE SAN MATEO CCAP, WHICH MEETS STATE 2030 GOALS AND ACHIEVES CARBON NEUTRALITY BEFORE 2045. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Development facilitated by the project would result in GHG emissions during construction. GHG emissions during construction would result primarily from fuel consumption associated with heavy equipment, light-duty vehicles, machinery, and generators for lighting. Temporary grid power may also be provided to construction trailers or electric construction equipment that may result in indirect GHG emissions from the energy generation. Development facilitated by the project would utilize construction contractors that comply with applicable CARB regulations such as accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment, and restricted idling of heavy-duty diesel motor vehicles. Construction contractors are required to comply with the provisions of California Code of Regulations Title 13, sections 2449 and 2485,

prohibiting diesel-fueled commercial and off-road vehicles from idling for more than five minutes, minimizing unnecessary GHG emissions. Construction equipment would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would minimize inefficient fuel consumption and thus GHG emissions. These construction equipment standards (i.e., Tier 4 efficiency requirements for new construction engines) are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Per applicable regulatory requirements of CALGreen, development facilitated by the project would comply with construction waste management practices to divert construction and demolition debris from landfills. These practices would result in efficient use of energy by construction facilitated by the project and therefore would minimize unnecessary GHG emissions. Furthermore, in the interest of cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary, which would also have the effect of minimizing GHG emissions.

Pursuant to the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*, BAAQMD does not recommend a construction-related climate impact threshold. According to BAAQMD, greenhouse gas emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions that represent the vast majority of project GHG emissions. Therefore, the evaluation of GHG emissions impacts associated with implementation of the project is focused on operational emissions, discussed below.

Operation

Development facilitated by the project would result in GHG emissions during operation. GHG emissions during operation would result primarily from building energy usage and fuel consumption associated with light-duty vehicles. Development facilitated by the project would be required to comply with 2022 Title 24 standards, or the most recent version of the Title 24 standards when the development is being constructed. In accordance with the 2022 Title 24 standards, development facilitated by the project would be required to reduce indoor water use and waste, provide efficient energy systems, and install EV chargers and bicycle parking, which would minimize operational GHG emissions.

Project Consistency with the San Mateo County CCAP

As stated above in *Specific Thresholds of Significance*, the two options for plan consistency with BAAQMD GHG thresholds includes meeting the State's goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045, or being consistent with a local GHG reduction strategy that meets the criteria under *CEQA Guidelines* Section 15183.5(b). To determine consistency with the San Mateo County CCAP, a local GHG reduction strategy that meets the State criteria, Table 4.6-1 and the discussion below provide the project's consistency with CCAP's strategies and actions. As shown in the table, the project would be consistent with applicable strategies and actions of the CCAP.

Table 4.6-1 Consistency with CCAP Strategies and Actions

| Action ID # | Strategies and Respective Supporting Actions | Consistency |
|---|--|---|
| Building Energy | | |
| B-1: Transition to all-electric new construction | | |
| B-1.6 | Energy Efficiency in New Construction: Improve energy efficiency in new construction through enhancements in the building envelope (aspects such as insulation, windows, door seals, airflow, façade materials) by adopting a more aggressive climate zone in the building code. | Consistent. Development facilitated by the project would be designed and operated to meet applicable requirements of Title 24 and CALGreen, which requires the project to include energy-efficient appliances and lighting. |
| Transportation | | |
| T-1: Increase electric vehicle adoption | | |
| T-1.1 | EV Charging Requirements: Evaluate the energy and green building standards at each California Building Standards code cycle to ensure that building electrification and EV charging station requirements are sufficient to meet community needs and climate goals. Adopt local ordinances when the State's code does not keep pace with climate action in San Mateo County. | Consistent. Development facilitated by the project would be designed and operated to meet applicable requirements of Title 24 and CALGreen, which requires the project to include a certain amount of EV ready and EV capable parking spaces depending on the size of the development. |
| T-2: Encourage urban density and the revision of parking standards, and support bicycle and pedestrian-friendly planning | | |
| T-2.1 | Mixed-Use Development Requirements: Update the General Plan and Local Coastal Plan with neighborhood mixed use, commercial mixed use, industrial mixed use, and multi-family residential designations to enable mixed-used development where feasible. | Consistent. The project would result in the rezoning of parcels in the project area to mixed-use zoning districts. Therefore, the project would support mixed-use development requirements. |

Source: County of San Mateo 2022

The *CEQA Guidelines* and BAAQMD GHG thresholds allow projects consistent with a qualified GHG reduction plan to determine a less than significant GHG impact. As discussed above, San Mateo County has a qualified GHG reduction plan that is consistent with near and long-term state and regional GHG reduction goals. Therefore, projects consistent with the San Mateo County CCAP would not result in GHG emissions that would have a significant effect on the environment, and would not conflict with state, regional, or local GHG reduction plans and regulations. As described in Table 4.6-1, the project would be consistent with the CCAP. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.6.4 Cumulative Impacts

The geographic scope for related projects considered in the cumulative impact analysis for GHG emissions is global because impacts of climate change are experienced on a global scale regardless of the location of GHG emission sources. GHG emissions and climate change are, by definition, cumulative impacts. Thus, the issue of climate change involves an analysis of whether a project's

contribution towards an impact is cumulatively considerable. Cumulative development could result in significant impacts related to GHGs. As discussed under Impact GHG-1 and above, project impacts related to GHG emissions would be less than significant since the project is consistent with the San Mateo County CCAP. Therefore, the project would not result in a considerable contribution to cumulative GHG impacts.

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4.7 Hazards and Hazardous Materials

This section evaluates the potential impacts relating to hazards and hazardous materials impacts associated with implementation of the proposed project.

4.7.1 Setting

a. Hazardous Materials

The term “hazardous material” has different definitions for different regulatory programs. For the purpose of this EIR, the term “hazardous materials” refers to both hazardous materials and hazardous waste. The California Health and Safety Code Section 25501(n)(1) defines a hazardous material as any material that “because of its quantity, concentrations, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.” Hazardous materials include but are not limited to hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or environment.

A material is hazardous if it exhibits one or more of the following characteristics: toxicity, ignitability, corrosivity, and reactivity. These types of hazardous materials are defined below:

- **Toxic Substances.** Toxic substances may cause short-term or long-lasting health effects, ranging from temporary effects to permanent disability, or even death. For example, such substances can cause disorientation, acute allergic reactions, asphyxiation, skin irritation, or other adverse health effects if human exposure exceeds certain levels (the level depends on the substances involved and is chemical-specific). Carcinogens, substances that can cause cancer, are a special class of toxic substances. Examples of toxic substances include benzene (a component of gasoline and suspected carcinogen) and methylene chloride (a common laboratory solvent and a suspected carcinogen).
- **Ignitable Substances.** Ignitable substances are hazardous because of their ability to burn. Gasoline, hexane, and natural gas are examples of ignitable substances.
- **Corrosive Materials.** Corrosive materials can cause severe burns. Corrosives include strong acids and bases such as sodium hydroxide (lye) or sulfuric acid (battery acid).
- **Reactive Materials.** Reactive materials may cause explosions or generate toxic gases. Explosives, pure sodium or potassium metals (which react violently with water), and cyanides are examples of reactive materials.

Soil and groundwater can become contaminated by hazardous material releases in a variety of ways, including permitted or illicit use and accidental or intentional disposal or spillage. Before the 1980s, most land disposal of chemicals was unregulated, resulting in numerous industrial properties and public landfills becoming dumping grounds for unwanted chemicals. The largest and most contaminated of these sites became Superfund sites, so named for their eligibility to receive cleanup money from a federal fund established under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The National Priorities List (NPL) is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The NPL is intended primarily to

guide the USEPA in determining which sites warrant further investigation. Sites are added to the NPL following a hazard ranking system.

Numerous smaller properties have been designated as contaminated sites. Often these are gas station sites where leaking underground storage tanks (UST) were upgraded under a federal requirement in the late 1980s. Another category of sites that may have some overlap with the types already mentioned is “brownfields” – previously used, often abandoned, sites that due to actual or suspected contamination are undeveloped or underused. Both the USEPA and California Department of Toxic Substances Control (DTSC) maintain lists of known brownfields sites. These sites are often difficult to inventory due to their owners’ reluctance to publicly label their property as potentially contaminated.

Asbestos Containing Materials

Asbestos is a naturally occurring fibrous material that was widely used in structures built between 1945 and 1978 for its fireproofing and insulating properties. Asbestos-containing materials (ACM) were banned by USEPA between the early 1970s and 1991 under the authority of the CAA and the Toxic Substances Control Act (TSCA) due to their harmful health effects. Exposure to asbestos increases risk of developing lung disease, such as lung cancer, mesothelioma, or asbestosis (USEPA 2021a). Common ACMs include vinyl flooring and associated mastic, wallboard and associated joint compound, plaster, stucco, acoustic ceiling spray, ceiling tiles, heating system components, and roofing materials. Pre-1973 structures are affected by asbestos regulations if damage occurs, or if remodeling, renovation, or demolition activities disturb ACMs.

Lead and Lead-Based Paint

Lead is a naturally occurring metallic element. Because of its toxic properties, lead is regulated as a hazardous material. Excessive exposure to lead can result in the accumulation of lead in the blood, soft tissues, and bones. Children are particularly susceptible to potential lead-related health problems because it is easily absorbed into developing systems and organs. Lead can affect almost every organ and system in the body. In children, lead can cause behavior and learning problems, lower IQ and hyperactivity, hearing problems, and anemia. In adults, lead can cause cardiovascular effects, decreased kidney function, and reproductive problems. In addition, lead can result in serious effects to the developing fetus and infant for pregnant women (USEPA 2021b). Among its numerous uses and sources, lead can be found in paint, water pipes, solder in plumbing systems, and in soils surrounding buildings and structures that are painted with lead-based paint (LBP). LBP was primarily used during the same time period as ACMs. Pre-1978 structures are affected by LBP regulations if the paint is in a deteriorated condition or if remodeling, renovation, or demolition activities disturb LBP surfaces.

Polychlorinated Biphenyls

Polychlorinated biphenyls (PCB) belong to a broad family of man-made organic chemicals known as chlorinated hydrocarbons. PCBs were domestically manufactured from 1929 until manufacturing was banned in 1979. They have a range of toxicity and vary in consistency from thin, light-colored liquids to yellow or black waxy solids. Due to their non-flammability, chemical stability, high boiling point and electrical insulating properties, PCBs were used in hundreds of industrial and commercial applications.

b. Existing Conditions

Hazardous Materials Sites

The locations where hazardous materials are used, stored, treated and/or disposed of comes to the attention of regulatory agencies through various means, including licensing and permitting, enforcement actions, and anonymous tips. To the extent possible, the locations of these businesses and operations are recorded in database lists maintained by various federal, State, and local regulatory agencies. In addition, federal, State, and local agencies enforce regulations applicable to hazardous waste generators and users, and the San Mateo County Environmental Health Services Division tracks and inspect hazardous materials handlers to ensure appropriate reporting and compliance.

Permitted uses of hazardous materials include those facilities that use hazardous materials or handle hazardous wastes in accordance with current hazardous materials and hazardous waste regulations. The use and handling of hazardous materials from these sites is considered low risk, although there can be instances of unintentional chemical releases. In such cases, the site would be tracked in the environmental databases as an environmental case. Permitted sites without documented releases are, nevertheless, potential sources of hazardous materials in the soil and/or groundwater due to accidental spills, incidental leakage, or spillage that may have gone undetected. Some facilities are permitted for more than one hazardous material use and, therefore, could appear in more than one database.

The potential to encounter hazardous materials in soil and groundwater is generally based on a search of federal, State, and local regulatory databases that identify permitted hazardous materials uses, environmental cases, and spill sites. The DTSC EnviroStor database contains information on properties in California where hazardous substances have been released or where the potential for a release exists. The California State Water Resources Control Board (SWRCB) GeoTracker database contains information on properties in California for sites that require cleanup, such as leaking underground storage tank (LUST) sites, which may impact, or have potential impacts, to water quality, with emphasis on groundwater.

According to databases of hazardous material sites maintained by the DTSC (EnviroStor) and the SWRCB (GeoTracker), the project area in North Fair Oaks does not have any of the following types of hazardous sites that are still active or need further investigation: UST, voluntary cleanup, school investigation, tiered permit, or State response sites (DTSC 2022; SWRCB 2022).

According to DTSC and SWRCB, nine parcels in the project area are listed as LUST cleanup sites that are now designated as inactive, closed sites:

- Shell gas station at 3201 El Camino Real,
- Vela Corp at 3101 El Camino Real,
- Midland Cabinets at 3093 El Camino Real,
- Tilton Properties at 2655 Middlefield Road,
- Beals & Martin Associates at 2682 Middlefield Road,
- Figueras Property at 3157 Middlefield Road,
- Zohrab's Garage at 3233 Middlefield Road,
- C & B Construction (former) at 438 Stanford Avenue, and
- S&M Sprinkler Corp at 197 5th Avenue.

Sites in proximity to identified hazardous material sites are primarily located near El Camino Real and 5th Avenue and along Middlefield Road in the eastern portion of the project area. There are no solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels and no active Cease and Desist Order/Cleanup Abatement Order sites in the project area (SWRCB 2023).

Use, Transport, and Abatement of Hazardous Materials

The use of hazardous materials is typically associated with industrial land uses. Activities such as manufacturing, plating, cleaning, refining, and finishing, frequently involve chemicals that are considered hazardous when accidentally released into the environment. Some parcels in the project area are currently used for industrial purposes.

To a lesser extent, hazardous materials may also be used by various commercial enterprises, as well as residential uses. In particular, dry cleaners use cleaning agents considered to be hazardous materials. Hardware stores typically stock paints and solvents, as well as fertilizers, herbicides, and pesticides. Swimming pool supply stores stock acids, algaecides, and caustic agents. Most commercial businesses occasionally use commonly available cleaning supplies that, when used in accordance with manufacturers' recommendations, are considered safe by the State of California, but when not handled properly can be considered hazardous. Private residences also use and store commonly available cleaning materials, paints, solvents, swimming pool and spa chemicals, as well as fertilizers, herbicides, and pesticides. The project area includes both commercial and residential land uses.

If improperly handled, hazardous materials can result in public health hazards through human contact with contaminated soils or groundwater, or through airborne releases in vapors, fumes, or dust. There is also the potential for accidental or unauthorized releases of hazardous materials that would pose a public health concern. The use, transport, and disposal of hazardous materials and wastes are required to occur in accordance with federal, State, and local regulations. In accordance with such regulations, the transport of hazardous materials and wastes can only occur with transporters who have received training and appropriate licensing. Additionally, hazardous waste transporters are required to complete and carry a hazardous waste manifest, which includes forms, reports, and procedures designed to seamlessly track hazardous waste.

Schools

School locations require consideration because children are particularly sensitive to hazardous materials exposure. Additional protective regulations apply to projects that could use or disturb potentially hazardous products near or at schools. The California Public Resources Code requires projects that would be located within 0.25 mile of a school and might reasonably be expected to emit or handle hazardous materials to consult with the school district regarding potential hazards. There are two public schools located within 0.25 mile of the project area: Garfield Elementary School and Hoover Elementary School are located at 3600 Middlefield Road and 701 Charter Street, respectively. There are no active sites with hazardous materials located within 0.25 mile of a school in North Fair Oaks.

4.7.2 Regulatory Setting

a. Federal

United States Environmental Protection Agency

The USEPA is the agency primarily responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials. Applicable federal regulations pertaining to hazardous materials are contained in the CFR Titles 29, 40, and 49. Hazardous materials, as defined in the CFR, are listed in 49 CFR 172.101. The management of hazardous materials is governed by the following laws, which include specific requirements for facilities that generate, use, store, treat, and/or dispose of hazardous materials. USEPA provides oversight and supervision for federal Superfund investigation/remediation projects, evaluates remediation technologies, and develops hazardous materials disposal restrictions and treatment standards.

Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976

These acts established a program administered by the USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. The Resource Conservation and Recovery Act (RCRA) was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle to grave” system of regulating hazardous wastes. Among other things, the use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act.

Comprehensive Environmental Response, Compensation and Liability Act, amended by the Superfund Amendments and Reauthorization Act (1986)

This law was enacted in 1980 and provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Among other things, CERCLA established 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. CERCLA also enabled revision of the National Contingency Plan, which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priorities List.

Superfund Amendments and Reauthorization Act of 1986 (Public Law 99 499)

This law amends CERCLA to reflect lessons learned by the USEPA during the first six years administering the Superfund program. Superfund Amendments and Reauthorization Act (SARA) provided new enforcement authorities and settlement tools, increased the focus on human health problems posed by hazardous waste sites, and encouraged greater citizen participation in making decisions on how sites should be cleaned up. The law also increased State involvement in every phase of the Superfund program and required Superfund actions to consider the standards and requirements found in other State and federal environmental laws and regulations.

Lead-Based Paint Elimination Final Rule Title 24 Code of Federal Regulations

Governed by the United States Department of Housing and Urban Development, regulations for LBP are contained in the Lead-Based Paint Elimination Final Rule Title 24 CFR 33, which requires sellers and lessors to disclose known LBP and LBP hazards to prospective purchasers and lessees.

Additionally, all LBP abatement activities must follow California and federal occupational safety and health administrations (California Occupational Safety and Health Administration [Cal/OSHA] and Federal Occupational Safety and Health Administration [OSHA], respectively and with the State of California Department of Health Services requirements. Only LBP trained and certified abatement personnel can perform abatement activities. All lead LBP removed from structures must be hauled and disposed of by a transportation company licensed to transport this type of material at a landfill or receiving facility licensed to accept the waste.

b. State

Department of Toxic Substances Control

As a department of the California Environmental Protection Agency, DTSC is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code.

DTSC also administers the California Hazardous Waste Control Law (HWCL) to regulate hazardous wastes which is implemented by regulations described in California Code of Regulations Title 26. While the HWCL is generally more stringent than RCRA, until the USEPA approves the California program, both state and federal laws apply in California. The HWCL lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills. Environmental health standards for management of hazardous waste are contained in California Code of Regulations Title 22, Division 4.5.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, the SWRCB, and CalRecycle to compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the State, collectively known as the Cortese List. The Secretary for Environmental Protection consolidates the information submitted by these agencies and distributes it to each city and county where sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included.

If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific criteria in Title 22 of the California Code of Regulations. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed, or if certain other soil disturbing activities would occur. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking jurisdiction.

California Fire and Building Code

The 2019 Fire and Building Code establishes the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare for the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The provisions of this code apply to the construction, alteration, movement enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout the State of California.

c. Local

County of San Mateo Hazardous Materials Business Plan Program

Businesses within the County must complete a Hazardous Materials Business Plan (Business Plan) using an electronic reporting system for the safe storage and use of chemicals. Firefighters, health officials, planners, public safety officers, health care providers and others rely on the Business Plan in an emergency. It is used to prevent or lessen damage to the health and safety of people and the environment when a hazardous material is released. The Hazardous Materials Business Plan Program is also known as the Community Right to Know Program and any citizen has the right to review these plans upon request.

2021 Multijurisdictional Local Hazard Mitigation Plan

The 2021 Multijurisdictional Local Hazard Mitigation Plan (LHMP), prepared for the County of San Mateo in partnership with local governments within the county, incorporates wildfire hazard mitigation principles and practices into the routine government activities and functions of the County. The LHMP was adopted by the County in November 2021. The LHMP recommends specific actions that are designed to protect people and community assets from losses associated with hazards that pose the greatest risk. Mitigation programs and activities identified in the LHMP include fuel reduction and vegetation management, public education and outreach programs, increased training for urban firefighters responding to Wildland Urban Interface-area fires, and regional consistency of building code standards (San Mateo County 2021). The County's LHMP is incorporated by reference into the Safety Element of the City's General Plan.

County of San Mateo General Plan

The County of San Mateo General Plan includes policies that aim to reduce potential hazards from county airports, including the following:

Airport Safety Policies

Policy 16.35: Minimize Risks Surrounding Airports

Minimize health and safety risks from hazards related to aircraft operations for persons living and working in areas surrounding San Mateo County airports.

Policy 16.37: Promote Orderly Development At and Surrounding Airports

Promote orderly development of airports and surrounding areas to ensure a safe environment for local citizens and aircraft operations.

Policy 16.41: Regulate Land Uses to Assure Airport Safety

Regulate land uses surrounding airports to assure airport safety. Measures may include restrictions on permitted land uses and development review height criteria.

Policy 16.45: Airport Land Use Commission (ALUC) Airport Safety Efforts

Encourage and support the ALUC to continue existing efforts toward protecting the public from aviation efforts and promoting safe compatible development surrounding the County's airports through measures which regulate: (1) land uses at the end of runways, and (2) structural height within flight paths.

Hazardous Materials Policies

Policy 16.47: Strive to Protect Life, Property, and the Environment From Hazardous Material Exposure

Strive to protect public health and safety, environmental quality, and property from the adverse effects of hazardous materials through adequate and responsible management practices.

Policy 16.48: Strive to Ensure Responsible Hazardous Waste Management

Strive to ensure that hazardous waste generated within San Mateo County is stored, treated, transported and disposed of in a legal and environmentally safe manner so as to prevent human health hazard and/or ecological disruption.

Policy 16.49: Strive to Reduce Public Exposure to Hazardous Materials

Strive to reduce public exposure to hazardous materials through programs which: (1) promote safe transportation, (2) prevent accidental discharge, and (3) promote effective incident response, utilizing extensive inventory and monitoring techniques.

Policy 16.55: Encourage Adoption and Enforcement of Fire Code Hazardous Material Storage Permit Provisions

Encourage fire protection agencies serving the unincorporated area to adopt and enforce existing Uniform Fire Code provisions which authorize fire agency issuance of hazardous material storage permits so as to: (1) assure proper hazardous material storage, (2) prevent accidental discharge or spill, and (3) provide necessary inventory information beneficial to timely and efficient incident response and containment. Assure that relevant hazardous material inventory information is referred to the County, and made available to the public.

Hazardous Structure Policies

Policy 16.70: Regulate Building Construction

Regulate building construction practices to prevent hazardous structures and assure structural safety. Measures may include required conformance to an accepted set of construction standards, and authority to inspect suspected dangerous buildings, halt improper construction activities, and eliminate hazardous conditions.

Fires Hazard Policies

Policy 15.26: Determination of the Existence of a Fire Hazard

- a. When reviewing development proposals, use the Natural Hazards map to determine the general location of hazardous fire areas.
- b. When the Natural Hazards map does not clearly illustrate the presence or extent of fire hazards, use more detailed maps including but not limited to the Fire Hazard Severity Zones Map prepared by the California Department of Forestry (CDF), any other source of information considered to be valid by CDF or by fire protection districts.

San Carlos Airport Land Use Compatibility Plan

The San Carlos Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Carlos Airport was prepared according to Federal Aviation Administration (FAA) requirements and adopted by the City/County Association of Governments of San Mateo County Board of Directors acting as the Airport Land Use Commission for the County of San Mateo, fulfilling California State requirements (California Public Utilities Code, Article 3.5, Section 21670, et seq.). Each ALUCP prevents exposure to excessive noise and safety hazards within an airport influence area over a 20-year horizon and are intended to encourage land uses in the vicinity surrounding an airport that are compatible with the airport land uses. The San Carlos ALUCP defines the entire area of North Fair Oaks as Area A in its Airport Influence Area (AIA). Within Area A, State law requires that sellers or lessors of real estate must disclose that the property is located within an AIA and may be subject to the annoyances or inconveniences associated with proximity to airport operations (California Business and Professional Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353).

San Mateo County Ordinance Code

The San Mateo County Ordinance Code includes Chapter 4.92, Hazardous Materials Storage Ordinance, detailing the regulation of hazardous substances, Certified Unified Program Agency (CUPA) permit requirements, unauthorized release cleanup responsibility, and UST permits.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan Health and Wellness chapter includes policies that aim to reduce hazards from contaminated sites.

Health and Wellness Policies

- Policy 22A:** Promote the clean-up and reuse of contaminated and toxic sites to protect both resident health and the local environment. Where the source of the contamination is known, require appropriate mitigation measures and clean-up of sites by the parties responsible.
- Policy 22B:** Prevent soil and water contamination from industrial operations and other activities that use, produce or dispose of hazardous or toxic substances.
- Policy 22C:** Require regional and state agencies to provide adequate mitigation and community benefits as part of any railroad and other infrastructure improvements to address current and future impacts.

Policy 22D: Require strict assessment and adequate mitigation that meet state and national standards for site cleanup when redeveloping existing industrial and contaminated sites.

4.7.3 Impact Analysis

a. Methodology and Thresholds of Significance

The following thresholds are based on *CEQA Guidelines* Appendix G. For purposes of this EIR, impacts related to hazards and hazardous materials are considered significant if implementation of the proposed project would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
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;
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
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, would create a significant hazard to the public or the environment;
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;
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

b. Impacts and Mitigation Measures

| | |
|---------------------|--|
| Threshold 1: | Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? |
| Threshold 2: | Would the project 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? |

Impact HAZ-1 DEVELOPMENT FACILITATED BY THE PROJECT MAY RESULT IN THE RELEASE OF POTENTIALLY HAZARDOUS MATERIALS. HOWEVER, COMPLIANCE WITH FEDERAL, STATE, AND REGIONAL REGULATIONS RELATED TO HAZARDOUS MATERIALS WOULD MINIMIZE THE RISK OF RELEASES AND EXPOSURE TO THESE MATERIALS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Demolition

Development facilitated by the project would primarily consist of infill development, which may involve demolition of existing structures. Demolition could result in the release of lead, asbestos, and PCBs if building materials contain these substances.

However, lead-based materials are regulated by the Cal/OSHA. California Code of Regulations Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed Cal/OSHA standards. Under this rule, construction workers (and by extension, neighboring properties) may not be exposed to lead at concentrations greater than 50 micrograms per cubic meter of air averaged over an eight-hour period and exposure must be reduced to lower concentrations if the workday exceeds eight hours.

Similarly, California Code of Regulations Section 1529 sets requirements for asbestos exposure assessments and monitoring, methods of complying with exposure requirements, safety wear, communication of hazards, and medical examination of workers. The control of asbestos during demolition or renovation of buildings is regulated under the Federal Clean Air Act. The Federal Clean Air Act requires a thorough inspection for asbestos where demolition will occur and specifies work practices to control emissions, such as removing all asbestos-containing materials, adequately wetting all regulated asbestos-containing materials, sealing the material in leak tight containers and disposing of the asbestos-containing waste material as expeditiously as practicable (USEPA 2021c). The County Department of Environmental Health is responsible for regulating proper asbestos disposal. Compliance with applicable standards would ensure impacts related to hazardous materials are less than significant.

Friable ACMs are regulated as a hazardous air pollutant under the Clean Air Act. As a worker safety hazard, they are also regulated under the authority of Cal/OSHA and by the Bay Area Air Quality Management District. In structures that would be demolished, any ACMs would be abated in accordance with federal, state, and local regulations prior to the start of demolition or renovation activities. Compliance with these regulations would ensure that asbestos removal would not result in the release of hazardous materials to the environment that could impair human health. Additionally, Section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. Therefore, the impact related to ACMs would be less than significant.

Fluorescent lighting ballasts manufactured prior to 1978, and electrical transformers, capacitors, and generators manufactured prior to 1977, may contain PCBs. In accordance with the Toxic Substances Control Act and other federal and state regulations, individual projects would be required to properly handle and dispose of electrical equipment and lighting ballasts that contain PCBs during demolition of older buildings. The County Department of Environmental Health regulates proper disposal and would ensure the impact related to PCBs would be less than significant.

Construction

Development facilitated by the project would include the use of construction machinery that would involve the transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. Additionally, hazardous materials would be needed for fueling and servicing construction equipment. These types of hazardous materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal, state, and county regulations. Development facilitated by the project would be required to comply with applicable regulations and standards discussed in Section 4.7.2, *Regulatory Setting*, which would ensure impacts from construction-related hazardous materials would be less than significant.

Operation

Development facilitated by the proposed project would result in the addition of residential units and commercial space in the project area. Housing and other residential uses do not utilize substantial quantities of hazardous materials, and thereby pose little risk of exposing the public to hazardous materials. In the event of a hazardous materials accident, the San Mateo County Hazardous Materials Team, a partnership between Menlo Park Fire Protection District, Redwood City Fire Department, San Mateo County Environmental Health, and San Mateo County Office of Emergency Services, would respond. Commercial uses would be subject to compliance with California Code of Regulations and agencies such as Cal OSHA to ensure hazardous materials risks to the public are minimized as well.

Conclusion

Compliance with existing applicable regulations and policies would minimize risks from routine use, transport, handling, storage, disposal, and release of hazardous materials. Oversight by the appropriate federal, state, and local agencies and compliance with applicable regulations related to the handling and storage of hazardous materials would minimize the risk of the public's potential exposure to these substances. Therefore, impacts from a hazard to the public or the environment through routine transport, use or disposal of hazardous materials and reasonably foreseeable upset and/or accident conditions would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

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| Threshold 3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school? |
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Impact HAZ-2 DEVELOPMENT FACILITATED BY THE PROJECT MAY RESULT IN THE RELEASE OF POTENTIALLY HAZARDOUS MATERIALS AND MAY OCCUR WITHIN 0.25 MILE OF A SCHOOL. HOWEVER, COMPLIANCE WITH REGIONAL AND FEDERAL REGULATIONS RELATED TO HAZARDOUS MATERIALS WOULD MINIMIZE THE RISK OF RELEASES AND EXPOSURE TO THESE MATERIALS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The proposed project would facilitate development at a higher density in the vicinity of some schools. The nearest schools to the project site are described in Section 4.7.1(b), *Schools*. As described therein, two schools are located within 0.25 mile of the project area, and there no active hazardous materials sites in the project area that are located within 0.25 mile of either of these schools. While some sites may have pre-existing contamination, they would be remediated through coordination with the appropriate regulatory agency, including Cal/OSHA, County Department of Environmental Health, and/or the San Mateo County Hazardous Materials Team, as described under Impact HAZ-1, above. Compliance with existing applicable regulations and policies would minimize risks from the release of hazardous materials, substances, or waste. Oversight by the appropriate federal, state, and local agencies and compliance by new development with applicable regulations related to the handling and storage of hazardous materials would minimize the risk of nearby schools' potential exposure to these substances.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4: Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Impact HAZ-3 THE PROJECT COULD FACILITATE DEVELOPMENT ON SITES THAT ARE LISTED PURSUANT TO GOVERNMENT CODE SECTION 65962.5. COMPLIANCE WITH APPLICABLE REGULATIONS RELATED TO SITE REMEDIATION WOULD MINIMIZE IMPACTS TO THE PUBLIC OR THE ENVIRONMENT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As described in Section 4.7.1, *Setting*, there are no active sites listed pursuant to Government Code Section 65962.5 containing or potentially containing hazardous materials contamination located in the project area. Compliance with federal, state, and local regulations such as the federal TSCA, RCRA, and CERCLA, the DTSC and CBC, and County Department of Environmental Health and San Mateo County Ordinance Code would apply to development facilitated by the project and provide the same level of protection as under existing conditions.

It is possible that USTs in use prior to permitting and record keeping requirements and other hazardous materials requiring cleanup may be present in the project area. If an unidentified UST is uncovered or disturbed during construction activities, its removal would require the project applicant to obtain a permit from the County. If such removal would potentially undermine the structural stability of existing structures, foundations, or impact existing utilities, the tank may be closed in place without removal pursuant to CUPA closure procedures. Tank removal activities could pose both health and safety risks, such as the exposure of workers, tank handling personnel, and the public to tank contents or vapors. Potential risks, if any, posed by USTs would be minimized by handling the tank according to existing standards contained in Division 20, Chapters 6.7 and 6.75 (UST Program) of the California Health and Safety Code as enforced and monitored by the Environmental Programs Division.

Compliance with existing State and local regulations would reduce impacts to less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Impact HAZ-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN A SAFETY HAZARD OR EXCESSIVE NOISE FROM THE NEAREST AIRPORT FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The San Carlos Airport is located approximately three miles northwest of North Fair Oaks. The San Carlos Airport ALUCP maps North Fair Oaks and the project area within Area A of the AIA, which may be subject to the annoyances or inconveniences associated with proximity to airport operations and requires that sellers or lessors of real estate must disclose that the property is located within an AIA (City/County Association of Governments of San Mateo County 2015).

The project area is not within an ALUCP-designated Airport Safety Zone. In addition, development facilitated by the project would be required to comply with the San Carlos ALUCP, and applicable regional and local regulations. Development facilitated by the project would be required to comply with the San Mateo County General Plan Policies 16.35, 16.37, 16.41, and 16.45, as described in Section 4.7.2, *Regulatory Setting*. Compliance with General Plan goals and policies and the San Carlos ALUCP would reduce impacts to less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 6: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact HAZ-5 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN ANY PHYSICAL CHANGES THAT COULD INTERFERE WITH OR IMPAIR EMERGENCY RESPONSE OR EVACUATION, AND THE PROJECT WOULD NOT RESULT IN INTERFERENCE WITH THESE TYPES OF ADOPTED PLANS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

There are no proposed physical changes such as roadway construction that would interfere or impair emergency response or evacuation. The project would not result in changes to emergency evacuation routes.

Development facilitated by the project would accommodate future population growth and would increase vehicle miles travelled in the county. This could lead to increased congestion during emergency evacuations. However, the County would review and approve projects to ensure that emergency access meets County standards. Additionally, the Local Hazard Mitigation Plan for San Mateo County incorporates new development and growth into each update. Future development facilitated by the project, as well as all development in the County, must comply with road standards and are reviewed by the Menlo Park Fire Protection District or Redwood City Fire Department to ensure development would not interfere with evacuation routes and would not impede the effectiveness of evacuation plans. Therefore, the project would not impair

implementation of or physically interfere with evacuation or emergency response plans. The impact related to emergency response and evacuation plans would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Impact HAZ-6 DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE LOCATED IN A BUILT URBAN ENVIRONMENT AND WOULD NOT RESULT IN PEOPLE OR STRUCTURES TO BE EXPOSED TO SIGNIFICANT RISK OF LOSS, INJURY, OR DEATH INVOLVING WILDLAND FIRES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

According to the California Department of Forestry and Fire Protection (CAL FIRE), North Fair Oaks is not located in a Fire Hazard Severity Zone (CAL FIRE 2022). The nearest Fire Hazard Severity Zone is located approximately two miles west of the project area in the Emerald Hills. The project would facilitate infill development in an already built-up environment and would not introduce or increase risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.7.4 Cumulative Impacts

The geographic scope for cumulative hazardous materials impacts is limited to projects within 0.25 mile of the project area. This geographic scope is appropriate because risks associated with hazards and hazardous materials occur largely in a site-specific and localized context as adverse impacts from a hazardous materials release or spill diminish in magnitude with distance. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact hazards and hazardous materials.

Cumulative development in the vicinity of industrial and some commercial land uses would gradually increase the population exposed to the use and transport of hazardous materials; the routine use, storage, and disposal of hazardous materials; and existing contamination from listed hazardous materials sites. The magnitude of hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Compliance with existing laws, regulations, including any potential remedial action on contaminated sites and emergency response and evacuation plans would avoid potential hazard impacts, and this cumulative impact would be less than significant. As discussed under Impacts HAZ-1 through HAZ-5, the project would result in less than significant impacts, and would therefore not have a considerable contribution to this cumulative impact.

Cumulative wildland fire impacts would be less than significant because North Fair Oaks and the surrounding flat areas are built-up urban land not located in a Fire Hazard Severity Zone. As discussed under Impact HAZ-6, the project would not increase risk of loss, injury or death and would not result in a considerable contribution to cumulative wildland fire impacts.

Overall, hazards and hazardous materials impacts associated with individual developments are site-specific in nature and must be addressed on a case-by-case basis. Since hazards and hazardous materials are required to be examined as part of the permit application and review process, potential impacts associated with individual projects would be adequately addressed prior to permit approval. With adherence to existing regulatory standards for hazardous materials, no significant cumulative human health impacts would occur, and the project would not have a cumulatively considerable contribution to cumulative impacts related to hazards and hazardous materials.

4.8 Hydrology and Water Quality

This section analyzes impacts to surface water and groundwater resources associated with the implementation of the proposed project. Impacts to water supply and wastewater treatment are discussed in Section 4.14, *Utilities and Service Systems*.

4.8.1 Setting

a. Surface Water

The project site is located in the San Mateo Creek-Frontal San Francisco Bay Estuaries watershed and Cordilleras Creek-Frontal San Francisco Bay Estuaries sub-watershed. The nearest surface waterways include the Arroyo Ojo De Agua to the northwest and the San Francisquito Creek to the southeast. The ephemeral Atherton Creek flows northward through Atherton and into the Atherton Channel bordering North Fair Oaks to the east. Additionally, the Hetch Hetchy Aqueduct traverses through North Fair Oaks westward towards the Upper Crystal Springs Reservoir. North Fair Oaks does not have any impaired waters under section 303 (d) of the CWA. The nearest impaired water is San Francisquito Creek to the east which runs through Menlo Park and flows northward into the lower San Francisco Bay.

b. Groundwater

North Fair Oaks lies atop the San Mateo Plain Subbasin (Subbasin) of the Santa Clara Valley Groundwater Basin, identified as Basin 2-09.03 by the California Department of Water Resources (DWR). This Subbasin covers approximately 48,100 acres bounded by the Santa Cruz mountains on the west, the San Francisco Bay to the east, the Westside Basin to the north, and San Francisquito Creek to the south. Groundwater in the Subbasin flows eastward from the Santa Cruz Mountains and is drained by tributaries that flow to San Francisco Bay. Recharge of the Subbasin occurs through precipitation and infiltration from the streams that originate in the upland areas and lie within the drainage basin (DWR 2004).

Studies by the United States Geological Survey (USGS) indicate that the Subbasin waters consist primarily of calcium magnesium carbonate bicarbonate waters (USGS 1997). Samples within the Subbasin have indicated elevated levels of nitrates in excess of USEPA Maximum Contaminant Levels (MCLs, see Section 4.8.2, *Regulatory Setting*, below). Other quality issues within the Subbasin are high levels of sodium and chlorine (DWR 2004). As discussed in Section 4.14, *Utilities and Service Systems*, water service to the project area is provided by the California Water Service (Cal Water) Bear Gulch District. Cal Water relies on imported water from the Hetch Hetchy System and does not operate any groundwater wells to supply water for the Bear Gulch District (Cal Water 2021).

c. Flooding Hazards

Floodplains are areas that are subject to recurring inundation and flooding located adjacent to rivers, streams, and coastal areas. Floodplains are described in terms of statistical likelihood of flooding in a given year; e.g., a 100-year floodplain has a one percent chance of flooding in any year, while a 500-year floodplain has a 0.2 percent chance of flooding in any year.

The Federal Emergency Management Agency (FEMA) prepares Flood Insurance Maps that identify 100- and 500-year floodplains as required by the Flood Disaster Prevention Act (see Section 4.8.2, *Regulatory Setting*, below). FEMA has not identified any floodplain areas within North Fair Oaks.

Portions of nearby adjacent areas to the north in Redwood City and the northeast in Menlo Park are mapped as 100- and 500-year floodplains (FEMA 2019).

According to the California Geological Survey, North Fair Oaks is not in a Tsunami Hazard Area (2022). The project area is not close enough to inland lakes or semi-enclosed bodies of water such as the San Francisco Bay to be affected by a seiche.

4.8.2 Regulatory Setting

a. Federal

Clean Water Act

The CWA, enacted by Congress in 1972 and amended several times since, is the primary federal law regulating water quality in the United States. The CWA established the basic structure for regulating discharges of pollutants into the waters of the United States. The CWA gave the USEPA authority to implement federal pollution control programs, such as setting water quality standards for contaminants in surface water, establishing wastewater and effluent discharge limits for various contaminants in surface water, and imposing requirements for controlling nonpoint-source pollution. At the federal level, the Clean Water Act is administered by the USEPA and USACE. At the State and regional levels in California, the act is administered and enforced by the SWRCB and the nine RWQCBs. The San Francisco Bay RWQCB (SFRWQCB) is the CWA enforcement agency for San Mateo County.

Clean Water Act Section 303(d)

Under Section 303(d) of the CWA, States are required to develop and update a list of water bodies under their jurisdiction which fail to meet water quality standards even after point sources of pollution have utilized the minimum levels of pollution control. These are referred to as '303(d) impaired' bodies. Jurisdictions must establish priority rankings for 303(d) impaired water bodies and develop action plans to improve water quality to minimum standards. The plans include the setting of Total Maximum Daily Loads (TMDL) for the pollutants which are impairing the water bodies; these limits are stricter than the normal minimum standards in order to bring the impaired bodies into compliance over time. There are no 303(d) listed water bodies within North Fair Oaks. Lower San Francisco Bay is 303(d) impaired for a wide variety of contaminants; those for which SFRWQCB has set TMDLs include polychlorinated biphenyls (PCBs), dioxin-like PCBs, and mercury, while other contaminants such as dichlorodiphenyltrichloroethane (DDT), furan compounds, dieldrin, chlordane, cyanide, heavy metals, and trash do not have TMDLs set but are of increasing concern (DWR 2018a).

Clean Water Act Section 401

Under Section 401 of the CWA, the RWQCBs have regulatory authority over actions in waters of the United States (WOTUS) and/or the State of California through the issuance of water quality certifications, which are issued in conjunction with any federal permit (e.g., permits issued by the USACE under Section 404 of the CWA, described below).

Clean Water Act Section 402

Section 402 of the CWA regulates point-source discharges to surface waters and requires that all construction sites on an acre or greater of land, as well as municipal, industrial, and commercial facilities discharging wastewater or stormwater directly from a point source (e.g., pipe, ditch, or

channel) into WOTUS must obtain permission under the NPDES permit. All NPDES permits are written to ensure that the surface water receiving discharges will achieve specified water quality standards.

In California, the NPDES program is administered by the SWRCB through the RWQCBs and requires municipalities to obtain permits that outline programs and activities to control wastewater and stormwater pollution. The CWA prohibits discharges of stormwater or wastewater unless the discharge is in compliance with an NPDES permit. Municipal stormwater and wastewater discharges from Municipal Separate Storm Sewer Systems (MS4s) and all other discharges are regulated by the local permitting authority where USEPA has approved the agency. Most MS4 Permits are tailored versions of general USEPA permits, while many industrial discharge permits are individual permits created for the specific discharge requirements of the project.

The SWRCB is the permitting authority in California, issues general MS4 permits, and adopted an NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) (Order 2009-0009, as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). The order applies to construction sites that include one or more acre of soil disturbance. Containment and spill cleanup are encompassed in the Stormwater Pollution Prevention Plan (SWPPP) which is required to be developed as a condition of permit issuance. The SWPPP must include measures to ensure that: all pollutants and their sources are controlled; non-stormwater discharges are identified and eliminated, controlled, or treated; site BMPs are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges; and BMPs installed to reduce or eliminate pollutants after construction are completed and maintained.

Requirements for post-construction control of stormwater runoff are included in under Provision C.3 of the Municipal Regional Permit (MRP) for incorporated cities within the county, as well as the County of San Mateo itself. Provision C.3 allows permitting authorities to use the permit process to enforce appropriate source control and treatment measures in new development to address operational stormwater and wastewater discharges.

Clean Water Act Section 404

Under Section 404 of the Clean Water Act, proposed discharges of dredged or fill material into WOTUS require USACE authorization. WOTUS generally include tidal waters, lakes, ponds, rivers, streams, and wetlands. Federal regulations regarding the definition of WOTUS change with some regularity under different administrations. The Clean Water Rule was promulgated in 2015, expanding the definition of WOTUS and increasing the waters under USACE jurisdiction. In 2020 in Navigable Waters Protection Rule was issued and reversed the Clean Water Rule, removing almost 60 percent of previously regulated waters from federal jurisdiction. In June 2021, USEPA and USACE announced a new rulemaking process to revise or reverse the Navigable Waters Protection Rule. The USACE identifies wetlands using a multi-parameter approach, which requires positive wetland indicators in three distinct environmental categories: hydrology, soils, and vegetation. According to the *Corps of Engineers Wetlands Delineation Manual* (1987), except in certain situations, all three parameters must be satisfied for an area to be considered a jurisdictional wetland. The *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (2008) is also used when conducting jurisdictional wetland determinations in areas identified within the boundaries of the region, including San Mateo County.

National Toxics Rule and California Toxics Rule

In 1992, USEPA promulgated the National Toxics Rule, 40 CFR 131, establishing numeric criteria for priority toxic pollutants in multiple states in order to bring all states into compliance with the Water Quality Standards (WQS) requirements of section 303(c) of the CWA. The National Toxics Rule established WQS for 42 pollutants not covered under California's Statewide water quality regulations at that time. After the court ordered revocation of California's Statewide Basin Plans in September 1994, USEPA initiated efforts to promulgate additional federal WQS for California. In May 2000, USEPA issued the California Toxics Rule, which includes all the priority pollutants for which the EPA has issued numeric criteria not included in the National Toxics Rule. The USEPA is in the process of rulemaking for setting a standard for selenium in the San Francisco Bay under the California Toxics Rule (USEPA 2022).

Safe Drinking Water Act

The Federal Safe Drinking Water Act was enacted in 1974, allowing the USEPA to promulgate national primary drinking water standards specifying Maximum Contaminants Levels (MCLs) for each contaminant present in a public water system with an adverse effect on human health. Primary MCLs have been established for approximately 90 contaminants in drinking water. The USEPA has also adopted secondary MCLs as non-enforceable guidelines for contaminants that may cause cosmetic or aesthetic effects. States have the discretion to adopt them as enforceable standards. USEPA has delegated to the SWRCB the responsibility for administering California's drinking-water program. In 1976, California adopted its own safe drinking water act (see *California Safe Drinking Water Act* subsection below).

National Flood Insurance Act / Flood Disaster Protection Act

The National Flood Insurance Act of 1968 made flood insurance available for the first time. The Flood Disaster Protection Act of 1973 made the purchase of flood insurance mandatory for the protection of property located in Special Flood Hazard Areas. These laws are relevant because they led to mapping of regulatory floodplains and to local management of floodplain areas according to guidelines that include prohibiting or restricting development in flood hazard zones. There are no Special Flood Hazard Areas in North Fair Oaks.

Federal Emergency Management Agency

FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in floodplains. FEMA also issues Flood Insurance Rate Maps that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection is established by FEMA. FEMA's minimum level of flood protection for new development is the 100-year flood event.

b. State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act of 1967 requires the SWRCB and the nine RWQCBs to adopt water quality criteria to protect State waters. These criteria include the identification of beneficial uses, narrative and numerical water quality standards, and implementation procedures.

The Water Quality Control Plan, or Basin Plan, protects designated beneficial uses of State waters through the issuance of WDRs and through the development of TMDLs. Anyone proposing to discharge waste that could affect the quality of the waters of the State must make a report of the waste discharge to the RWQCB or SWRCB as appropriate, in compliance with the Porter-Cologne Act.

The San Francisco Bay Basin Water Quality Control Plan is the Basin Plan that covers San Mateo County (the 'Basin Plan') and is discussed under Section 4.8.2(c), *Regional and Local*, below.

California Safe Drinking Water Act

The USEPA has delegated to the California Department of Public Health responsibility for administering California's drinking-water program. In 1976, two years after the Federal Safe Drinking Water Act was passed, California adopted its own safe drinking water act (contained in the Health and Safety Code) and adopted implementing regulations (contained in 22 California Code of Regulations). California's program sets drinking water standards that are at least as stringent as the Federal standards. Each community water system also must monitor for a specified list of contaminants, and the monitoring results must be reported to the State. The Division of Drinking Water is responsible for the State's Drinking Water Program.

Sustainable Groundwater Management Act

In September 2014, Governor Brown signed legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act (SGMA) gives local agencies the power to sustainably manage groundwater, provides for the creation of regional Groundwater Sustainability Agencies (GSA) and requires Groundwater Sustainability Plans (GSP) to be developed for medium- and high-priority groundwater basins. Although the greater Santa Clara Valley Groundwater Basin is a High-Priority Basin due to the high reliance on groundwater supplies to provide drinking water to over a million people in the San Francisco Bay area, the San Mateo Plain Subbasin has been designated a Low-Priority basin by DWR, due to the general lack of utilization for water supplies and is not required to form a GSA or submit a GSP (DWR 2019).

Cobey-Alquist Floodplain Management Act

The Cobey-Alquist Floodplain Management Act (Water Code Section 8400-8435) gives support to the NFIP by encouraging local governments to plan, adopt, and enforce land use regulations for floodplain management, to protect people and property from flooding hazards. The Act also identifies requirements that jurisdictions must meet to receive State financial assistance for flood control.

California Green Building Standards Code

The California Green Building Standards Code (24 California Code of Regulations, Part 11) includes mandatory measures for residential and nonresidential development. For example, Section 4.106.2 requires residential projects that disturb less than one acre and are not part of a larger common plan of development to manage stormwater drainage during construction through on-site retention basins, filtration systems, and/or compliance with a stormwater management ordinance. Section 5.106.1 requires newly constructed nonresidential projects and additions of less than one acre to prevent the pollution of stormwater runoff from construction through compliance with a local ordinance or implementing BMPs that address soil loss and good housekeeping to manage

equipment, materials, and wastes. Section 5.303 sets measures for indoor water use for non-residential development requiring metering devices to conserve water.

Urban Water Management Planning Act

In 1983, the California Legislature enacted the Urban Water Management Planning Act (Water Code Section 10610 et seq.), which requires urban water suppliers to develop Urban Water Management Plans (UWMP) to actively pursue the efficient use of available supplies as well as conduct drought assessments and planning. This Act also requires the provision of water service to be affordable to lower income households (Section 10631.1). Similarly, Government Code Section 65589.7 (SB 1087) requires water service providers to reserve water allocations for low-income housing. Every five years, water suppliers are required to update their UWMPs to identify short-term and long-term water demand management measures to meet growing water demands. The 2020 UWMP for Cal Water Bear Gulch District was adopted in June 2021. It emphasizes the Bear Gulch District's reliance on imported water to meet its needs and does anticipate insufficient supply under multi-year drought conditions. The UWMP provides Water Shortage Contingency Plan and notes the conservative and uncertain elements of key water supply projections (Cal Water 2021).

California Construction Stormwater Permit

The California Construction Stormwater Permit (Construction General Permit), adopted by the SWRCB, regulates construction activities that include soil disturbance of at least one acre of total land area. The Construction General Permit authorizes the discharge of stormwater to surface waters from construction activities. It prohibits the discharge of materials other than stormwater, authorized non-stormwater discharges, and all discharges that contain a hazardous substance in excess of reportable quantities established at 40 CFR 117.3 or 40 CFR 302.4, unless a separate NPDES Permit has been issued to regulate those discharges.

The Construction General Permit requires that all developers of land where construction activities will occur over more than one acre do the following:

- Complete a Risk Assessment to determine pollution prevention requirements pursuant to the three Risk Levels established in the General Permit
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters
- Develop and implement a SWPPP which specifies BMPs that will reduce pollution in stormwater discharges to the Best Available Technology Economically Achievable/Best Conventional Pollutant Control Technology standards
- Perform inspections and maintenance of all BMPs

Typical BMPs contained in SWPPPs are designed to minimize erosion during construction, stabilize construction areas, control sediment and pollutants from construction materials, and address post construction runoff. The SWPPP also includes a plan for inspection and maintenance of all BMPs, as well as procedures for altering or increasing BMPs based on changing project conditions.

c. Regional and Local

Bay Conservation and Development Commission

The San Francisco Bay Conservation and Development Commission (BCDC) is a planning and regulatory agency with regional authority over the San Francisco Bay and the Bay shoreline,

including the area up to 100 feet inland from the shoreline, as well as portions of creeks and sloughs that flow into the Bay. BCDC manages the permitting for any project that seeks to fill or extract materials from its jurisdictional waters.

San Francisco Bay RWQCB Water Quality Control Plan

The SFRWQCB 2012 Basin Plan, with amendments adopted in 2014, 2015, 2016, and 2018, describes the legal and technical water quality regulations for the San Francisco Bay Area, which includes rezone sites, including describing the beneficial uses for water bodies in the region, which is a factor in determining the types of regulations that apply to discharges to the bodies. The creeks nearest the project area, Arroyo Ojo de Agua, Atherton Creek, Redwood Creek, and San Francisquito Creek have the following beneficial uses: non-contact water recreation, water contact recreation, warm freshwater habitat, and wildlife habitat. San Francisquito Creek also includes the beneficial uses: cold freshwater habitat, migration of aquatic organisms, preservation of rare and endangered species, and spawning, reproduction, and/or early development. The Lower San Francisco Bay has the following beneficial uses: commercial and sport fishing, estuarine habitat, industrial service supply, migration of aquatic organisms, navigation, rare, threatened or endangered species, non-contact water recreation, water contact recreation, shellfish harvesting, spawning, reproduction, and/or early development, and wildlife habitat.

San Mateo County Water Pollution Prevention Program

The San Mateo County Water Pollution Prevention Program (SMCWPPP) includes unincorporated County areas, including North Fair Oaks, and 20 cities and towns in the county. The primary goal of the SMCWPPP is to reduce the pollution carried by stormwater throughout San Mateo County into local creeks, San Francisco Bay, and the Pacific Ocean. SMCWPPP includes requirements that maintain compliance with the Waste Discharge Requirements and NPDES Stormwater Discharge Permit within the County and promote stormwater pollution prevention. The SMCWPPP is one of several regional programs contained in the San Francisco Bay Municipal Regional Stormwater Permit No. R2-2015-0049. Provision C.3 of the MRP allows municipalities, including the County of San Mateo, to use their permitting authority to include appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from these projects.

San Mateo County General Plan

The San Mateo County General Plan includes goals and objectives to protect and improve water quality in the county.

Vegetative, Water, Fish and Wildlife Resources Policies

Policy 1.26: Protect Water Resources

Ensure that development will: (1) minimize the alteration of natural water bodies, (2) maintain adequate stream flows and water quality for vegetative, fish and wildlife habitats; (3) maintain and improve, if possible, the quality of groundwater basins and recharge areas; and (4) prevent to the greatest extent possible the depletion of groundwater resources.

Water Supply Policies

Policy 10.6: Water Quality

- a. Encourage appropriate County and State agencies to monitor water supplies for pollutants.
- b. Encourage the removal of foul odors and tastes from domestic water supplies.

Policy 10.13: Water Systems in Unincorporated Areas

Support efforts to improve water distribution and storage systems in unincorporated neighborhoods and communities.

Policy 10.18: Aquifer Studies and Management

- a. Support and cooperate in studies leading to a more **thorough** understanding of the groundwater aquifers, their location, quality, safe yield and migration patterns. Formulate and carry out a management program that would ensure the long-term viability of aquifers for beneficial use.
- b. Regulate, to the extent not in conflict with State law, the extraction of groundwater from aquifers in order to protect the safe yield and prevent overdrafting and saltwater intrusion.
- c. Discourage activities and operations that would pollute groundwater supplies. Encourage the cleanup and restoration of polluted aquifers.

San Mateo County Ordinance Code

The Department of Public Works is responsible for review of projects for compliance with the County's Stormwater Management Plan and with the Watershed Protection Maintenance Standards. Along with the Planning Department, the Public Works Department also reviews projects for compliance with Provision C.3. Most of the County's stormwater regulations are codified under Chapter 4, Section 100 of the San Mateo County Ordinance Code (SMCOC), which includes provisions from the County Ordinance 3633. A major function of this ordinance and Section 4.100 of the SMCOC is to require projects to comply with the County's NPDES permit.

4.8.3 Impact Analysis

a. Methodology

This section describes the potential environmental impacts of development facilitated by the project as relevant to hydrology, water quality, and flood risk. The impact analysis is based on an assessment of baseline conditions for the project, including surface water, groundwater, and floodplains information gathered from North Fair Oaks, San Mateo County, and multiple State and federal agencies, as described above under Section 4.8.1, *Setting*. This analysis identifies potential impacts based on the predicted interaction between the affected environment and construction, operation, and maintenance activities related to the development facilitated by the project.

b. Significance Thresholds

The following thresholds of significance are based on Appendix G to the *CEQA Guidelines*. For the purposes of this EIR, project implementation may have a significant adverse impact if it would:

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
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:
 - a. Result in substantial erosion or siltation on- or off-site,
 - b. Result in flooding on- or off-site,
 - c. 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
 - d. Impede or redirect flood flows;
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

c. Project Impacts and Mitigation Measures

| |
|---|
| Threshold 1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? |
|---|

Impact HYD-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT VIOLATE WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS, OR OTHERWISE SUBSTANTIALLY DEGRADE SURFACE OR GROUNDWATER QUALITY. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction activities associated with development facilitated by the project could include installation and realignment of utilities, demolition of existing structures, construction of new structures, and the replacement and/or improvement of drainage facilities. The project area is completely developed, however, construction activities could result in minor soil erosion due to earth-moving activities such as excavation, grading, soil compaction and moving, and soil stockpiling. The project area varies in elevation and slope by location. Runoff during storm events typically occurs as sheet flow across the project area. The types of pollutants contained in runoff from construction sites may include sediment and other existing contaminants such as nutrients, pesticides, herbicides, trace metals, and hydrocarbons that can attach to sediment and be transported downstream through erosion via overland flow, ultimately entering nearby waterways and contributing to degradation of water quality.

Construction activities would use diesel fuel, gasoline, lubricant oils, hydraulic fluid, antifreeze, transmission fluid, cement slurry, and other fluids required for the operation of construction vehicles or equipment which could affect surface or groundwater quality. Direct contamination of surface water is also unlikely because no defined stream channels or perennial waters are present in the project area.

All sites would be required to comply with SMCOC statutes regarding the water quality of discharges from project sites, such as Chapter 4.100 requirements to convey runoff to disposal locations that maximize infiltration and minimize erosion. This requirement protects water quality. SMCOC Chapter 4.100 requires construction of all new development and redevelopment projects to reduce and eliminate stormwater pollutants, install appropriate BMPs to control stormwater runoff from construction sites, maintain or reduce stormwater runoff volumes and rates, and to obtain grading and drainage permits prior to construction. Grading and drainage plans accompanying the permit application must include BMPs for erosion prevention and sediment control, fencing at waterways and in sensitive areas, and limitation of disturbed areas through temporary features. The permit applications must also demonstrate compliance with NPDES permit No. CA0029921 provisions.

Compliance with the regulations and policies discussed above would reduce the risk of water degradation from soil erosion and other pollutants related to construction activities. Because violations of water quality standards would be minimized through existing regulations, impacts to water quality from construction activities from development facilitated by the project would be less than significant.

Operation

The project area is largely built-out, though development facilitated by the project may result in a small net increase of impervious surfaces. Development would be required to comply with the California Green Building Standards code for stormwater and construction runoff such as on-site retention basins, filtration systems, and/or compliance with a stormwater management ordinance. Section 5.106.1 requires newly constructed nonresidential projects and additions of less than one acre to prevent the pollution of stormwater runoff from construction through compliance with a local ordinance or implementing BMPs that address soil loss and good housekeeping to manage equipment, materials, and wastes.

As described in Section 4.8.2, *Regulatory Setting*, above, Provision C.3 of the MRP allows permitting authorities to enforce post-construction BMPs to control operational stormwater runoff and water quality. The SMCOC defines BMPs based on the California Stormwater Best Management Practices Handbook prepared by the California State Stormwater Quality Task Force. Construction site inspectors from the San Mateo County Public Works Department enforce adherence to these BMPs.

Implementation of the regulations, permit requirements, BMPs, and policies described above would prevent or minimize impacts related to water quality and ensure that development facilitated by the project would not cause or contribute to the degradation of water quality in receiving waters. Development facilitated by the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality, and water quality impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| |
|---|
| <p>Threshold 2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p> |
|---|

Impact HYD-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT INTERFERE SUBSTANTIALLY WITH GROUNDWATER RECHARGE SUCH THAT THE PROJECT MAY IMPEDE SUSTAINABLE GROUNDWATER MANAGEMENT OF LOCAL GROUNDWATER BASINS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As described in Section 4.8.1, *Setting*, above, North Fair Oaks is underlain by the San Mateo Subbasin of the Santa Clara Valley Groundwater Basin, which is not considered a good source of irrigation or municipal water due to high chloride, sulfate, dissolved solids, and other natural impairments. The San Mateo Subbasin is a Very Low Priority Basin under SGMA and is not required to form a GSA or develop a GSP.

Development facilitated by the project could increase the demand for water in the project area but would not impact local groundwater supplies because North Fair Oaks does not rely on or use groundwater resources for its supply.

The project area is largely urban, built-up land but development facilitated by the project may still increase the number of impervious surfaces, which may reduce the amount of water percolating into the ground to recharge groundwater supplies. The County of San Mateo General Plan policies related to groundwater recharge would reduce the impact of any net increase in impermeable surfaces, including Policies 1.26 and 10.18 which encourage groundwater basin sustainability.

Implementation of existing local regulations and policies would ensure that development facilitated by the project would not interfere substantially with groundwater recharge, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| | |
|---------------------|--|
| Threshold 3: | Would the project 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: <ul style="list-style-type: none">a. Result in substantial erosion or siltation on- or off-site?b. Result in flooding on- or off-site?c. 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?d. Impede or redirect flood flows? |
|---------------------|--|

Impact HYD-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD ALTER DRAINAGE PATTERNS AND MAY INCREMENTALLY INCREASE RUNOFF FROM SOME OF THE REZONING PARCELS, BUT WOULD NOT RESULT IN SUBSTANTIAL EROSION OR SILTATION ON OR OFF SITE, RESULT IN INCREASED FLOODING ON OR OFF SITE, EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS, GENERATE SUBSTANTIAL ADDITIONAL POLLUTED RUNOFF, OR IMPEDE OR REDIRECT FLOOD FLOWS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction activities would involve stockpiling, grading, excavation, dredging, paving, and other earth-disturbing activities that could temporarily alter existing drainage patterns. As described under Impact HYD-1 above, compliance with SWRCB's NPDES Construction General Permit and the applicable local regulations would reduce the risk of short-term erosion and increased runoff resulting from drainage alterations during construction. Local alteration of drainage at individual rezoning parcels from development facilitated by the project may occur, but such drainage alteration would be considered by the County pursuant to Provision C.3 requirements prior to grading or use permit approval, would continue to connect to the existing storm drainage system, and no alteration of the course of streams or creeks would occur. Therefore, impacts would be less than significant.

Operation

Development facilitated by the project may alter the existing drainage patterns on the rezone sites through introduction of new or increased impervious surfaces and infrastructure from new development on vacant or underutilized sites or from redevelopment of parcels that contain existing structures. These alterations could increase the rate and/or amount of surface runoff, redirect runoff to different discharge locations, or concentrate runoff from sheet flow to channelized flow. Runoff that does not infiltrate and flows off site would be captured in the local storm drain systems and ultimately discharge to the San Francisco Bay.

Impact HYD-1 discusses applicable regulations that would limit pollutant discharges, including sediment and silt, from development facilitated by the project. As discussed above, applicable regulations require development facilitated by the project to reduce and eliminate stormwater pollutants, as well as implementation of BMPs to control post-construction operational stormwater runoff. In particular, implementation of the SMCWPPP Provision C.3 includes post-construction stormwater control BMPs, and the San Mateo County Ordinance Code policies requires adherence to the NPDES Permit as a condition of grading and use permit approval. Through these programs and procedures, the County enforces compliance with all relevant standards and regulations. These

requirements would ensure that post-project stormwater runoff volumes do not exceed pre-project levels, and stormwater flows to existing stormwater infrastructure does not exceed the capacity of existing systems. Therefore, impacts would be less than significant.

As discussed in Section 4.8.1, *Setting*, the project area is not in a designated floodplain. Therefore, development facilitated by the project would not result in alterations to the designated floodplain, and would not impede or redirect flood flows.

Conclusion

The project would not alter the existing drainage patterns or contribute runoff water in a manner which would result in substantial erosion, siltation, or flooding, nor would it exceed the capacity of existing or planned stormwater drainage systems or result in substantial additional polluted runoff. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4: In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Impact HYD-4 THE PROJECT AREA IS NOT WITHIN AN AREA AT RISK FROM INUNDATION BY SEICHE OR TSUNAMI, AND THEREFORE WOULD NOT BE AT RISK OF RELEASE OF POLLUTANTS DUE TO PROJECT INUNDATION. THERE WOULD BE NO IMPACT.

The rezone sites are not in a tsunami zone and are not located near an inland body of water that could seiche (CGS 2020). Therefore, development facilitated by the project would not risk release of pollutants due to tsunami or seiche inundation of the project area. There would be no impacts related to flood flows and project inundation.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

There would be no impact.

Threshold 5: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact HYD-5 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF A WATER QUALITY CONTROL PLAN, AND THERE IS NO APPLICABLE SUSTAINABLE GROUNDWATER MANAGEMENT PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As discussed under Section 4.8.2, *Regulatory Setting*, and Impact HYD-2 above, the San Mateo Plain Subbasin is designated a Very Low Priority Basin by DWR and is not required to form a GSA or

submit a GSP (DWR 2023). Cal Water does not have a groundwater management plan, and groundwater within the San Mateo Plain Subbasin is not used for water supply. Therefore, there is no applicable groundwater management plan and there would be no impact.

The San Francisco Region Water Quality Control Plan is the Basin Plan for North Fair Oaks. The Basin Plan describes the beneficial uses of water bodies within or near North Fair Oaks that may be affected by development facilitated by the project. The Basin Plan maintains the beneficial uses of these water bodies primarily through water quality requirements implemented through the NPDES permit system, and SMCWPPP is the primary authority that issues and enforces NPDES permits in San Mateo County. Compliance with the Basin Plan would be a requirement of any permits issued for development facilitated by the project. Therefore, the project would not conflict with or obstruct implementation of the Basin Plan and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.8.4 Cumulative Impacts

The geographic scope for cumulative hydrology and water quality impacts is the watersheds and groundwater basins where the project area is located. This geographic scope is appropriate because water quality impacts are localized in the watershed and groundwater basin where the impact occurs and may influence receiving waters into which they drain. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact hydrology and water quality.

Cumulative development would generally increase impermeable surface area. Cumulative development could increase peak flood flows, alter drainage patterns, and increase pollutants in the regional stormwater. However, cumulative development would also be required to adhere to all applicable State and local regulations designed to control erosion and protect water quality, including the SMCOC or applicable City municipal code, NPDES Construction General Permit, MRP Provision C.3 as administered by the SMCWPPP, and Basin Plan policies. All construction sites larger than one acre in size would be required to prepare and submit a SWPPP, thereby reducing the risk of water degradation on and off site from soil erosion and other pollutants, and smaller developments would still be required to adhere to any permit requirements imposed by the applicable policies and ordinances. Cumulative impacts would be less than significant. As discussed above under Impacts HYD-1 through HYD-3, development facilitated by the project would be required to comply with relevant water quality regulations, BMPs, and policies that would reduce the risk of water quality degradation from construction and operational activities. Construction and operation of development facilitated by the project would not violate any water quality standards or Waste Discharge Requirements or otherwise substantially degrade water quality. Development facilitated by the project would comply with NPDES, MRP Provision C.3, and County requirements related to stormwater runoff and water quality and consequently would not contribute to cumulative impacts to peak runoff, flooding, groundwater recharge, or water quality. Therefore, the project would not have a considerable contribution to cumulative water quality impacts.

Cumulative development would increase the demand for water delivered by Cal Water. Demand for groundwater supply is currently negligible within North Fair Oaks. There is no groundwater management plan for the San Mateo Plain Subbasin, though County of San Mateo General Plan policies exist to protect natural recharge of the underlying groundwater basins from any impacts of development. Cumulative projects would rely on an imported water supply and not groundwater for water supply. Therefore, cumulative development would not result in a significant cumulative impact. As discussed under Impact HYD-2 and HYD-5, the project's impacts to groundwater supplies and groundwater management efforts would be less than significant and the project would not have a considerable contribution to cumulative groundwater impacts.

Cumulative projects would be analyzed and mitigated on a case-by-case basis and would be designed to avoid or mitigate potential impacts related to flooding. Cumulative impacts related to flooding or seiche would therefore be less than significant with applicable mitigation. Projects would be required to adhere to all applicable building and fire codes, zoning requirements and design standards related to potential flood flows and project inundation, and cumulative impacts would be less than significant. Because flooding is localized and site-specific, and the project area is not at risk of inundation as described under Impact HYD-4, the project would not have a considerable contribution to this cumulative impact related to flood hazard or inundation risks.

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4.9 Land Use and Planning

This section analyzes the consistency of the proposed project with applicable land use plans, policies, and regulations, and identifies environmental effects that would arise from such inconsistencies.

4.9.1 Setting

a. Existing Land Uses

The project area is located in unincorporated San Mateo County and is subject to County zoning and County General Plan land use designations. Table 2-1 in Section 2, *Project Description*, provides the existing zoning and land use designation of the parcels that would be rezoned. Table 4.9-1 and Table 4.9-2 provide the total acreages of each existing land use designation and zoning designation, respectively, within the project area.

Table 4.9-1 Acreage of Existing Land Use Designations Within the Project Area

| Land Use Designation | Total Acres |
|---------------------------------|-------------|
| Commercial Mixed Use | 61.5 |
| Institutional | 0.1 |
| Medium High Density Residential | 5.9 |
| Medium Density Residential | 0.5 |
| Neighborhood Mixed Use | 9.8 |
| Parks | 0.2 |
| Source: San Mateo County 2022a | |

Table 4.9-2 Acreage of Existing Zoning Designations Within the Project Area

| Zoning Designation | Total Acres |
|--|-------------|
| Commercial Mixed Use-1 (CMU-1) | 10.5 |
| Commercial Mixed Use-2 (CMU-2) | 2.5 |
| Commercial Mixed Use-3 (CMU-3) | 45.3 |
| Neighborhood Mixed-Use (NMU) | 10.1 |
| Neighborhood Mixed-Use District El Camino Real (NMU-ECR) | 3.6 |
| Parking District (P) | 0.13 |
| One Family Residential District (R-1/S-73) | 0.6 |
| Multiple Family Residential District (R-3/S-5) | 5.3 |
| Source: San Mateo County 2022a | |

As shown in Table 4.9-1 and Table 4.9-2, the project area contains various existing land use and zoning designations, ranging from commercial mixed use and neighborhood mixed uses to various densities of residential uses. The most common existing land use designation of the proposed rezoning parcels is residential, and the most common zoning designation is Commercial Mixed Use. The current zoning and existing land use designations of all parcels in the project area are shown on Figure 2-3 and Figure 2-4 in Section 2, *Project Description*. The land use designations typically align

with the zoning designation, such that residentially zoned lands are designated for residential land uses, and commercially zoned lands are designated for commercial land uses, for example.

4.9.2 Regulatory Setting

a. State

Planning and Zoning Law

State law requires each city and county in California to adopt a general plan for the physical development of the land within its planning area (Government Code Sections 65300-65404). The general plan must contain land use, housing, circulation, open space, conservation, noise, and safety elements, as well as any other elements that the city or county may wish to adopt. The circulation element of a local general plan must be correlated with the land use element.

Zoning authority originates from city and county police power and from the State's Planning and Zoning Law, which sets minimum requirements for local zoning ordinances. The city or county zoning code is the set of detailed requirements that implement the general plan policies at the level of the individual parcel. The zoning code presents standards for different uses and identifies which uses are allowed in the various zoning districts of the jurisdiction. Since 1971, State law has required the city or county zoning code to be consistent with the jurisdiction's general plan.

Sustainable Communities and Climate Protection Act (SB 375)

The Sustainable Communities and Climate Protection Act (SB 375) supports the State's climate goals by helping reduce greenhouse gas emissions through coordinated transportation, housing, and land use planning. Under the Act, the California Air Resources Board (CARB) set targets for 2020 and 2035 for each of the 18 metropolitan planning organization regions in 2010 and updated them in 2018. Each of the regions must prepare a SCS, as an integral part of its regional transportation plan, that contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet CARB's targets. The Act establishes some incentives to encourage implementation of the development patterns and strategies included in an SCS. Developers can get relief from certain environmental review requirements under the CEQA if their new residential and mixed-use projects are consistent with a regions SCS that meets the targets (see Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28.).

b. Regional and Local

Association of Bay Area Governments/Metropolitan Transportation Commission Plan Bay Area 2050

ABAG/MTC Plan Bay Area 2050, adopted in October 2021, is a long-range, integrated transportation and land-use plan for the nine-county San Francisco Bay Area. The Plan is the combined RTP/SCS and was jointly adopted by the ABAG and the MTC in October 2021. The Plan describes where and how the region can accommodate the projected 1.4 million new households and 1.4 million new jobs between 2015 and 2050 and details the regional transportation investment strategy over the next 27 years. Growth in the plan area is promoted in Priority Development Areas and limited in Priority Conservation Areas to promote preservation of key resources. The Plan contains four goals for the Implementation Plan process and has established four objectives to assess the Plan's effectiveness in meeting its goals. ABAG and MTC developed land use and transportation scenarios

in the Plan that distribute the total amount of anticipated growth across the region and measure how well each scenario measures against the Plan goals. Based upon performance, the preferred scenario provides a regional pattern of household and employment growth and a corresponding transportation investment strategy (ABAG 2021).

San Mateo County General Plan

The San Mateo County General Plan was adopted in November 1986. The plan was prepared to provide overall policy guidance to assure orderly, balanced utilization and conservation of all County resources. The Plan Area encompasses 554 square miles and encompasses the major portion of the San Francisco Peninsula. The County is bounded on the north by the City and County of San Francisco, on the west by the Pacific Ocean, and on the south and southeast by Santa Cruz and Santa Clara counties. The following goals and policies would be applicable to development within the Plan Area:

Urban Land Use Policies

Policy 8.1: Urban Land Use Planning

Plan for a compatible and harmonious arrangement of land uses in urban areas by providing a type and mix of functionally well-integrated land uses which meets general social and economic needs.

Policy 8.2: Land Use Objectives for Urban Communities

- a. Plan Urban Communities to be balanced, self-contained areas which have a sufficient mix of urban land uses to support the internal housing, employment, shopping, and recreation needs of the community;
- b. Provide a mix of residential, commercial, and industrial land uses which will generate sufficient tax revenues to pay for the costs of providing desired levels of services and facilities;
- c. Provide a mix of commercial and industrial uses in order to maintain, support, and strengthen local economies;
- d. Provide a mix and an amount of residential land uses which will provide a substantial amount of housing opportunities in unincorporated areas;
- e. Establish land use patterns which give Urban Communities strong, individual and identifiable characters.

Policy 8.15: Land Use Compatibility

- a. Protect and enhance the character of existing single-family areas.
- b. Protect existing single-family areas from adjacent incompatible land use designations which would degrade the environmental quality and economic stability of the area.
- c. Encourage transit-oriented development in appropriate locations and a mixture of appropriate land uses that would enhance neighborhood quality and support pedestrian and bicycle activity.

Policy 8.35: Zoning Regulations

To ensure that development is consistent with land use designations, continue to use zoning districts which regulate development by applying specific standards.

Policy 8.36: Uses

Allow uses in zoning districts that are consistent with the overall land use designation.

Housing Element 2023-2031

The Housing Element is a required component of the County's General Plan, and is updated every eight years. The updated Housing Element will include assessments of the County's housing need over the next eight years, policies and programs to address that need, and identification of available locations for housing development. The Housing Element is a component of the County's General Plan, which establishes the goals and policies for the future development of the unincorporated County. The Housing Element is a required component of the General Plan, mandated by State Law, and the Housing Element must be periodically updated, on a schedule established by State law.

The following goals and policies in the Housing Element would be applicable to development facilitated by the proposed project:

Goal 1: Protect Existing Affordable Housing.

Protect, conserve, and improve the existing affordable housing stock in order to minimize displacement of current residents and to keep such housing part of the overall housing stock in the County. Conserve and Improve Existing Affordable Housing Stock

Policy HE 2.1: Evaluate existing neighborhood conditions and consider the needs and desires of existing residents when amending the General Plan and Zoning Regulations.

North Fair Oaks Community Plan

The County of San Mateo adopted an updated North Fair Oaks Community Plan on November 15, 2011. The updated Community Plan established the vision, goals for the development and physical composition of North Fair Oaks through 2050 and incorporated new policies, programs, regulations and strategies to meet the needs of current and future residents and workers. The updated Community Plan's policies and provisions addressed land use, circulation and parking, infrastructure, health and wellness, housing, economic development, and design guidelines.

Land Use Designations

The goals and policies of the Land Use Designations chapter of the Community Plan guide future growth in North Fair Oaks, address the needs of current and future residents and workers and establish a framework for development of a vibrant mix of transit-oriented and locally-oriented uses and amenities. The uses and densities described in this chapter are consistent with and supported by the identified and prioritized improvements to circulation and infrastructure, housing and community facilities, health and wellness, and improvements to the public (streetscape, parks, and open space) and private (buildings) realms, as described in this and other chapters of the Plan.

Goal 2.1: Encourage mixed-use development along major commercial corridors and within industrial areas to support a vibrant, urban community that integrates a range of amenities in close proximity to surrounding residential neighborhoods.

Policy 1A: Allow and promote appropriately scaled mixed-use development along Middlefield Road, El Camino Real, and along segments of Edison Way and 5th Avenue, to encourage a range of commercial, residential, institutional, and industrial development and community facilities.

- Policy 1B:** Promote mixed-use development in existing industrial areas along Edison Way to provide flexible space for a range of industrial, commercial, institutional and live-work residential land uses and community facilities to revitalize underutilized and vacant land.
- Policy 1C:** Encourage continued and expanded industrial uses in the Spring Street area, with the potential for live-work residential land uses and community facilities. Also allow limited commercial uses in this area, fronting on Bay Street only, to support adjacent industrial and institutional uses.
- Policy 1D:** Ensure that the design of the public and private realm land uses along residential and commercial streets promotes safe, convenient, and well-integrated walking, bicycling, and public transit use.
- Policy 1E:** Ensure that all new commercial, institutional, industrial, and mixed-use development provides space for or contributes to the creation of community oriented facilities (i.e., pocket parks, community gardens, plazas, community gathering spaces, and other facilities).
- Policy 1F:** Identify key parcels with development potential, and potential barriers to such development. Address these barriers through creative solutions (rezoning, parcel consolidation, and others) to attract private developers and encourage higher intensity infill development.

Goal 2.2: Promote revitalization through redevelopment of underutilized and vacant land in North Fair Oaks to create jobs and housing and support community and economic development.

- Policy 2B:** Simplify and combine land use categories for residential uses to reduce redundancies and provide clear guidance on the type and density of development that is desired within residential areas.
- Policy 2C:** Allow residential infill development on vacant and underutilized residential parcels and within areas identified as appropriate for additional mixed use residential, commercial, and other development. Encourage multi-family residential and mixed-use residential development in these areas, and revise subdivision regulations to remove barriers to the development of multi-family attached for-sale housing in all appropriate areas in North Fair Oaks.
- Policy 2E:** Address incompatible industrial uses in residential and mixed-use areas, particularly along Middlefield Road, through County assistance to relocate uses to more appropriate industrial areas within North Fair Oaks, through fee waivers, incentives, identification of appropriate sites, and other measures.
- Policy 2F:** Explore opportunities to strengthen neighborhood-scaled and neighborhood located commercial and retail locations, such as the existing commercially zoned area at 13th Avenue and Fair Oaks, through modifications to zoning designations, expansion of commercial areas, and other modifications to improve compatibility and appropriateness of local uses, and provide accessible local serving retail throughout North Fair Oaks.

Goal 2.3: Amend and streamline land use categories to strengthen neighborhood and community character and to incentivize needed and appropriate development.

Policy 3A: Simplify and combine land use categories for residential uses to reduce redundancies and provide clear guidance on the type and density of development that is desired within residential areas.

Policy 3B: Implement new mixed-use land use categories to promote mixed-use development in appropriate areas.

Policy 3C: Update the County's General Plan map and zoning ordinance to be consistent with the new Community Plan land use map and land use designations for North Fair Oaks.

Goal 2.4: Encourage transit-oriented development within North Fair Oaks.

Policy 4A: Establish a higher density mixed-use district within a ¼ mile radius of the potential future multi-modal-transit hub at the intersection of the Southern Pacific Railroad tracks and Middlefield Road. Higher densities in this area will support transit, reduce automobile use, and maximize development of vacant and underutilized lots while providing needed housing and other uses.

Policy 4D: Allow and encourage transit-oriented development and the integration of development with multiple transportation options along major corridors including El Camino Real, 5th Avenue, and Middlefield Road, if and as these transportation options emerge.

San Mateo County Zoning Ordinance

Zoning is the instrument that implements the land use designations of the General Plan. In addition to establishing permitted uses, zoning may also establish development standards relating to issues such as intensity, setbacks, height, and parking. Projects submitted to the County for review and approval are generally evaluated for consistency with the zoning designations.

The County's Zoning Ordinance is intended to promote and protect public health, safety, peace, morals, comfort, convenience, and general welfare of San Mateo County residents.

The project area is divided into zoning districts with allowed uses that are listed in Table 4.9-3.

Table 4.9-3 County Zoning Districts in the Project Area

| Zoning District | Allowed Uses |
|-------------------------------------|--|
| CMU-1, CMU-2, NMU, NMU-ECR | Mixed-use development with ground floor commercial and residential above ground floor, personal convenience service establishments, retail cleaning establishments, food and beverage stores, indoor retail sales, restaurants, professional offices, medical and dental offices, financial institutions, small indoor exercise and leisure facilities |
| CMU-3 | Mixed-use development with ground floor nonresidential and residential above the ground floor, personal convenience service establishments, retail cleaning establishments, food and beverage stores, indoor retail sales, rental or repair establishments, food establishments specializing in take-out service, medical and dental offices ground floor use in mixed-use residential building, small indoor exercise and leisure facilities, and childcare centers |
| P | Temporary parking of self-propelled private passenger vehicles, temporary use of traveling shows, carnivals and exhibitions, freestanding signs identifying businesses or activities immediately adjacent to the parking facility and on the same parcel |
| R-3/S-5 | Multiple-family dwellings and dwelling groups, fraternity, sorority houses, and dormitories, large residential day care facilities, residential nursing care facilities, and R1 permitted uses |
| R1/S-73 | One-Family dwellings, mobile homes and manufactured homes, second dwelling units, small residential day care facilities, domestic help quarters, small solid waste collection facilities, home occupations, and fire stations |

Source: San Mateo County 2022b

4.9.3 Impact Analysis

a. Methodology and Significance Thresholds

The analysis in this section focuses on the compatibility of land uses identified in the proposed project with existing and planned land uses within the Potential Sites, as well as consistency with any applicable land use plans, policies, or regulations. The following thresholds of significance are based on Appendix G of the *CEQA Guidelines*. For purposes of this EIR, implementation of the project may have a significant adverse impact if it would do any of the following:

1. Physically divide an established community; or
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.

The plan consistency analysis describes existing regional and local plans and policies and is intended to fulfill the requirements of *CEQA Guidelines* Section 15125(d). The emphasis of the analysis is on plan inconsistency and potential conflicts between the project and existing applicable land use plans, and whether any inconsistencies are significant environmental effects. The project is considered consistent with the provisions of the identified regional and local plans if it meets the general intent of the applicable plans and does not conflict with any directly applicable policies. A given project need not be in perfect conformity with each and every policy nor does state law require precise conformity of a proposed project with every policy or land use designation. Courts have also acknowledged that general and specific plans attempt to balance a range of competing interests, and that it is nearly, if not absolutely, impossible for a project to be in perfect conformity with each and every policy set forth in the applicable plan. Additionally, in reaching such consistency conclusions, the County may also consider the consequences of denial of a project, which can also result in other policy inconsistencies. For example, Government Code Section 65589.5 explains that

the potential consequences of limiting the approval of housing are reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

For an impact to be considered significant, any inconsistency would also have to result in a significant adverse change in the environment not already addressed in the other resource chapters of this EIR. The analysis below provides a brief overview of the most relevant policies from the various planning documents. However, the County's consistency conclusions are based upon the planning documents as a whole.

b. Project Impacts and Mitigation Measures

| |
|---|
| Threshold: Would the project physically divide an established community? |
|---|

Impact LU-1 PROJECT IMPLEMENTATION WOULD PROVIDE FOR ORDERLY DEVELOPMENT IN THE UNINCORPORATED COUNTY AND WOULD NOT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

In general, the project aims to rezone parcels that are adjacent to mixed use zones and are surrounded by existing developed parcels. The future development of these sites would not result in the construction of barriers, such as new roads, that would divide the existing communities surrounding the sites. Short-term construction impacts would be constrained within the sites themselves; however, off-site improvements for utilities may be required (refer to Section 4.18, *Utilities and Service Systems*) for future development within the project area. These off-site improvements would be constructed within roadway rights-of-way and would not block access between existing communities. Any lane closures during construction would be temporary, and the County would require construction contractors to prepare and implement a Traffic Control Plan such that local access within the community is maintained. Therefore, existing roadways would not be blocked, and construction would not limit access to a community or restrict movement within a community.

The project would encourage future development that would be considered infill development within designated mixed-use areas. This type of development would not divide the existing community; rather, it would promote the development of existing vacant or underutilized properties, thereby locating people closer to existing employment and commercial areas. Impacts related to dividing an established community would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| |
|---|
| Threshold: Would the project 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? |
|---|

Impact LU-2 THE PROJECT WOULD NOT RESULT IN A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO A CONFLICT WITH A LAND USE PLAN OR POLICY. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Regionally and locally adopted land use plans, policies, and regulations, including Plan Bay Area 2050, the San Mateo County General Plan, and the North Fair Oaks Community Plan would apply to development facilitated by the project. Consistency with these plans is discussed below. Specific General Plan and Community Plan policy consistency analysis is presented in Table 4.9-4 and Table 4.9-5, respectively. The project's consistency with the County's Zoning Ordinance is also discussed below. In accordance with the scope and purpose of this EIR, the policy consistency analysis focuses on goals and policies that relate to avoiding or mitigating an environmental effect. Only goals and policies relevant and applicable to the project are included. Goals and policies that are redundant between elements are omitted, as well as goals and policies that call for County actions that are independent of review and approval or denial of the project. The project is determined to be either "consistent" or "inconsistent" with the identified goals and policies. I

Plan Bay Area 2050

While Plan Bay Area 2050 has a greater focus on the transportation and economic sectors than land use related policies, Plan Bay Area 2050 does include the following objective regarding housing:

- Protect and preserve affordable housing, spur housing production for residents, of all income levels, and create inclusive communities.

The project would result in an increased availability of housing and affordable housing in the unincorporated county, following buildout of the project area. Additionally, the project area is located in a developed, urban area, resulting in lower transportation costs from proposed housing locations to commercial and office land uses. This would be consistent with the above objective.

San Mateo County General Plan

The General Plan Urban Land Use Chapter identifies goals, objectives, and policies for a compatible and harmonious arrangement of land uses in urban areas, and the General Plan Housing Element is intended to ensure that decent, safe, affordable shelter is provided for all residents in the unincorporated County. Detail regarding the project's consistency with specific, relevant General Plan goals, objectives, and policies that avoid or mitigate an environmental effect is provided in Table 4.9-4.

Table 4.9-4 Project Consistency with the San Mateo General Plan

| General Plan Policy | Discussion |
|--|--|
| <p>8.1 Urban Land Use Planning. Plan for a compatible and harmonious arrangement of land uses in urban areas by providing a type and mix of functionally well-integrated land uses which meets general social and economic needs.</p> | <p>Consistent. As described in Section 2, <i>Project Description</i>, the project aims to increase capacity for housing in the project area by modifying General Plan land use designations and zoning standards. The proposed mixed-use designations would be consistent with existing adjacent land use designations and development types, and would be consistent with the intent of the General Plan for the project area.</p> |
| <p>8.2 Land Use Objectives for Urban Communities</p> <ul style="list-style-type: none"> a. Plan Urban Communities to be balanced, self-contained areas which have a sufficient mix of urban land uses to support the internal housing, employment, shopping, and recreation needs of the community; b. Provide a mix of residential, commercial, and industrial land uses which will generate sufficient tax revenues to pay for the costs of providing desired levels of services and facilities; c. Provide a mix of commercial and industrial uses in order to maintain, support, and strengthen local economies; d. Provide a mix and an amount of residential land uses which will provide a substantial amount of housing opportunities in unincorporated areas; e. Establish land use patterns which give Urban Communities strong, individual and identifiable characters. | <p>Consistent. As described in Section 2, <i>Project Description</i>, the proposed rezoning would allow more multifamily and commercial-residential mixed-use development in the project area. The project would be consistent with these land use objectives by encouraging a variety of land uses (both commercial and residential uses would be allowed as part of the proposed mixed-use designations) to meet the needs of the community.</p> |
| <p>8.15 Land Use Compatibility</p> <ul style="list-style-type: none"> a. Protect and enhance the character of existing single-family areas. b. Protect existing single-family areas from adjacent incompatible land use designations which would degrade the environmental quality and economic stability of the area. c. Encourage transit-oriented development in appropriate locations and a mixture of appropriate land uses that would enhance neighborhood quality and support pedestrian and bicycle activity. | <p>Consistent. A primary objective of the project is to increase housing in the unincorporated area of San Mateo. While the project would rezone some residential-only parcels for mixed use, the allowed residential development intensity on these parcels would increase, resulting in increased housing in the project area. Additionally, the project encourages transit-oriented development by virtue of being located in a transit-oriented area. Adding residents in this area would allow for increased use of alternate transit options and would be consistent with the General Plan.</p> |
| <p>8.35 Zoning Regulations. To ensure that development is consistent with land use designations, continue to use zoning districts which regulate development by applying specific standards.</p> | <p>Consistent. As discussed under section 4.9.2, <i>San Mateo County Zoning Ordinance</i>, development facilitated by the proposed project would be required to be consistent with development standards relating to issues such as intensity, setbacks, height, and parking. The County would continue to apply these standards to future development facilitated by the project.</p> |
| <p>8.36 Uses. Allow uses in zoning districts that are consistent with the overall land use designation.</p> | <p>Consistent. The project includes proposed zoning amendments intended to improve the clarity, applicability, and compliance with State law of the existing zoning regulations. This revision would apply to the areas proposed for rezoning, once the rezoning is complete. The proposed project would allow for uses that are consistent with the new land use designations. Therefore, the project would be consistent with Policy 8.36.</p> |

| General Plan Policy | Discussion |
|--|---|
| <p>Housing Element Goal 1: Protect Existing Affordable Housing. Protect, conserve, and improve the existing affordable housing stock in order to minimize displacement of current residents and to keep such housing part of the overall housing stock in the County. Conserve and Improve Existing Affordable Housing Stock</p> <p>Policy HE 2.1: Evaluate existing neighborhood conditions and consider the needs and desires of existing residents when amending the General Plan and Zoning Regulations.</p> | <p>Consistent. The project aims to increase capacity for housing in the project area by modifying General Plan designations and zoning standards. The project would create more housing opportunities and would be consistent with Policy HE 2.1 of the Housing Element. Additionally, refer to Section 4.11, <i>Population and Housing</i>, for a discussion of displacement of existing housing in the project area.</p> |
| Source: San Mateo County General Plan 2013 | |

As noted under Government Code Section 65589.5(a), the Legislature has concluded that “the lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California.” More specifically, the Legislature’s stated intent is “to assure that counties and cities recognize their responsibilities in contributing to the attainment of the state housing goal...to assure that counties and cities will prepare and implement housing elements which...will move toward attainment of the state housing goal” (Government Code Section 65581). The project would help meet the County’s Regional Housing Needs Allocation, as well as the County’s desire to provide higher-density housing throughout the unincorporated areas. The project provides the opportunity for future development of medium-density housing, which is supportive of the County’s goal and policies. As outlined above in Table 4.9-4, the project would be substantially consistent with the County General Plan as a whole. However, while the project would be inconsistent with the current General Plan, approval of the proposed General Plan amendment modifying the land use designations and densities of the rezoning parcels, which would rectify this inconsistency.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan includes goals, policies, programs, regulations, and strategies applicable to future development in North Fair Oaks. Detail regarding the project’s consistency with specific, relevant goals and policies that avoid or mitigate an environmental effect is provided in Table 4.9-5.

Table 4.9-5 Project Consistency with the North Fair Oaks Community Plan

| General Plan Policy | Discussion |
|--|---|
| <p>Goal 2.1: Encourage mixed-use development along major commercial corridors and within industrial areas to support a vibrant, urban community that integrates a range of amenities in close proximity to surrounding residential neighborhoods.</p> <p>Policy 1A: Allow and promote appropriately scaled mixed-use development along Middlefield Road, El Camino Real, and along segments of Edison Way and 5th Avenue, to encourage a range of commercial, residential, institutional, and industrial development and community facilities.</p> <p>Policy 1B: Promote mixed-use development in existing industrial areas along Edison Way to provide flexible space for a range of industrial, commercial, institutional and live-work residential (by conditional use permit) land uses and</p> | <p>Consistent. The project area is located along existing commercial corridors (El Camino Real and Middlefield Road), and industrial areas in the northernmost portion of the project site as shown in Figure 2-4 of Section 2, <i>Project Description</i>. Edison Way is located in the northern subarea in the vicinity of Middlefield Road. The project proposes mixed-use zoning and land use designations of parcels that are located adjacent to parcels that front El Camino Real and Middlefield Road on one side, and residential uses on the other side. The project would allow more multifamily and commercial-residential mixed-use development. The project would promote mixed use along Middlefield Road, El Camino Real, and along Edison Way. The project would be consistent with Policy 1F by identifying specific parcels</p> |

| General Plan Policy | Discussion |
|--|--|
| <p>community facilities to revitalize underutilized and vacant land.</p> <p>Policy 1C: Encourage continued and expanded industrial uses in the Spring Street area, with the potential for live-work residential land uses and community facilities. Also allow limited commercial uses in this area, fronting on Bay Street only, to support adjacent industrial and institutional uses.</p> <p>Policy 1D: Ensure that the design of the public and private realm land uses along residential and commercial streets promotes safe, convenient, and well-integrated walking, bicycling, and public transit use.</p> <p>Policy 1E: Ensure that all new commercial, institutional, industrial, and mixed-use development provides space for or contributes to the creation of community oriented facilities (i.e., pocket parks, community gardens, plazas, community gathering spaces, and other facilities).</p> <p>Policy 1F: Identify key parcels with development potential, and potential barriers to such development. Address these barriers through creative solutions (rezoning, parcel consolidation, and others) to attract private developers and encourage higher intensity infill development.</p> | <p>for rezoning to try and incentivize development of the project area. By increasing capacity for housing the project would align with Policy 1D and 1E by expanding equitable access to opportunities, community livability, and desirable aspects of community character.</p> |
| <p>Goal 2.2: Promote revitalization through redevelopment of underutilized and vacant land in North Fair Oaks to create jobs and housing and support community and economic development.</p> <p>Policy 2B: Simplify and combine land use categories for residential uses to reduce redundancies and provide clear guidance on the type and density of development that is desired within residential areas.</p> <p>Policy 2C: Allow residential infill development on vacant and underutilized residential parcels and within areas identified as appropriate for additional mixed use residential, commercial, and other development. Encourage multi-family residential and mixed-use residential development in these areas, and revise subdivision regulations to remove barriers to the development of multi-family attached for-sale housing in all appropriate areas in North Fair Oaks.</p> <p>Policy 2E: Address incompatible industrial uses in residential and mixed-use areas, particularly along Middlefield Road, through County assistance to relocate uses to more appropriate industrial areas within North Fair Oaks, through fee waivers, incentives, identification of appropriate sites, and other measures.</p> <p>Policy 2F: Explore opportunities to strengthen neighborhood-scaled and neighborhood located commercial and retail locations, such as the existing commercially zoned area at 13th Avenue and Fair Oaks, through modifications to zoning designations, expansion of commercial areas, and other modifications to improve compatibility and appropriateness of local uses, and provide accessible local serving retail throughout North Fair Oaks.</p> | <p>Consistent. The proposed rezones would allow residential infill development within the project area. The project encourages multi-family residential and mixed-use residential development. The project would be consistent with Goal 2.2 by identifying underutilized land that can be used to create housing opportunities and economic development in residential and commercial areas.</p> |

| General Plan Policy | Discussion |
|---|---|
| <p>Goal 2.3: Amend and streamline land use categories to strengthen neighborhood and community character and to incentivize needed and appropriate development.</p> <p>Policy 3A: Simplify and combine land use categories for residential uses to reduce redundancies and provide clear guidance on the type and density of development that is desired within residential areas.</p> <p>Policy 3B: Implement new mixed-use land use categories to promote mixed-use development in appropriate areas.</p> <p>Policy 3C: Update the County's General Plan map and zoning ordinance to be consistent with the new Community Plan land use map and land use designations for North Fair Oaks.</p> | <p>Consistent. The project would result in changes to the County's Zoning Regulations for mixed use designations, with the aim to incentivize future mixed-use development in the project area. Additionally, the project would be consistent with Policy 3A, 3B, and 3C by providing changes to the County's General Plan Land Use maps to simplify land use categories and promote mixed use development.</p> |
| <p>Goal 2.4: Encourage transit-oriented development within North Fair Oaks.</p> <p>Policy 4A: Establish a higher density mixed-use district within a ¼ mile radius of the potential future multi-modal transit hub at the intersection of the Southern Pacific Railroad tracks and Middlefield Road. Higher densities in this area will support transit, reduce automobile use, and maximize development of vacant and underutilized lots while providing needed housing and other uses.</p> <p>Policy 4D: Allow and encourage transit-oriented development and the integration of development with multiple transportation options along major corridors including El Camino Real, 5th Avenue, and Middlefield Road, if and as these transportation options emerge.</p> | <p>Consistent. As described in Section 4.13 <i>Transportation</i>, the proposed rezoning parcels are located within 0.25 mile of high-quality transit, and much of the project area is within 0.25 mile of the future multi-modal transit hub at the Southern Pacific Railroad tracks and Middlefield Road. The project would allow for higher density mixed use development in these areas, consistent with Goal 2.4.</p> |
| Source: County of San Mateo 2011 | |

Conclusion

The project would not result in inconsistencies with the County's General Plan, Housing Element, North Fair Oaks Community Plan, or County Zoning Ordinance which would result in 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. This impact would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.9.4 Cumulative Impacts

The geographic scope for cumulative land use and planning impacts is the County of San Mateo, with particular focus on the unincorporated area surrounding the project area. This geographic scope is appropriate because the county limits represent the planning area for the County General Plan. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact land use and planning.

Cumulative development would be required to meet current applicable design standards and would undergo environmental review, including consideration of whether the projects would physically divide an established community. With these considerations prior to project approval, cumulative impacts related to dividing an established community would be less than significant. As discussed under Impact LU-1, the project would encourage infill development within designated mixed use areas and would not impede existing community connections. Because the project would not impact neighborhood connectivity, the project would not have a considerable contribution to cumulative impacts related to physically dividing an established community.

Cumulative projects would be required to adhere to applicable zoning and development regulations and General Plan policies to mitigate environmental impacts where feasible. In addition, all pending and future projects would be reviewed for consistency with the General Plan, and all other applicable regulatory land use actions prior to approval. Therefore, it is anticipated that each cumulative project would be found consistent with applicable plans and policies prior to approval, such that the projects would not cause a significant cumulative environmental impact. As discussed under Impact LU-2, the project would be consistent with the applicable regional and local goals and policies in Plan Bay Area 2050, the County General Plan as a whole, and the County's Zoning Ordinance. The project would not result in a considerable contribution to cumulative impacts related to consistency with land use plans.

4.10 Noise

This section analyzes noise-related impacts associated with the implementation of the proposed project, including temporary noise impacts from construction activity and long-term noise impacts from expected operation of development facilitated by the project.

4.10.1 Environmental Setting

a. Fundamentals of Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response. Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dBA; dividing the energy in half would result in a 3 dBA decrease (Caltrans 2013).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible; and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in sound level as the distance from the source increases. The manner by which noise declines with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions. Noise levels from a point source (e.g., construction, industrial machinery, ventilation units) typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (drop-off rate) result simply from the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013).

Noise levels may also be reduced by intervening structures. The amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5 dBA reduction in source noise levels at the receiver.

Noise Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs, its frequency, and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed.

One of the most frequently used noise metrics that considers both duration and intensity is the equivalent noise level (L_{eq}). The L_{eq} is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, L_{eq} is equivalent to a one-hour period, even when measured for shorter durations, as the noise level of a 10- to 30-minute period would be the same as the hour if the noise source is relatively steady. L_{max} is the highest root mean squared sound pressure level within the sampling period, and L_{min} is the lowest root mean squared sound pressure level within the measuring period. Normal conversational levels at three feet are in the 60- to 65-dBA L_{eq} range and ambient noise levels greater than 65 dBA L_{eq} can interrupt conversations (Federal Transit Administration [FTA] 2018).

Noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (L_{dn} or DNL), which is a 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours, or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by DNL and CNEL usually differ by about 0.5 dBA and are, therefore, generally considered to be interchangeable.

b. Vibration

In environmental analysis, groundborne vibration of concern consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hertz. The frequency of a vibrating object describes how rapidly it oscillates. Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hertz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (FTA 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2020). When a building is impacted by

vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (PPV). The PPV is normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration and other construction activity because it is related to the stresses that are experienced by buildings (Caltrans 2020). The Caltrans *Transportation and Construction Vibration Guidance Manual* (2020) identifies guideline impact criteria for damage to buildings, which are shown in. Table 4.10-1.

Table 4.10-1 Building Vibration Damage Potential

| Structure and Condition | Maximum PPV (inches per second) | |
|--|---------------------------------|--|
| | Transient Sources | Continuous/Frequent Intermittent Sources |
| Extremely fragile historic buildings, ruins, ancient mountains | 0.12 | 0.08 |
| Fragile buildings | 0.20 | 0.10 |
| Historic and similar old buildings | 0.50 | 0.25 |
| Older residential structures | 0.50 | 0.30 |
| New residential structures | 1.00 | 0.50 |
| Modern industrial/commercial buildings | 2.00 | 0.50 |

Notes: Transient sources create a single isolated vibration event, such as blasting or drop balls (i.e., a loose steel ball that is dropped onto structures or rock to reduce them to a manageable size). Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

PPV = peak particle velocity

Source: Caltrans 2020

c. Sensitive Receivers

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Typically, noise sensitive land uses include single family residential, multi-family residential, churches, hospitals and similar health care institutions, convalescent homes, libraries, and school classroom areas. The predominant noise sensitive land uses in the project area are residential uses.

Several noise-sensitive receivers are located adjacent to and within the project area. Noise-sensitive receivers closest to the northern subarea of the project area include single and multi-family residential uses adjacent to the northern boundary, Connect Community Charter School located approximately 820 feet north of the northern boundary, Hoover Elementary School located approximately 1,300 feet northwest of the northern boundary, single and multi-family residential uses adjacent to the eastern boundary of the project area, Garfield Community School located approximately 345 feet from the eastern boundary of the project area, Izzi at Fair Oaks Preschool and Saint Anthony's Church located approximately 560 feet from the eastern boundary of the project area, and single and multi-family residential uses adjacent to the southern boundary of the project area. Noise-sensitive receivers closest to the southern subarea of the project area include single and multi-family residential adjacent to the northern and eastern boundary and single-family residential adjacent to the southern boundary.

Vibration sensitive receivers are similar to noise sensitive receivers, including residences and institutional uses such as schools, churches, and hospitals. However, vibration sensitive receivers also include buildings where vibrations may interfere with vibration-sensitive equipment. Vibration sensitive receivers include the noise sensitive receivers discussed above.

d. Existing Conditions

Noise Sources

Existing noise in the project area includes noise from mobile and stationary sources. The most prevalent noise source in the project area is traffic on freeways and arterial roads. Periodic noise sources include Caltrain and Southern Pacific Railroad trains passing on the railroad tracks separating the northern and southern subareas of the project area, aircraft operations in and out of the San Carlos Airport, loading docks and machinery within industrial areas, and trucks and mechanical equipment at commercial uses.

Motor vehicle noise is characterized by a high number of individual events that create a sustained noise level in proximity to noise-sensitive uses. Roadways with the highest traffic volumes and speeds produce the highest noise levels.

4.10.2 Regulatory Setting

a. Federal

Department of Housing and Urban Development

The Federal Department of Housing and Urban Development (HUD) sets environmental criteria and standards in Title 24 CFR, Part 51. New construction proposed in areas that exceed 65 dBA L_{dn} must incorporate noise attenuation features to maintain interior noise levels at 45 dBA L_{dn} . Development in areas exceeding 65 dBA L_{dn} requires further attenuation features. In general, the HUD regulations match the California state regulations discussed below.

Federal Transit Administration

The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction in their *Transit and Noise Vibration Impact Assessment Manual* (FTA 2018). For residential uses, the daytime noise threshold is 80 dBA L_{eq} for an 8-hour period.

Occupational Health and Safety Administration

The federal government regulates occupational noise exposure common in the workplace through the Occupational Health and Safety Administration under the United States Environmental Protection Agency. Noise limitations would apply to the operation of construction equipment and could also apply to any proposed industrial land uses. Noise exposure of this type is dependent on work conditions and is addressed through a facility's Health and Safety Plan, as required under Occupational Health and Safety Administration, and is not addressed further in this analysis.

b. State

California General Plan Guidelines

State law requires general plans to include a Noise Element under Government Code Section 65302(f). The California General Plan Guidelines, published by the Governor's Office of Planning and Research, indicate acceptable, specific land use types in areas with specific noise exposure. The guidelines also offer adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. These guidelines are advisory, and local jurisdictions have the authority to set specific noise standards based on local conditions.

California Building Code

California Code of Regulations Title 24, Building Standards Administrative Code, Part 2, Chapter 12, and the California Building Code codify the State noise insulation standards. These noise standards apply to new construction in California to control interior noise levels as they are affected by exterior noise sources and interior noise sources from separate areas. The regulations specify that interior noise levels shall not exceed 45 dB CNEL/ L_{dn} in any habitable room, as well as specifying sound transmission class requirements for walls, floors, and ceilings around sleeping units.

California Green Building Code

California Green Building Standards Code 2022 (CALGreen) Section 5.507.4, Acoustical Control, regulates construction of non-residential uses within the 65 dBA CNEL/ L_{dn} contour of an airport, freeway, expressway, railroad, industrial noise source, or other fixed source. According to Section 5.507.4.1.1 "buildings exposed to a noise level of 65 dB L_{eq} (1-hr) during any hour of operation shall employ sound-resistant assemblies as determined by a prescriptive method (CALGreen Section 5.507.4.1) or performance method (CALGreen Section 5.507.4.2).

Projects may demonstrate compliance through the prescriptive method if wall and roof-ceiling assemblies exposed to the noise source meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor/indoor transmission class rating of no less than 40, with exterior windows of a minimum STC of 40 or outdoor/indoor transmission class of 30. Projects may demonstrate compliance through the performance method if wall and roof-ceiling assemblies exposed to the noise source are constructed to provide an interior noise environment that does not exceed 50 dB L_{eq} (1-hr) in occupied areas during hours of operations.

California Airport Noise Standards

California Code of Regulations Title 21, Subchapter 6, Airport Noise Standards, establishes 65 dBA CNEL as the acceptable level of aircraft noise for persons living in the vicinity of airports. Noise-sensitive land uses are generally incompatible in locations where the aircraft exterior noise level exceeds 65 dBA CNEL. This standard remains unless an aviation easement for aircraft noise has been acquired by the airport proprietor, or the residence is a high-rise with an interior CNEL of 45 dBA or less in all habitable rooms. AB 2776 requires any person who intends to sell or lease residential properties in an airport influence area to disclose that fact to the person buying the property.

c. Local

County of San Mateo General Plan

The County of San Mateo General Plan was adopted and updated in January 2013. The Man-Made Hazards Chapter identifies noise policies (County of San Mateo 2013). The following noise policies apply to the project.

Man-Made Hazards Policies: Noise Policies

Goal 16.1: Strive Toward a Livable Noise Environment

Strive toward an environment for all residents of San Mateo County which is free from unnecessary, annoying, and injurious noise.

Goal 16.2: Reduce Noise Impacts through Noise/Land Use Compatibility and Noise Mitigation

Reduce noise impacts within San Mateo County through measures which promote noise/land use compatibility and noise mitigation.

Goal 16.3: Promote Protection of Noise Sensitive Land Uses and Noise Reduction in Quiet Areas and Noise Impact Areas

Promote measures which: (1) protect noise sensitive land uses, (2) preserve and protect existing quiet areas, especially those which contain noise sensitive land uses, and (3) promote noise compatibility in Noise Impact Areas.

Goal 16.4: Noise Reduction Priority

Give priority to reducing noise at the source rather than at the receiver, recognizing that it is less expensive and more equitable to build noise mitigation into the source than providing for it along the path and at the receiver.

Goal 16.5: Noise Reduction Along the Path and at the Receiver

Promote noise reduction along the path and at the receiver through techniques which can be incorporated into the design and construction of new and existing development including, but not limited to, site planning, noise barriers, architectural design, and construction techniques.

Policy 16.11: Regulate Distribution of Land Uses

Regulate the distribution of land uses to attain noise compatibility. Measures may include preference toward locating: (1) noise sensitive land uses within quiet areas, removed from Noise Impact Areas, and (2) noise generating land uses separate from noise sensitive land uses.

Policy 16.12: Regulate Noise Levels

Regulate noise levels emanating from noise generating land uses through measures which establish maximum land use compatibility and nuisance thresholds.

Policy 16.13: Site Planning Noise Control

Incorporate acoustic site planning into the design of new development, particularly large scale, master planned development, through measures which may include: (1) separation of noise sensitive buildings from noise generating sources and (2) use of natural topography and intervening structures to shield noise sensitive land uses.

Policy 16.14: Noise Barriers Noise Control

Promote measures which incorporate use of noise barriers into the design of new development, particularly within Noise Impact Areas. Noise barriers may include earth berms, walls, fencing, or landscaping.

Policy 16.15: Architectural Design Noise Control

Promote measures which incorporate architectural techniques into the design of new buildings, particularly buildings within Noise Impact Areas. Architectural design techniques may include: (1) grouping noise sensitive rooms together separated from noise sources, (2) placing windows, vents and other openings away from noise sources, and (3) avoidance of structural features which direct noise toward interior spaces.

Policy 16.16: Construction Techniques Noise Control

Promote measures which incorporate noise control into the construction of existing and new buildings including, but not limited to, use of dense noise insulating building materials.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan was adopted in 2011 and established visions and goals for the development and physical composition of North Fair Oaks through the incorporation of policies, programs, regulations, and strategies to meet the needs of current and future residents. The following goal and policies from the Health and Wellness Element are relevant to noise (County of San Mateo 2011):

Goal 5.23: Maintain acceptable noise levels in North Fair Oaks.

Policy 23A: Reduce or eliminate existing objectionable noise sources and require new noise sources to comply with noise standards.

Policy 23B: Consider both indoor and outdoor noise levels to protect health and safety.

Policy 23C: Mitigate new noise impacts from traffic along Middlefield Road, El Camino Real, 5th Avenue, the rail corridor, and industrial uses within the neighborhood by buffering development sites or using other strategies to reduce or absorb sound. Where there are existing impacts, coordinate with nearby jurisdictions and agencies to advocate for design improvements that will reduce noise impacts.

San Mateo County Municipal Code

The County's Noise Ordinance (Chapter 4.88 of the San Mateo County Municipal Code) identifies noise standards for various sources and includes specific noise restrictions for sources of noise within the County. Section 4.88.330 of the San Mateo County Municipal Code designates exterior noise standards for receiving land use categories including single or multiple family residences, schools, hospitals, churches, or public libraries in the incorporated or unincorporated County. The exterior noise standards are based on the cumulative number of minutes in any one-hour time period that noise is generated at the receiving land use. Table 4.10-2 shows the allowable noise levels and corresponding times of day for the receiving land uses.

Table 4.10-2 Exterior Noise Standards

| Category | Cumulative Number of Minutes in any 1-hour Time Period | Noise Level Standards (dBA) | |
|----------|---|--------------------------------------|--|
| | | Daytime (7:00 a.m. to 10:00 p.m.) | Nighttime (10:00 p.m. to 7:00 a.m.) |
| 1 | 30 | 55 | 50 |
| 2 | 15 | 60 | 55 |
| 3 | 5 | 65 | 60 |
| 4 | 1 | 70 | 65 |
| 5 | 0 | 75 | 70 |

dBA = A-weighted decibel

Source: San Mateo County Municipal Code Section 4.88.330

Section 4.88.330 also specifies the following:

- In the event the measured background noise level exceeds the applicable noise level standard in any category above, the applicable standard shall be adjusted in five (5) dBA increments so as to encompass the background noise level.
- Each of the noise level standards specified above shall be reduced by 5 dBA for simple tone noises, consisting primarily of speech or music, or for recurring or intermittent impulsive noises.
- If the intruding noise source is continuous and cannot reasonably be stopped for a period of time whereby the background noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards in Table 4.10-2.

Section 4.88.360 of the San Mateo County Municipal Code states exemptions for specified events. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property, provided the construction activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturdays and do not occur on Sundays, Thanksgiving, or Christmas, are exempt from the noise standards.

4.10.3 Impact Analysis

a. Methodology

Construction Noise

Construction equipment can be considered to operate in two modes: stationary and mobile. Stationary equipment operates in a single location for one or more days at a time, with either fixed-power operation (e.g., pumps, generators, and compressors) or variable-power operation (e.g., pile drivers, rock drills, and pavement breakers). Mobile equipment moves around a construction site with power applied in cyclic fashion, such as bulldozers, graders, and loaders (FTA 2018). Each phase of typical construction has its own noise characteristics due to specific equipment mixes; some will have higher continuous noise levels than others and some may have high-impact intermittent noise levels (FTA 2018). Therefore, construction noise levels may fluctuate depending on the type of equipment being used, construction phase, or equipment location. In typical construction projects on vacant sites, grading activities typically generate the highest noise levels because grading involves the largest equipment and covers the greatest area. For assessment purposes, potential construction noise impacts from construction activities were modeled at a reference distance of 25

feet to analyze potential construction noise levels due to setback distances between equipment and nearby sensitive receivers.

Heavy construction equipment during grading and site preparation for development facilitated by the project would typically include bulldozers, excavators, front-end loaders, dump trucks, and graders. It is assumed that diesel engines would power all construction equipment. Construction equipment would not all operate at the same time or location due to the different tasks performed by each piece of equipment. In addition, construction equipment would not be in constant use during the 8-hour operating day.

Impact devices such as pile drivers may be used for construction of development facilitated by the project. A pile driver is used to drive foundation piles into the ground. Although use of pile drivers is uncommon during construction for the types of development facilitated by the project, this analysis considers the potential for use of this equipment as a conservative analysis as some terrain features or building heights may require their use. These devices would typically operate separately from other equipment.

Operational Stationary Noise

Stationary noise (i.e., on-site operational noise) was analyzed in context of typical mechanical equipment at commercial, residential and mixed-use developments such as heating, ventilation, and air conditioning (HVAC) units, landscaping and maintenance activities, and truck loading/unloading at the future commercial uses.

Operational Traffic Noise

Development facilitated by the project would generate motor vehicle trips, thereby increasing off-site traffic on area roadways. Noise affecting the project area is primarily from traffic on El Camino Real, Woodside Drive, Middlefield Road, Marsh Road, and Bay Road. The project's traffic noise increases were estimated using trip generation data provided by W-Trans (W-Trans 2023). Existing average daily traffic (ADT) data for existing conditions was obtained from Replica (Replica 2022).

Groundborne Vibration

Development facilitated by the project would not include substantial sources of vibration associated with operation because the project envisions commercial, residential, and mixed-use development. Therefore, construction activities have the greatest potential to generate groundborne vibration affecting nearby receivers, especially during grading, excavation, and paving.

Because groundborne vibration could cause physical damage to structures and is measured in an instantaneous period, vibration impacts are typically modeled based on the distance from the location of vibration-intensive construction activities, which is conservatively assumed to be the edge of a project site, to the edge of the nearest off-site structures. For assessment purposes, potential vibration impacts from construction activities were modeled at a reference distance of 25 feet to analyze potential vibration levels due to setback distances between equipment and off-site structures.

Impact of the Environment on the Project

As a result of the Supreme Court decision regarding the assessment of the environment's impacts on projects (California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 (No. S 213478) issued December 17, 2015), it is not considered the purview of the CEQA

process to evaluate the impact of existing environmental conditions on a proposed project. Therefore, this environmental analysis does not consider the potential impacts of the environment (i.e., existing noise) on development facilitated by the project.

b. Significance Thresholds

Based on Appendix G of the *CEQA Guidelines*, a project may be deemed to have a significant impact on noise if it would:

1. Generate 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;
2. Generate excessive groundborne vibration or groundborne noise levels; or
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, expose people residing or working in the project area to excessive noise levels.

Construction Noise

As the County does not define a quantitative construction noise threshold, for purposes of analyzing impacts from development associated with the project, the FTA construction criteria are applicable to construction noise generated by development associated with the project. The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction in their *Transit and Noise Vibration Impact Assessment Manual* (FTA 2018). For residential uses, the daytime noise threshold for an 8-hour period is 80 dBA L_{eq} . Construction noise would have a significant impact if it exceeds this threshold.

Operational Stationary Noise

The County has adopted noise standards in the San Mateo County Municipal Code that regulate stationary operational noise sources in the County. The project would result in a significant impact if it generates noise from stationary sources in excess of the standards shown in Table 4.10-2.

Operational Traffic Noise

A project will normally have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas. Most people can detect changes in sound levels of approximately 3 dBA under normal, quiet conditions, and changes of 1 to 3 dBA are detectable under quiet, controlled conditions. Changes of less than 1 dBA are usually indiscernible. A change of 5 dBA is readily discernible to most people in an exterior environment.¹ Based on this, a significant impact would occur if traffic noise increases by 3 dBA CNEL or greater.

Groundborne Vibration

The County has not adopted a significance threshold to assess vibration impacts during construction and operation. Therefore, the Caltrans *Transportation and Construction Vibration Guidance Manual* is used to evaluate potential construction vibration impacts related to potential building damage (Caltrans 2020). Construction vibration impacts from development facilitated by the project would

¹ Note that a doubling of traffic flows (i.e., 10,000 vehicles per day to 20,000 per day) would be needed to create a 3 dBA CNEL increase in traffic-generated noise levels.

be significant if vibration levels exceed the Caltrans criteria shown in Table 4.10-1. For example, impacts would be significant if vibration levels exceed 0.5 in/sec PPV for modern industrial/commercial/residential structures and 0.3 in/sec PPV for older residential structures, which is the limit where minor cosmetic (i.e., non-structural) damage may occur to these buildings. Construction vibration impacts would also be significant if vibration levels exceed 0.25 in/sec PPV for historic and similar old buildings (Caltrans 2020).

c. Project Impacts and Mitigation Measures

Threshold 1: Would the project 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?

Impact NOI-1 CONSTRUCTION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD TEMPORARILY INCREASE NOISE LEVELS THAT COULD AFFECT NEARBY NOISE-SENSITIVE RECEIVERS. OPERATION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD INTRODUCE NEW ON-SITE NOISE SOURCES AND CONTRIBUTE TO TRAFFIC NOISE. CONSTRUCTION, ON-SITE OPERATIONAL NOISE IMPACTS, AND TRAFFIC NOISE IMPACTS WOULD BE SIGNIFICANT AND UNAVOIDABLE DESPITE THE IMPLEMENTATION OF FEASIBLE MITIGATION MEASURES.

Construction

Noise from construction of development facilitated by the project would temporarily increase ambient noise levels at nearby properties. Construction would generate noise from activities such as demolition, site preparation, grading, building construction, and paving. Each phase of construction has a specific equipment mix and associated noise characteristics, depending on the equipment used during that construction phase. Construction noise would typically be higher during the more equipment-intensive phases of initial construction (i.e., demolition, site preparation, and grading work) and would be lower during the later construction phases (i.e., building construction and paving). Table 4.10-3 illustrates typical noise levels associated with construction equipment at 25, 50, and 100 feet.

Table 4.10-3 Typical Noise Levels for Construction Equipment

| Equipment | Estimated Noise Levels at Nearest Sensitive Receivers (dBA L _{eq}) | | |
|---------------------|--|---------|----------|
| | 25 feet | 50 feet | 100 feet |
| Air Compressor | 86 | 80 | 74 |
| Backhoe | 86 | 80 | 74 |
| Concrete Mixer | 91 | 85 | 79 |
| Dozer | 91 | 85 | 79 |
| Grader | 91 | 85 | 79 |
| Jack Hammer | 94 | 88 | 82 |
| Loader | 86 | 80 | 74 |
| Paver | 91 | 85 | 79 |
| Pile-drive (Impact) | 107 | 101 | 95 |
| Pile-driver (Sonic) | 101 | 95 | 89 |
| Roller | 91 | 85 | 79 |
| Saw | 82 | 76 | 70 |
| Scarified | 89 | 83 | 77 |
| Scraper | 91 | 85 | 79 |
| Truck | 90 | 84 | 78 |
| Source: FTA 2018 | | | |

As shown in Table 4.10-3, construction noise may exceed the FTA’s daytime noise limits of 80 dBA L_{eq}, depending on the equipment used and the distance in which the equipment is operating compared to noise-sensitive receivers.

Since at this stage of planning, project-level details are not available for development facilitated the project, it is not possible to determine exact noise levels, locations, or construction durations of such projects, or construction noise at adjacent properties. Therefore, construction noise levels associated with development projects may exceed the daytime FTA construction noise threshold of 80 dBA L_{eq} for an 8-hour period at residential uses and other noise sensitive receivers, and impacts would be potentially significant and mitigation would be required.

Therefore, Mitigation Measure 13-1 from the North Fair Oaks Community Plan Update Draft EIR (2011) has been incorporated into this EIR as Mitigation Measure NOI-1a. Mitigation Measure NOI-1a would reduce construction noise impacts from development facilitated by the project by requiring a construction plan, scheduling construction activities during hours consistent with the Municipal Code, equipping construction equipment with mufflers, and erecting temporary noise barriers. However, as exact details of project-specific construction activities are unknown, construction noise could still exceed the daytime FTA construction noise threshold of 80 dBA L_{eq} for an 8-hour period at residential uses. Therefore, construction noise impacts from development facilitated by the project would be significant and unavoidable.

Operation

Stationary (On-site Operational) Noise

Stationary on-site sources of noises may occur on all types of land uses. Residential uses would generate noise from landscaping, maintenance activities, and mechanical equipment such as ground-level and rooftop HVAC systems. Commercial uses would generate stationary noise from HVAC systems, loading docks, and other sources. These land uses types and their associated noise types are already typical of the project area.

Implementation of General Plan Policies 16.11, 16.12, and 16.13 would reduce potential impacts associated with new noise-producing land uses. Policy 16.11 requires the County to regulate the distribution of land uses to attain noise compatibility and Policy 16.12 requires the County to regulate noise levels emanating from noise generating land uses. Policy 16.13 requires the County to incorporate acoustic site planning into the design of new development to separate noise sensitive receivers from noise generating sources. However, since at this stage of planning, project-level details are not available, it is not possible to determine on-site operational noise levels and the locations of on-site operational noise generating sources. On-site operational noise could exceed the County's most stringent exterior sound level of 55 dBA for residential and other noise sensitive land uses. Therefore, on-site operational impacts from the project would be potentially significant, and mitigation would be required.

Mitigation Measure NOI-1b would reduce potential stationary noise impacts associated with projects facilitated by the project. However, as exact details of project-specific stationary noise activities are unknown, stationary noise could still exceed operational noise limits. Therefore, project impacts related to stationary on-site operational noise would be significant and unavoidable.

Traffic Noise

The project would encourage higher-intensity, mixed-use neighborhoods than currently permitted, leading to additional vehicle trips on area roadways. As described in Chapter 2, *Project Description*, project implementation could facilitate up to 332 additional dwelling units and 74,179 square feet of commercial space. By generating new vehicle trips, development would incrementally increase the exposure of land uses along roadways to traffic noise. The following analysis considers the project's contribution to existing ADT volumes.

Table 4.10-4 summarizes the estimated existing plus project traffic noise increase based on average trips per day provided by W-Trans (W-Trans 2023). As shown in Table 4.10-4, the maximum increase in traffic noise would be 3.5 dBA CNEL along 5th Avenue south of Bay Road. This would exceed the significance threshold of 3 dBA CNEL identified in *Significance Thresholds*, above. Significant traffic noise increases are also estimated along 5th Avenue north of Middlefield Road.

Table 4.10-4 Traffic Noise Increase

| Roadway Segment | Existing ADT 2021 | Existing + Project ADT | Traffic Noise Increase (dBA CNEL) |
|---|-------------------|------------------------|-----------------------------------|
| 5th Avenue - North of El Camino Real | 12,090 | 17,696 | 1.7 |
| El Camino Real - West of 5th Avenue | 66,600 | 72,206 | 0.4 |
| El Camino Real - East of 5th Avenue | 68,400 | 74,006 | 0.3 |
| Woodside Road - North of Middlefield Road | 54,400 | 60,006 | 0.4 |
| Woodside Road - South of Middlefield Road | 49,100 | 54,706 | 0.5 |
| Middlefield Road - West of Woodside Road | 33,700 | 39,306 | 0.7 |
| Middlefield Road - East of Woodside Road | 34,100 | 39,706 | 0.7 |
| 5th Avenue - North of Middlefield Road | 5,370 | 10,976 | 3.1 |
| 5th Avenue - South of Middlefield Road | 12,300 | 17,906 | 1.6 |
| Middlefield Road - West of 5th Avenue | 17,600 | 23,206 | 1.2 |
| Middlefield Road - East of 5th Avenue | 15,360 | 20,966 | 1.4 |
| Marsh Road - North of Middlefield Road | 25,900 | 31,506 | 0.9 |
| Middlefield Road - West of Marsh Road | 14,250 | 19,856 | 1.4 |
| Middlefield Road - East of Marsh Road | 26,200 | 31,806 | 0.8 |
| 5th Avenue - South of Bay Road | 4,540 | 10,146 | 3.5 |
| Bay Road - West of 5th Avenue | 11,710 | 17,316 | 1.7 |
| Bay Road - East of 5th Avenue | 12,450 | 18,056 | 1.6 |
| Marsh Road - North of Florence Street | 40,000 | 45,606 | 0.6 |
| Marsh Road - South of Florence Street | 31,400 | 37,006 | 0.7 |
| Florence Street - West of Marsh Road | 15,180 | 20,786 | 1.4 |
| Woodside Road - North of Bay Road | 67,200 | 72,806 | 0.3 |
| Woodside Road - South of Bay Road | 54,700 | 60,306 | 0.4 |
| Bay Road - East of Woodside Road | 27,800 | 33,406 | 0.8 |

Notes: ADT = Average Daily Traffic

¹ Existing ADT was sourced from Replica and reflects ADT in the Fall of 2021

² Future ADT was calculated by adding the total trips generated by the project (5,606) to the existing ADT for each study intersection.

Source: Replica 2022, W-Trans 2023

As discussed above in Section 4.10.2, *Regulatory Setting*, North Fair Oaks Community Plan Policy 23C requires new development along Middlefield Road, El Camino Real, and 5th Avenue to be buffered or use other techniques that absorb sound to reduce traffic noise impacts. In addition, policies from the North Fair Oaks Community Plan Circulation and Parking Element would be implemented that encourage active transportation modes, such as walking, bicycling and taking transit, thereby reducing vehicle trips and traffic noise in the project area, (see Chapter 4.13, *Transportation*). These policies focus on supporting alternative modes of travel by improving existing pedestrian facilities and providing new facilities throughout the project area, improving bicycle connectivity and wayfinding, and strengthening local and regional transit connectivity.

Implementation of these policies would reduce operational vehicle trips and associated operational traffic noise to the extent feasible. However, implementation of these goals and policies would not guarantee that traffic noise would be reduced below thresholds. Therefore, impacts would be potentially significant, and mitigation would be required.

Mitigation Measure 13-5 from the North Fair Oaks Community Plan Draft EIR (2011) has been incorporated into this EIR as Mitigation Measure NOI-1c. Mitigation Measure NOI-1c would reduce traffic noise by implementing reduced-noise pavement types, constructing new or larger noise barriers, installing traffic calming measures, and providing sound insulation treatments to affected buildings. However, the combination of these measures may not be feasible to reduce traffic noise to levels below the significance threshold. Therefore, the impact would be significant and unavoidable.

Mitigation Measures

NOI-1a Construction Noise Reduction Measures

The County shall require project applicants to include the following conditions in project demolition and construction contract agreements that stipulate the following conventional construction-period noise abatement measures:

- **Construction Plan.** Prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with nearby noise-sensitive facilities so that construction activities can be scheduled to minimize noise disturbance.
- **Construction Scheduling.** Ensure that noise-generating construction activity is limited to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and does not occur at any time on Sundays, Thanksgiving or Christmas.
- **Construction Equipment Mufflers and Maintenance.** Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment to achieve an engine noise reduction from mobile construction equipment of at least 10 dBA (FHWA 2011; Bies et al. 2018; Harris 1991).
- **Portable Sound Enclosures.** All generators and air compressors shall be enclosed in portable sound enclosures that provide at least a 10-dBA reduction in noise levels (FHWA 2011; Bies et al. 2018; Harris 1991).
- **Equipment Locations.** Locate stationary noise-generating equipment as far as possible from sensitive receivers when sensitive receivers adjoin or are near a construction project site.
- **Construction Traffic.** Route all construction traffic to and from construction sites via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible.
- **Quiet Equipment Selection.** Use quiet construction equipment, particularly air compressors, where possible.
- **Temporary Barriers.** Construct plywood fences around construction sites adjacent to residences, operational businesses, or noise-sensitive land uses to achieve a noise reduction of at least 5 dBA when blocking the line-of-sight between the source and the receiver (FHWA 2011; Bies et al. 2018; Harris 1991).
- **Temporary Noise Blankets.** Temporary noise control blanket barriers should be erected, if necessary, along building facades adjoining construction sites to achieve a noise reduction of at least 5 dBA (FHWA 2011; Bies et al. 2018; Harris 1991). This mitigation would only be necessary if conflicts occurred which were not able to be resolved by scheduling. (Noise control blanket barriers can be rented and quickly erected.)

- **Noise Disturbance Coordinator.** For larger construction projects, the County may choose to require project designation of a “Noise Disturbance Coordinator” who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures be implemented to correct the problem. 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. (The project sponsor should be responsible for designating a Noise Disturbance Coordinator, posting the phone number and providing construction schedule notices. The Noise Disturbance Coordinator would work directly with an assigned County staff member.)

NOI-1b Conduct Stationary Operational Noise Analysis

Prior to project approval, the County shall require development projects to evaluate potential on-site operational noise impacts on nearby noise-sensitive uses and to implement stationary operational noise reduction measures to minimize impacts on these uses. Examples of measures to reduce on-site noise include, but are not limited to, operational restrictions, selection of quiet equipment, equipment setbacks, enclosures, silencers, and/or acoustical louvers.

NOI-1c Traffic Noise Reduction Measures

The County shall require project applicants to pay a fair share fee toward implementation of the following traffic noise reduction improvements on 5th Avenue north of Middlefield Road and 5th Avenue south of Bay Road:

- **Pave streets with reduced pavement types such as rubberized or open grade asphalt.** Reduced-noise pavement types would reduce noise levels by 2 to 3 dBA depending on the existing pavement type, traffic speed, traffic volumes, and other factors. Case studies have shown that the replacement of standard dense grade asphalt with open grade or rubberized asphalt can reduce traffic noise levels along residential streets by 2 to 3 dBA. A possible noise reduction of 2 dBA would be expected using conservative engineering assumptions. In order to provide permanent mitigation, all future repaving would need to consist of “quieter” pavements.
- **Construct new or larger noise barriers.** New or larger noise barriers could reduce noise levels by 5 dBA L_{dn} . The final design of such barriers, including an assessment of their feasibility and cost-effectiveness, should be completed during final design.
- **Install traffic calming measures to slow traffic along 5th Avenue.** Traffic calming measures could provide a qualitative (i.e., perceived if not measurable) improvement by smoothing out the rise and fall in noise levels caused by speeding vehicles.
- **Provide sound insulation treatments to affected buildings.** Sound-rated windows and doors, mechanical ventilation systems, noise insulation, and other noise-attenuating building materials could reduce noise levels in interior spaces.

Significance After Mitigation

Construction noise would be reduced after implementation of Mitigation Measure NOI-1a. However, as exact details of future project-specific construction activities are unknown at this stage of planning, construction noise could still exceed construction noise limits. Therefore, construction noise impacts would remain significant and unavoidable.

Implementation of Mitigation Measure NOI-1b would reduce potential operational stationary noise impacts associated with discretionary projects in the project area. However, as exact details of future project-specific stationary noise activities are unknown at this stage of planning, stationary noise could still exceed operational noise limits. Therefore, operational stationary noise impacts would remain significant and unavoidable.

Implementation of Mitigation Measure NOI-1c would include repaving with reduced-noise pavement types, the replacement or construction of noise barriers, traffic calming, and sound insulation that could reduce the project contribution to traffic noise at affected sensitive receivers on 5th Avenue south of Bay Road and 5th Avenue north of Middlefield Road to a less than significant level. However, each of these measures involves other non-acoustical considerations. For example, other engineering considerations may require continued use of dense grade asphalt. Installation of noise barriers may be inconsistent with desired community character and local aesthetic goals. Installation of noise barriers and sound insulation treatments on private property would require agreements with each affected property owner. These measures, therefore, may not be feasible to reduce the project's contribution to traffic noise at every affected sensitive receiver, or such measures may not be desired by the County or by affected individual property owners. Therefore, traffic noise impacts would remain significant and unavoidable.

| |
|--|
| Threshold 2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels? |
|--|

Impact NOI-2 CONSTRUCTION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD TEMPORARILY GENERATE GROUNDBORNE VIBRATION. IF REQUIRED FOR CONSTRUCTION, PILE DRIVING COULD POTENTIALLY EXCEED CALTRANS VIBRATION THRESHOLDS AND IMPACT PEOPLE OR BUILDINGS. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Construction Vibration

Construction of development facilitated by the project would intermittently generate groundborne vibration, which could be felt or experienced at nearby sensitive receivers. Table 4.10-5 lists groundborne vibration levels from various types of construction equipment at various distances. Due to typical setbacks from equipment size and off-site structures, it is assumed that 25 feet is the closest distance that the center of construction vibration is generated to sensitive receivers. Although groundborne vibration is sometimes noticeable in outdoor environments, groundborne vibration is almost never annoying to people who are outdoors; the vibration level threshold for human perception is assessed at occupied structures (FTA 2018). Therefore, vibration impacts are assessed at the structure of an affected property.

Table 4.10-5 Vibration Source Levels for Construction Equipment

| Equipment | | Approximate Vibration Level (in/sec PPV) | | | |
|----------------------|-------------|--|------------------------|-------------------------|-------------------------|
| | | 25 feet from source | 50 feet from source | 100 feet from source | 200 feet from source |
| Caisson Drilling | | 0.089 | 0.042 | 0.019 | 0.009 |
| Jackhammer | | 0.035 | 0.016 | 0.008 | 0.004 |
| Large Bulldozer | | 0.089 | 0.042 | 0.019 | 0.009 |
| Loaded Truck | | 0.076 | 0.036 | 0.017 | 0.008 |
| Pile Driver (impact) | Upper range | 1.519 | 0.709 | 0.331 | 0.154 |
| | Typical | 0.644 | 0.300 | 0.140 | 0.065 |
| Pile Driver (sonic) | Upper range | 0.734 | 0.342 | 0.160 | 0.075 |
| | Typical | 0.170 | 0.079 | 0.037 | 0.017 |
| Small Bulldozer | | 0.003 | 0.001 | 0.0007 | 0.0003 |
| Vibratory Roller | | 0.21 | 0.098 | 0.046 | 0.021 |
| Source: FTA 2018 | | | | | |

According to Caltrans impact criteria shown in Table 4.10-1, the damage threshold for historic and similar old buildings (which are most sensitive to impacts from groundborne vibration) is 0.25 in/sec PPV. As shown in Table 4.10-5, groundborne vibration from rollers, bulldozers, caisson drilling, loaded trucks, and jackhammers would not exceed the 0.25 in/sec PPV threshold for sensitive historic buildings; therefore, typical construction activities would not exceed vibration thresholds. However, vibration levels from pile drivers could approach 1.519 in/sec PPV at a distance of 25 feet from the source and 0.331 in/sec at 100 feet, which would exceed damage thresholds shown in Table 4.10-1 for historic/similar old buildings, general old residential structures, and modern structures.

The San Mateo County General Plan and San Mateo County Municipal Code do not include any policies addressing construction vibration or pile driving and mitigation measures to reduce the vibration impacts from construction. Additionally, since at this stage of planning, project-level details are not available, it is not possible to determine which individual development projects may use pile driving and their exact vibration levels, locations, or construction durations of such projects. Therefore, construction vibration levels may exceed Caltrans' vibration levels for preventing damage, and impacts would be potentially significant and mitigation would be required.

Therefore, Mitigation Measure 13-2 from the North Fair Oaks Community Plan Update Draft EIR (2011) has been incorporated into this EIR as Mitigation Measure NOI-2 and would reduce groundborne vibration levels from pile driving activities during individual, site-specific future project demolition and construction periods in the project area.

Operation

Residential, commercial, and mixed-use land use development facilitated by the project would not involve substantial new vibration sources associated with operation. Therefore, vibration impacts generated by the operation of the project would be less than significant.

Mitigation Measures

NOI-2 *Vibration Reduction Measures for Pile Driving Activities*

The County shall require project applicants to include the following actions in individual demolition and construction contractor agreements that stipulate the following groundborne vibration abatement measures:

- Restrict vibration-generating activity to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and allow no vibration-generating activity at any time on Sundays, Thanksgiving, or Christmas.
- Notify occupants of land uses located within 200 feet of pile-driving activities of the project construction schedule in writing.
- In consultation with County staff, investigate possible pre-drilling of pile holes as a means of minimizing the number of pile driving blows required to seat the pile.
- Conduct a pre-construction site survey documenting the condition of any historic structure located within 200 feet of proposed pile driving activities.
- Monitor pile driving vibration levels to ensure that vibration does not exceed the appropriate Caltrans thresholds for the potentially affecting building.

Significance After Mitigation

Although most construction activities associated with development facilitated by the project are not anticipated to have significant vibration impacts, it is possible that some development projects could require the use of impact pile drivers and result in potentially significant vibration impacts during construction. This would most commonly occur when a development project would be located next to a historic building constructed of fragile building materials or similar old structures compared to structures that were built based on more recent building codes. Mitigation Measure NOI-2 would reduce vibration impacts associated with construction activities involving impact pile drivers within 100 feet of a structure. It is anticipated that Mitigation Measure NOI-2 would substantially reduce/control construction such that vibration levels would not exceed the Caltrans vibration criteria for building damage. Therefore, the vibration impacts from construction activities related to the project would be less than significant with mitigation.

Threshold 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?

Impact NOI-3 THE PROJECT AREA IS LOCATED OUTSIDE OF THE SAN CARLOS AIRPORT NOISE CONTOURS AND THE PROJECT WOULD NOT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS. NO IMPACT WOULD OCCUR.

The nearest airport to the project area is the San Carlos Airport, approximately three miles to the northwest. The San Carlos Airport ALUCP maps North Fair Oaks and the project area within Area A of the AIA, which may be subject to the annoyances or inconveniences associated with proximity to airport operations and requires that sellers or lessors of real estate must disclose that the property is located within an AIA; however, the project area is not within an ALUCP-designated Airport Safety Zone (City/County Association of Governments of San Mateo County 2015). Therefore, people

residing and working in the project area would not be exposed to excessive aircraft noise level and there would be no impact.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

There would be no impact.

4.10.4 Cumulative Impacts

The geographic scope for cumulative noise impacts is limited to projects within 500 feet of the project area. This geographic scope is appropriate because noise attenuates quickly with distance. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact noise.

Cumulative projects may be constructed simultaneously could, without mitigation, substantially increase noise levels in the vicinity of future projects. However, unless construction of cumulative projects occur in close proximity to each other and simultaneously, noise from individual construction projects have a small chance of combining to create significant cumulative impacts. Although this scenario is unlikely as noise attenuates quickly with distance, cumulative construction noise impacts would be significant. As discussed in Impact NOI-1, mitigation measures have been identified to help reduce noise from construction equipment associated with future individual development facilitated by the project. While mitigation measures would be implemented to the extent feasible, the development facilitated by the project would result in a considerable contribution to this cumulative impact.

Cumulative projects would introduce new stationary noise sources to the ambient noise environment in the project vicinity, including new mechanical ventilation equipment. These sources may combine with other nearby cumulative projects to result in higher noise levels. Although this scenario is unlikely as operational noise from these sources is localized and rapidly attenuates within an urbanized setting due to the effects of intervening structures and topography that obscure noise, cumulative operational stationary noise impacts would be significant. As discussed in Impact NOI-1, mitigation measures have been identified to help reduce noise from stationary operational equipment associated with future individual development facilitated by the project. While mitigation measures would be implemented to the extent feasible, the development facilitated by the project would result in a considerable contribution to this cumulative impact.

Cumulative projects would result in increased traffic noise in the project vicinity. These sources may combine with other nearby cumulative projects to result in higher noise levels, and cumulative traffic noise impacts would be significant. As discussed in Impact NOI-1, mitigation measures have been identified to help reduce noise from increases in traffic noise associated with development facilitated by the project. While mitigation measures would be implemented to the extent feasible, the development facilitated by the project would result in a considerable contribution to this cumulative impact.

Cumulative projects would produce temporary vibration impacts that would be localized to a project site and sensitive receivers in the immediate vicinity. Therefore, only sensitive receivers located in close proximity to each construction site would be potentially affected by each individual activity. For the combined vibration impact from simultaneous construction projects to reach

cumulatively significant levels, intense construction from these projects would have to occur simultaneously in close proximity to a sensitive receiver. This would most commonly occur when development projects using equipment that generates high vibration levels (e.g., pile driving) are proposed next to a historic building constructed of fragile building materials, which would be more sensitive to vibration damage than structures that were built based on modern building codes. As this is a possibility, construction vibration associated with cumulative projects would be significant. As discussed in Impact NOI-2, Mitigation Measure NOI-2 would reduce vibration impacts associated with construction activities involving impact pile drivers within 100 feet of a structure. It is anticipated that Mitigation Measure NOI-2 would substantially reduce/control construction on a case-by-case basis such that vibration levels would not exceed the Caltrans vibration criteria for building damage. Therefore, vibration impacts from construction activities related to the project would not result in a considerable contribution to cumulative vibration impacts.

Cumulative projects in the project vicinity are similarly outside of airport impact zones, and this impact would be less than significant. Because the project would have no noise impact related to being located near an airport, the project would not result in a considerable contribution to this cumulative impact.

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4.11 Population and Housing

This section evaluates the potential population growth and displacement impacts associated with project implementation.

4.11.1 Setting

Population, housing, and employment data are available on a city/town, county, regional, and state level. This EIR uses data collected and provided at the city and county level to focus the analysis specifically on the North Fair Oaks community in San Mateo County.

Table 4.11-1 shows the estimates of population and housing units for San Mateo County as a whole as well as unincorporated county. San Mateo's current (2022) estimated population is 744,662 persons, a 2.6 percent decrease from its 2020 population of 764,442 (California Department of Finance [DOF] 2022). The unincorporated county population constitutes approximately 3.4 percent of the countywide population of 744,662, and the County's 11,097 housing units constitute approximately 3.9 percent of the County's 280,859 total housing units. The average number of persons per household in the County in 2022 is estimated at 2.77, which is higher than the countywide average of 2.70 persons per household in 2022.

Table 4.11-1 2022 Population and Household Estimates

| | Total San Mateo County | Unincorporated County |
|--------------------------------------|------------------------|-----------------------|
| Population | 744,662 | 61,459 |
| Housing Units (Total) | 286,729 | 23,113 |
| Housing Units (Occupied) | 272,355 | 21,789 |
| Persons/Household Ratio ¹ | 2.70 | 2.77 |

¹ This is a ratio of persons (household) to an occupied housing unit.
Source: DOF 2022

Table 4.11-2 shows the jobs and housing estimates and forecasts from the ABAG and MTC Plan Bay Area 2050. ABAG projections indicated an increase in the County's number of households by 129,000 (48 percent) between 2015 and 2050 for an estimated 394,000 households in 2050. This forecasted growth anticipates approximately 3,700 new households per year (ABAG 2021). There were 0.67 jobs per household in the County in 2015. This ratio is about 11 percent lower than the ABAG estimate of 0.78 jobs per household for San Mateo County in 2050.

Table 4.11-2 ABAG Housing and Jobs Forecasts

| San Mateo County | 2015 | 2050 | Growth | Percent Growth |
|--------------------|---------|---------|---------|----------------|
| Households | 265,000 | 394,000 | 129,000 | +48% |
| Jobs | 393,000 | 507,000 | 114,000 | +29% |
| Jobs/Housing Ratio | 0.67 | 0.78 | - | - |

Source: ABAG 2021

4.11.2 Regulatory Setting

a. State

State Housing Element Law

State housing element statutes (Government Code Sections 65580 through 65589.11) mandate that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, State housing policy rests largely upon the effective implementation of local general plans and, in particular, housing elements. Additionally, Government Code Section 65588 dictates that housing elements must be updated at least once every eight years. The County of San Mateo maintains a Housing Element associated with the County's General Plan, which is described below and addresses housing affordability, including Regional Housing Needs Assessment (RHNA) goals.

Housing Crisis Act of 2019

The Housing Crisis Act of 2019 (SB 330) seeks to speed up housing production in the next half decade by eliminating some of the most common entitlement impediments to the creation of new housing, including delays in the local permitting process and cities enacting new requirements after an application is complete and undergoing local review—both of which can exacerbate the cost and uncertainty that sponsors of housing projects face. In addition to speeding up the timeline to obtain building permits, the bill prohibits local governments from reducing the number of homes that can be built through down-planning or down-zoning or the introduction of new discretionary design guidelines. The bill was amended on September 16, 2021 (SB 8) to extend key provisions of SB 330 from January 1, 2025 to January 1, 2030. Significant amendments include expanding the definition of “hearing” and clarifying the definitions of “housing development projects” and “affordable housing project.” SB 8 also modifies how existing dwelling units that will be replaced with a new project through the Housing Crisis Act are protected and how tenants must be offered relocation or assistance. In addition, SB 8 clarifies the Housing Crisis Act requirement of “no net loss in residential capacity” (Kronick 2021).

Relocation Assistance

Section 7261(a) of the California Government Code requires that programs or projects undertaken by a public entity must be planned in a manner that (1) recognizes, at an early stage in the planning of the programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and (2) provides for the resolution of these problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion. The displacing agency must ensure the relocation assistance advisory services are made available to all persons displaced by the public entity. If the agency determines that any person occupying property immediately adjacent to the property where the displacing activity occurs is caused substantial economic injury as a result of the displacement, the agency may also make the advisory services available to that person.

b. Regional and Local

ABAG Regional Transportation Plan/Sustainable Communities Strategy

As discussed in Section 4.9, *Land Use and Planning*, San Mateo County is in the ABAG/ MTC planning area. ABAG/MTC functions as the Metropolitan Planning Organization for Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma counties and the towns and cities in those counties. ABAG/MTC is responsible for implementing Plan Bay Area, the Regional Transportation Plan/Sustainable Communities Strategy (ABAG 2021). Plan Bay Area is a long-range integrated transportation and land-use plan for the San Francisco Bay Area through 2050.

ABAG/MTC projections for the planning area consider regional, State, and national economic trends and planning policies. ABAG/MTC's 2050 population and housing projections for unincorporated San Mateo County are shown in Table 4.11-2.

Regional Housing Needs Assessment

California's Housing Element law requires that each county and city develop local housing programs to meet their "fair share" of future housing growth needs for all income groups, as determined by the Housing and Community Development. The regional councils of government, including ABAG, are then tasked with distributing the State-projected housing growth need for their region among their city and county jurisdictions by income category. This fair share allocation is referred to as the RHNA process. The allocation for areas in unincorporated San Mateo County as determined by the 2023-2031 RHNA is 2,833 units (ABAG 2022).

San Mateo County Housing Element 2023-2031

The San Mateo County Housing Element is one of seven mandatory elements of the County's General Plan, required by state law. California Government Code states that the Housing Element shall "consist of standards and plans for the improvement of housing and for the provision of adequate sites for housing," and shall "make adequate provision for the housing needs of all segments of the community." The Housing Element is the document that the County uses to:

1. Analyze current and future housing needs for all areas of the unincorporated County and all types of housing;
2. Determine existing and potential housing constraints, resources, and opportunities;
3. Establish the County's housing objectives and the policies and programs intended to achieve these objectives; and
4. Identify sufficient housing sites to meet the County's share of Regional Housing Need, as determined by the State Department of Housing and Community Development.

The Housing Element includes the following goals and policies:

Goal 1: Protect Existing Affordable Housing

Protect, conserve, and improve the existing affordable housing stock in order to minimize displacement of current residents and to keep such housing part of the overall housing stock in the County. Conserve and Improve Existing Affordable Housing Stock.

Policy HE 2.1: Evaluate existing neighborhood conditions and consider the needs and desires of existing residents when amending the General Plan and Zoning Regulations.

Goal 2: Support New Housing for Low and Moderate Income Households

Policy HE 11: Amend Zoning and General Plan Land Use Designations to Meet Future Housing Needs.

Policy HE 19: Encourage Use of Surplus and Underutilized Public Lands for Affordable Housing.

Policy HE 22: Provide Affordable Housing Opportunities and Supportive Services for Special Needs Populations, and Facilitate New and Remodeled Housing Appropriate for Special Needs Populations.

Goal 3: Promote Sustainable Communities through Regional Coordination and by Locating Housing near Employment, Transportation, and Services

Policy HE 34: Promote Community Participation in Housing Plans.

Goal 4: Promote Equal Housing Opportunities

Policy HE 47: Revise Zoning and Land-Use Policies Negatively Impacting Housing Choice.

North Fair Oaks Community Plan

The County of San Mateo adopted an updated North Fair Oaks Community Plan on November 15, 2011. The updated Community Plan established the vision, goals for the development and physical composition of North Fair Oaks through 2050 and incorporated new policies, programs, regulations, and strategies to meet the needs of current and future residents and workers. The updated Community Plan's policies and provisions addressed land use, circulation and parking, infrastructure, health and wellness, housing, economic development, and design guidelines.

Housing

The goals and policies of the Housing chapter of the Community Plan seek to meet the housing needs of current residents and chart a course for future equitable and sustainable development, facilitating new and affordable housing production while ensuring that existing residents are not displaced or otherwise negatively impacted by new development.

Goal 6.2: Plan to accommodate future housing demand

Policy 2A: Promote additional multi-family housing by permitting and encouraging multifamily rental and ownership housing in appropriate areas; encouraging and permitting increased densities in mixed-use developments in selected areas; removing constraints to multifamily development, including attached homeownership development, in appropriate areas; and by revising residential parking standards as described in Chapter 3: Circulation and Parking.

Policy 2B: Promote additional housing units in existing residential areas by encouraging and facilitating legal accessory dwelling units.

Goal 6.7: Promote transit-accessible housing

Policy 7A: Promote affordable and other housing near transit by identifying appropriate locations and providing supportive land use and zoning policies.

4.11.3 Impact Analysis

a. Methodology and Thresholds of Significance

Population and housing trends in the county were evaluated by reviewing the most current data available from the DOF, ABAG/MTC Plan Bay Area, and the County Housing Element. Impacts related to population are generally social or economic in nature. Under CEQA, a social or economic change generally is not considered a significant effect on the environment unless the changes are directly linked to a physical change.

The following thresholds are based on *CEQA Guidelines* Appendix G. For purposes of this EIR, impacts related to population and housing are considered significant if implementation of the proposed project would:

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); or
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

For purposes of this analysis, “substantial” population growth is defined as growth exceeding ABAG/MTC population forecasts for the unincorporated county or exceeding the County’s identified population and housing needs. “Substantial” displacement would occur if allowed land uses would displace more residents than would be accommodated through growth provided by project implementation.

b. Project Impacts and Mitigation Measures

Threshold 1: Would the project 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)?

Impact PH-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD ACCOMMODATE ADDITIONAL RESIDENTS AND DWELLING UNITS BUT WOULD NOT EXCEED PLAN BAY AREA 2050 POPULATION AND HOUSING FORECASTS OR NORTH FAIR OAKS COMMUNITY PLAN BUILDOUT PROJECTIONS, AND WOULD BE CONSISTENT WITH THE COUNTY’S HOUSING ELEMENT. WITH THE REQUIRED GENERAL PLAN AND NORTH FAIR OAKS COMMUNITY PLAN AMENDMENTS, THE PROJECT WOULD NOT RESULT IN UNPLANNED POPULATION GROWTH. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The project would result in changes to the County’s Zoning Regulations for mixed use designations, namely CMU-1, CMU-2, CMU-3, NMU, and NMU-ECR; and changes to the County’s General Plan Land Use maps. These regulatory changes would apply when new buildings and/or site improvements are being considered in the project area, and include physical standards, allowable activities, and development procedures. As discussed in Section 2, *Project Description*, the project could accommodate an estimated net increase of 918 buildout population potential and 332 new dwelling units in the North Fair Oaks community. Table 4.11-3 compares the population and housing buildout resulting from the project to ABAG/MTC and North Fair Oaks Community Plan forecasts. As shown, the projected growth associated with the project would be within the ABAG housing projections, North Fair Oaks Community Plan buildout projections, and 2023-2031 RHNA allocation for San Mateo County. The project would result in 1.3 percent, 11.0 percent, and 11.7 percent of the

anticipated housing growth for each of these projections, respectively. ABAG's projections are periodically updated in line with the County's General Plan and zoning code; therefore, the proposed changes to the County General Plan and zoning designations as a result of the project would be incorporated into the next cycle of ABAG population and housing projections.

Table 4.11-3 Projected Population Growth

| | ABAG Buildout Projections¹ | North Fair Oaks Community Plan Buildout Projections | County's 2023-2031 RHNA Allocation | Project Increase in Buildout Potential |
|----------------------------------|--|--|---|---|
| Population (# of residents) | 70,020 ² | 11,794 | 7,847 ² | 918 |
| Housing (# of dwelling units) | 26,000 | 3,024 | 2,833 | 332 |

¹ These numbers represent the projected change in total households in South San Mateo County, which includes the project area, between 2015 and 2050.

² The population estimate was derived based on a persons per household rate of 2.77.

Source: ABAG 2021, 2022; County of San Mateo 2011

While the proposed project would increase the buildout potential beyond that anticipated in the current General Plan and Community Plan, the county is experiencing an overall housing shortage due to more jobs available than residences (Housing Leadership Council 2019). The project would be consistent with this identified housing need and RHNA allocation, as it would allow the future development of new housing on the rezoned parcels. Furthermore, as the growth resulting from the project is anticipated and evaluated throughout this EIR, the population growth resulting from the project would not be unplanned. Additionally, the increase in housing and population from development facilitated by the project would be within housing need estimates. Therefore, this impact would be less than significant.

Mitigation Measures

No mitigation is required.

Significance after Mitigation

Impacts would be less than significant without mitigation.

| | |
|-------------------|--|
| Threshold: | Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? |
|-------------------|--|

Impact PH-2 DEVELOPMENT FACILITATED BY THE PROJECT COULD DISPLACE EXISTING HOUSING OR PEOPLE, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Some of the parcels proposed for rezoning contain existing housing or other structures that could be removed during project implementation. However, the proposed project would enable development in the unincorporated county that could result in a net increase of 332 residential units on the proposed rezoned parcels. One of the fundamental project objectives is to increase the capacity for housing in the project area by modifying General Plan designations and zoning standards. The project would increase the total buildout potential of the identified rezoning sites, thus providing areas for the development of new housing projects consistent with the new zoning

designation of these sites. Such a change in zoning to allow for higher density housing could result in the demolition of existing housing, but this would only occur when new housing projects are proposed for that site, and the total number of units on the site would increase. This could be a potentially significant impact to renters and would require mitigation. Mitigation Measure PH-2 would require replacement housing be made temporarily available for any displaced existing renters prior to the demolition of existing housing on any of the rezoning sites.

Mitigation Measures

PH-2 Replacement Housing

When redevelopment on parcels within the project area is proposed on sites that contain existing rental housing, the project applicant shall prepare a relocation plan that meets the requirements of Government Code Section 7260-7277. The relocation plan shall include, but not be limited to:

1. Proper notification of occupants or persons to be displaced.
2. Provision of “comparable replacement dwelling” which means decent, safe, and sanitary; and adequate in size to accommodate the occupants.
3. Provision of a dwelling unit that is within the financial means of the displaced person.
4. Provision of a dwelling unit that is not subject to unreasonable adverse environmental conditions.

This measure shall apply to future development projects that may displace individuals and is not limited to development undertaken by a public entity or development that is publicly funded. The relocation plan shall be approved at the staff level (ministerially) for ministerial projects, and shall not require discretionary review. The County shall approve the relocation plan prior to project approval.

Significance After Mitigation

Mitigation Measure PH-2 would ensure that existing renters in the project area would be provided replacement housing during demolition construction activities. This measure would ensure that impacts would be reduced to less than significant.

4.11.4 Cumulative Impacts

The geographic scope for cumulative population and housing impacts is the unincorporated County, and also includes incorporated areas in the vicinity of the project area. This geographic scope is appropriate for population and housing because projections at this level are used to estimate the need for public services and other government facilities and programs. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact population and housing.

Cumulative development would be required to adhere to applicable zoning and development regulations and General Plan policies to mitigate environmental impacts where feasible and would undergo environmental review, including consideration of whether the projects would induce unplanned population growth. With these considerations prior to project approval, cumulative impacts related to growth inducement would be less than significant. As discussed under Impact PH-1, the housing unit and population projections associated with development facilitated by the project would not exceed ABAG projections, North Fair Oaks Community Plan buildout estimates, or

the RHNA allocation for the unincorporated County. The proposed project would not result in a considerable contribution to this cumulative impact.

Cumulative development would be required to undergo environmental review, including consideration of whether the projects would displace people or residences. With these considerations prior to project approval, cumulative impacts related to the displacement of people or residences would be less than significant. As described under Impact PH-2, the proposed project would increase available housing but may require demolition of existing occupied residences. With Mitigation Measure PH-2, the project would have a less than significant project-level impact, and the proposed project would not result in a considerable contribution to this cumulative impact.

4.12 Public Services and Recreation

This section evaluates the potential public services impacts associated with project implementation, including fire protection, police, schools, libraries, parks, and recreational facilities.

4.12.1 Setting

a. Fire Protection

Fire protection, first response emergency medical services, and natural disaster preparedness services in unincorporated San Mateo County are provided by various fire departments. Fire protection in the unincorporated community of North Fair Oaks is provided by the City of Redwood City to the north of the Southern Pacific Railroad tracks and the Menlo Park Fire Protection District (MPFPD) for the remaining territory. The response times by the fire protection districts (FPD) are identified in Table 4.12-1.

Table 4.12-1 Fire Districts Serving the Project Area

| Fire Protection District (FPD) | Average Response Time in Minutes (Data Year) | Service Level per 1,000 residents (Data Year) |
|-------------------------------------|--|---|
| Menlo Park Fire Protection District | 7:00 (2018) ¹ | 1 (2019) ² |
| Redwood City Fire Department | 5:48 (2023) ³ | Not Established |

¹ In 2018, the Fire District responded to 8,743 emergency incidents, and achieved a 95.59% compliance rate by arriving on-scene within 7 minutes (MPFPD 2019)

² As of 2019, there were 99 staff for the 96,263 residents served by the district (MPFPD 2019)

³ According to Dave Pucci, Deputy Chief at the Redwood City Fire Department, the average response time for District 11 is 5:48 minutes. Departmentwide the response time is 5:51 minutes.

MPFPD currently has seven fire stations, a mechanical repair and water rescue facility, and an administrative office building spread throughout the 33-square mile service area. MPFPD’s facility distribution averages one Fire Station every 4.7 square miles within the service area. The nearest MPFPD Fire Station to any one MPFPD Fire Station is less than 2 miles away. At a minimum, MPFPD maintains a ratio of three personnel to one fire engine at each of the seven fire stations. In addition, the District staffs a Battalion Chief and a single ladder truck, which is staffed with four personnel (Menlo Park Fire Protection District 2016).

The Redwood City Fire Department comprises seven fire stations, which include 7 engines, 1 ladder truck, and 1 Battalion Chief with cross-staffed apparatus of 1 breathing support vehicle, 1 fire boat, 2 rescue boats, and 1 brush engine chief and currently has over 90 staff members including firefighters, firefighter/paramedics, captains, battalion chiefs, fire prevention staff, training staff, and administrative staff (Redwood City 2022). The current call volume is manageable for District 11, which would serve the project area north of the railroad tracks, and the district is not targeted for growth (Pucci 2023). The current response time for the Redwood City Fire Department District that would serve the project area is 5 minutes and 48 seconds and the department does not have an existing response time target (Pucci 2023).

Wildland Fire Hazards

In California, responsibility for wildfire prevention and suppression is shared by federal, state, and local agencies. The State of California utilizes a Mutual Aid system to support any disaster that

impacts a community, such a wildfire. Once a request is made, the California Emergency Management Agency contacts counties throughout California to assemble strike teams of fire engines and personnel to respond to the need. As discussed in Section 4.15, *Effects Found Not to be Significant*, none of the rezoning parcels are in a Very High Fire Severity Zone, designated State Responsibility Area (SRA) or designated Urban Wildland Interface area. Section 4.15, *Effects Found Not to be Significant*, addresses potential impacts related to wildfire, including subsequent flooding and runoff.

b. Police Protection and Emergency Services

Police protection in North Fair Oaks is provided by the San Mateo County Sheriff's Office. The North Fair Oaks beat is covered by six patrol deputies and one additional civilian staff member assigned to the North Fair Oaks substation. They are also supplemented by at least two to three other deputies if a large-scale critical incident occurs (Meyers 2023).

The Office of Emergency Services provides disaster planning for all types of natural and technological disasters and is responsible for the alert, warning, direction and control of personnel and resources during such disasters, and also provides the general public with information concerning disaster preparedness. The Office of Emergency Services has prepared emergency plans that address response to extraordinary emergency situations associated with natural disasters, man-made emergencies, weapons of mass destruction, terrorism, and war in or affecting San Mateo County. These emergency plans seek to reduce or eliminate long-term risk to people and property from natural and human caused hazards, save lives, protect and restore property, restore public services, distribute vital supplies, coordinate operations and maintain continuity of government.

c. Schools

The Redwood City School District and the Sequoia Union High School District serve the project area (County of San Mateo 2011a). The project area would be served by Garfield Elementary School, Taft Elementary School, Hoover Elementary School, Kennedy Middle School, Menlo Atherton High School, Sequoia High School, and Woodside High School. Table 4.12-2 identifies enrollment for schools serving the project area in the 2021-2022 school year and projected enrollment for the 2031-2032 school year.

Table 4.12-2 School Districts Serving the Project Area

| School Name (grade) | School Address | Enrollment Data | Projected Enrollment |
|----------------------------|------------------------------------|-------------------------------------|--|
| | | (2021-2022) (number of students) | (2031-32) (number of students) ¹ |
| Garfield Elementary School | 3600 Middlefield Road, Menlo Park | 528 | 452 |
| Taft Elementary School | 903 10th Avenue, Redwood City | 326 | 279 |
| Hoover Elementary | 701 Charter Street, Redwood City | 695 | 594 |
| Kennedy Middle School | 2521 Goodwin Avenue, Redwood City | 663 | 567 |
| Menlo Atherton High School | 555 Middlefield Road, Atherton | 2,221 | 1,899 |
| Sequoia High School | 1201 Brewster Avenue, Redwood City | 1,945 | 1,663 |
| Woodside High School | 199 Churchill Avenue, Woodside | 1,759 | 1,504 |

¹ Projected enrollment is calculated assuming a 14.49 percent decrease in enrollment between 2021-22 and 2031-32 in the County (California Department of Finance [DOF] 2022). The actual change in projected enrollment for each district may vary, with an overall average of less than 14.49 percent. Data from the DOF was provided at the County level and not at the School District level.

Source: Ed-data 2022; Redwood City School District 2022; Schfinder 2022

d. Public Libraries

San Mateo County Libraries (SMCL) is a Joint Powers Authority that operates libraries in the communities of Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, North Fair Oaks, Pacifica, Portola Valley, San Carlos, and Woodside. There are 13 branch libraries: Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, North Fair Oaks, Pacifica Sanchez, Pacifica Sharp Park, Portola Valley, San Carlos, and Woodside. The Atherton and North Fair Oaks County Libraries are located approximately one mile or less from the project area. In 2022, the Atherton Library opened its new 10,000-square foot facility featuring “flexible, blended, multi-use spaces which can be readily adapted for community needs” (SMCL 2022). Approximately 50 percent to 70 percent of the population registers for library services (Despain 2022). The mission of SMCL is to strengthen the community by creating an inclusive sense of place and environment for learning (County of San Mateo 2023).

e. Parks and Recreation

The San Mateo County Parks System (County Parks) includes 22 County parks spanning over 17,000 acres (County of San Mateo 2022). The two existing park facilities within the North Fair Oaks Community Plan area (North Fair Oaks Community Park and Friendship Park) provide a parkland ratio of 0.03 acre of parkland per 1,000 residents. This amount of parkland is substantially lower than the level of service in adjacent communities. By comparison, Redwood City, Palo Alto, and Menlo Park provide over 2.0 acres of active parkland per 1,000 residents. In addition, Redwood City and Palo Alto provide over 9.0 acres of open space per 1,000 residents. The North Fair Oaks Community Plan Update allows for 3.8 additional acres of public (parks and recreation) uses within the Plan area (San Mateo County 2011a).

Residents in the unincorporated community of North Fair Oaks are known to also use Flood Park and Friendship Park, which are managed by the County; Hoover or Andrew Spinas Park, which are managed by Redwood City; and the SportsHouse, which is a private indoor recreational facility. Residents also use a variety of County and Midpen lands in the foothills for hiking (Calderon 2023). Parks that serve the project area are listed in Table 4.12-3.

Table 4.12-3 Parks Near Rezoning Parcels

| Jurisdiction | Park | Acres |
|----------------------|--------------------------------|-------|
| County of San Mateo | North Fair Oaks Community Park | 0.39 |
| County of San Mateo | Friendship Park | 0.11 |
| County of San Mateo | Flood Park | 21.0 |
| City of Redwood City | Andrew Spinas Park | 1.77 |
| City of Redwood City | Hoover Park | 10.5 |
| City of Redwood City | Linden Park | 0.22 |

Sources: North Fair Oaks Community Plan 2011, San Mateo County Parks and Recreation Department 2022

4.12.2 Regulatory Setting

a. Federal

Disaster Mitigation Act

Section 104 of the Disaster Mitigation Act of 2000 (Public Law 106-390) requires a state mitigation plan as a condition of disaster assistance. There are two different levels of state disaster plans: Standard and Enhanced. States that develop an approved Enhanced State Plan can increase the amount of funding available through the Hazard Mitigation Grant Program. The Act has also established new requirements for local mitigation plans.

National Fire Plan

The National Fire Plan was developed under Executive Order 11246 in August 2000, following a landmark wildland fire season. Its intent is to actively respond to severe wildland fires and their impacts to communities, while ensuring sufficient firefighting capacity for the future. The plan addresses firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability.

b. State

Fire Protection

California Fire Plan

The Strategic Fire Plan for California is the state's road map for reducing the risk of wildfire. The most recent version of the plan was finalized in January 2019 and directs each CAL FIRE Unit to address and meet incremental requirements to achieve four specific goals by 2023, including improving core capabilities, enhancing internal operations, ensuring health and safety, and building an engaged workforce (CAL FIRE 2019).

California Fire Code (Title 24, Part 9, California Code of Regulations)

The California Fire Code incorporates the UFC with necessary California amendments. This Code prescribes regulations consistent with nationally recognized good practices for the safeguarding, to a reasonable degree, of life and property from the hazards of fire explosion. It also addresses dangerous conditions arising from the storage, handling, and use of hazardous materials and devices; conditions hazardous to life or property in the use or occupancy of buildings or premises; and provisions to assist emergency response personnel.

California State Hazard Mitigation Plan

The purpose of the State of California Multi-Hazard Mitigation Plan (SHMP) is to significantly reduce deaths, injuries, and other losses attributed to natural and human-caused hazards in California. The SHMP provides guidance for hazard mitigation activities emphasizing partnerships among local, state, and federal agencies as well as the private sector. The California Office of Emergency Services prepares the SHMP, and in it identifies risks and includes a vulnerability analysis and a hazard mitigation strategy. The SHMP is federally required under the Disaster Mitigation Act of 2000 for the state to receive federal funding.

California Health and Safety Code (Sections 13000 et seq.)

This Code establishes State fire regulations, including regulations for building standards (also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

Police Services

California Constitution Article XIII, Section 35

Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directed the proceeds of a 0.50-percent sales tax to be expended exclusively for local public safety services, including police services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Agencies are required to use Proposition 172 to supplement their local funds for police, as well as other public safety services. Section 35 at subdivision (a)(2) provides: “The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.”

Schools

California Code of Regulations (Title 5)

The California Code of Regulations, Title 5 Education Code, governs all aspects of education in the State, and allows school districts to prepare developer fees.

The School Facilities Act of 1986 (AB 2926) was enacted and added to California Government Code (CGC; Section 65995) in 1986. It authorizes school districts to collect development fees, based on demonstrated need, and to generate revenue for school districts for capital acquisitions and improvements. It also established maximum fees which may be collected under this and any other school fee authorization.

AB 2926 was expanded and revised in 1987 through the passage of AB 1600, which added Section 66000 *et seq.* to the CGC code. Under this statute, payment of statutory fees by developers serves as exclusive mitigation under CEQA to satisfy the impact of development on school facilities.

School Facilities Bond Act: California Senate Bill 50 (SB 50)

As part of the further refinement of the legislation enacted under AB 2926, the passage of the School Facilities Bond Act (SB 50) in 1998 defined the needs analysis process in CGC sections 65995.5 through 65998. Under the provisions of SB 50, school districts may collect fees to offset the costs associated with increasing school capacity because of development. SB 50 generally provides for an equal State and local school facilities match and three levels of statutory impact fees. The application level depends on whether State funding is available; whether the school district is eligible for State funding; and whether the school district meets certain additional criteria involving bonding capacity, year-round schools, and the percentage of moveable classrooms in use.

CGC Sections 65995 through 65998 implement AB 2926, as amended by SB 50. In accordance with Section 65995(h), the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning,

use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities.”

Pursuant to CGC Section 65995(i), “a State or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in section 56021 or 56073 on the basis of a person's refusal to provide school facilities mitigation that exceeds the amounts authorized pursuant to this section or pursuant to section 65995.5 or 65995.7, as applicable.”

California Education Code Section 17620(a)(1) states the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.

Parks and Recreation

Quimby Act

The Quimby Act (CGC Section 66477) was established by the California Legislature in 1965 to provide parks for growing communities in California. The Act authorizes cities to adopt ordinances addressing park land and/or fees for residential subdivisions for the purpose of providing and preserving open space and recreational facilities and improvements. The Act requires the provision of three acres of park area per 1,000 persons residing in a subdivision, unless the amount of existing neighborhood and community park area exceeds that limit, in which case the county or city may adopt a higher standard not to exceed five acres per 1,000 residents. The Act also specifies acceptable uses and expenditures of such funds. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities.

c. Regional and Local

San Mateo County Local Hazard Mitigation Plan

The San Mateo County Multijurisdictional LHMP incorporates wildfire hazard mitigation principles and practices into the routine government activities and functions of the County. The LHMP recommends specific actions that are designed to protect people and community assets from losses to those hazards that pose the greatest risk. Mitigation programs and activities identified in the LHMP include fuel reduction and vegetation management, public education and outreach programs, increased training for urban firefighters responding to Wildland Urban Interface-area fires, and regional consistency of building code standards (County of San Mateo 2021). The County’s LHMP is incorporated by reference into the Safety Element of the City’s General Plan.

San Mateo County Code

Fire agencies in San Mateo County universally adopted the 2007 California Fire Code in 2008. Specifically, the County Fire Code consists of Public Resources Code 4291 and California Code of Regulations Title 14 for defensible space regulations, and CBC Chapter 7A and California Fire Code Chapter 47 for building standards and regulations.

San Mateo and Santa Cruz Counties Community Wildfire Protection Plan

Virtually all large wildfires in San Mateo County have burned parts of Santa Cruz County as well, including the CZU Lightning Complex Fire in 2020 (CAL FIRE 2021). Due to the shared nature of the wildfire risk presented by the Santa Cruz Mountains and associated climate conditions, San Mateo and Santa Cruz developed a joint Community Wildfire Protection Plan with input from many organizations, including State and local fire departments, federal agencies, community groups, and land management agencies. The purpose of the Community Wildfire Protection Plan is to help reduce the potential loss of human life and damage to property, natural and cultural resources within both counties due to wildfire. The plan describes the wildfire risk and potential throughout the counties, designates Wildland Urban Interface areas, discusses assets at risk throughout the counties, provides mitigation strategies, and discusses resources available (Office of the State Fire Marshall 2022).

San Mateo County General Plan

The following policies and within the San Mateo County General Plan relating to fire protection, police protection, parks, recreation, and open space and conservation are applicable to the proposed project (County of San Mateo 2013).

Fire Hazard Policies

Policy 15.26: Determination of the Existence of a Fire Hazard

- a. When reviewing development proposals, use the Natural Hazards map to determine the general location of hazardous fire areas.
- b. When the Natural Hazards map does not clearly illustrate the presence or extent of fire hazards, use more detailed maps including but not limited to the Fire Hazard Severity Zones Map prepared by the California Department of Forestry (CDF), any other source of information considered to be valid by CDF or by fire protection districts.

Policy 15.27: Appropriate Land Uses and Densities in Fire Hazard Areas

- a. In rural areas, consider lower density land uses that minimize the exposure of significant numbers of people to fire hazards.
- b. Consider higher density land uses for fire hazard areas in the rural area if development is clustered near major roads, has adequate access for fire protection vehicles and can demonstrate adequate water supplies and fire flow.
- c. In urban areas, consider higher density land uses to be appropriate if development can be served by CDF/County Fire Department, a fire protection district or a city fire department, adequate access for fire protection vehicles is available and sufficient water supply and fire flow can be guaranteed.

Policy 15.31: Standards for Road Access for Fire Protection Vehicles to Serve New Development

- a. Consider the adequacy of access for fire protection vehicles during review of any new development proposal.

- b. Determine the adequacy of access through evaluation of length of dead end roads, turning radius for fire vehicles, turnout requirements, road widths and shoulders and other road improvement considerations for 15.9P conformance with the standards of the agency responsible for fire protection for the site proposed for development.
- c. To the maximum extent possible, design access for fire protection vehicles in a manner which will not result in unacceptable impacts on visual, recreational and other valuable resources.

Policy 15.36: Encourage Pre-Fire Planning Efforts

Encourage fire protection agencies to map fire hazard severity zones and prepare pre-fire plans that identify hazardous subareas of the County, how fire response will be coordinated and how evacuation of residents will proceed.

Policy 15.37: Support Efforts to Reduce the Extent of the Fire Hazards

Support public and private efforts to reduce the potential of fire hazards through methods including but not limited to controlled burning programs reduction of fuel loading, construction and maintenance of fire breaks and other appropriate methods.

Policy 15.38: Encourage Coordination Between the County and Fire Protection Agencies

Encourage coordination and cooperation between the County, volunteer fire departments, fire protection districts, State and city fire departments in order to facilitate the most efficient delivery of fire protection services, reduce response times and assure a uniform data base and communication system.

Policy 15.39: Support Structural Requirements of the County Building Codes

Support the standards for fire resistant construction contained in the County Uniform Construction Administration Code, including but not limited to requirements for fire resistant roofing, ventilation, windows, chimneys, fire walls and other construction materials.

Policy 15.40: Support Efforts to Inventory and Abate Structures that are Fire Hazard Risks

- a. Support efforts to inventory and abate structures that do not meet existing fire codes and/or are vulnerable to damage from disastrous fire events.
- b. Encourage repair, rehabilitation, or adaptive reuse of structures requiring abatement, rather than demolition.

Policy 15.41: Incorporate Fire Hazard Concerns During Review of Proposals for New Development

Incorporate fire hazard concerns into the review of proposals for new development through measures, including but not limited to: (1) regulation of 15.11P land use and limitation of density, (2) review of access, water supply and hydrant location, (3) conformance to defined hazardous areas design criteria, and (4) conformance with established building code requirements.

Parks and Recreation Policies

Policy 6.17: Techniques for Providing Park and Recreation Facilities

- a. Regulate development to provide new or improved park and recreation facilities. Use one or a combination of the following techniques: (1) offer of dedication, (2) grant of fee interest, and (3) in lieu fees.
- b. Encourage the dedication of easements to implement trails programs.
- c. Base the requirements for the provision of park and recreation facilities on the: (1) size and type of development, (2) benefit to the developer, (3) burden to the public, and (4) within the Coastal Zone, priority given to the type of development under the Coastal Act.

Policy 6.20: Consider Land Banking

- a. Utilize land banking as a method of acquiring land for future park and recreation use when conditions are prudent.
- b. Seek to place land banked sites into environmentally compatible interim uses. Provide for the protection and maintenance of these sites.

Policy 6.21: Transfer of Unused School Land

Encourage school districts to transfer idle, unused land to appropriate agencies for park and recreation use.

Policy 6.52: Park and Recreation Facilities for Unincorporated Areas

Encourage the provision of park and recreation facilities for use by local residents in unincorporated areas consistent with community plans.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan is a long-range policy document that established goals and policies for land use, housing, health and wellness, parks and recreation, circulation, and infrastructure for North Fair Oaks. The Plan also envisioned a community that is safe and accessible for pedestrians and bicyclists, has access to open space and recreational opportunities, is connected by transit within the community and to the greater region, and fosters healthy living for all community members. This Plan established the framework for future development and improvements to achieve this vision, meet the needs of current and future residents, and maintain and improve the livability of North Fair Oaks.

The following policies and design standards within the Community Plan's Land Use, Health and Wellness, and Design Standards and Guidelines chapters relating to fire protection, police protection, parks, recreation, and open space and conservation are applicable to the proposed project (County of San Mateo 2011a).

Fire Services

Goal 5.20: Ensure that North Fair Oaks residents are prepared for emergencies such as earthquakes, floods, fires, or other disasters

Policy 20A: Coordinate with neighboring jurisdictions, local employers and industries, and residents to ensure that emergency preparedness and disaster response programs are in place, and that evacuation routes are clearly designated and do not conflict

with the evacuation plans of nearby cities and counties who may be relying on the same freeways or bridges.

Policy 20B: Ensure that all neighborhood schools and community centers have disaster response plans in place, and that these facilities are prepared to serve as shelters as appropriate.

Police Services

Goal 5.19: Reduce personal and property crime throughout North Fair Oaks

Policy 19N: Collaborate with the Sheriff's Office, Redwood City and Menlo Park fire departments, and community and faith-based organizations and leaders to promote crime prevention and public safety.

Policy 19H: Increase police foot patrols along major retail corridors.

Schools and Public Services Policies

Policy 19C: Collaborate with the Redwood City School District and community organizations to provide after-school and out-of-school activities and programs for neighborhood children and youth to ensure that they have safe places to gather and socialize.

Policy 19D: Work with community partners and agencies and departments in relevant jurisdictions to develop new and expand existing programs for children, youth, and young adults in North Fair Oaks.

Parks, Open Space, and Recreation Policies

Goal 5.1: Provide safe neighborhood parks, playgrounds or greenways within a half mile actual walking distance of all homes in North Fair Oaks

Policy 1A: Improve pedestrian and bicycle connections from residential areas to existing parks and schools within North Fair Oaks, and to community and regional parks, open space, and trails in nearby cities. Provide bicycle racks and bicycle facilities at all local parks.

Policy 1B: Increase park acreage per capita in North Fair Oaks. Monitor park acreage over time to ensure that park needs for existing residents, and park needs created by new development and new population, are assessed and addressed.

Policy 1C: Acquire land for new park space throughout the community to meet current and future needs.

Policy 1D: Develop additional parks, open space, or greenways along the Hetch-Hetchy right of-way.

Policy 1E: Seek joint-use agreements with the Redwood City School District to expand access to playgrounds in the Fair Oaks and Garfield schools after school hours and on weekends.

Policy 1F: Partner with Redwood City to expand the joint-use agreements with the Redwood City School District and with Redwood City Parks and Recreation to improve access for North Fair Oaks residents to facilities at the nearby Taft and Hoover schools after school hours and on weekends.

Policy 1G: Improve safety at existing parks and open spaces through collaborations between County departments, interjurisdictional collaboration, and collaboration with the community and other organizations. Work with community members to establish and expand neighborhood watch programs and ensure that neighborhood watch programs address safety in area parks and open spaces.

Policy 1H: During Plan implementation, analyze and identify ideal park locations, based on walking shed maps and analysis of accessibility from various points within the community, and identify and prioritize potential park space near these identified locations.

Goal 5.2: Adequately maintain parks and playgrounds in North Fair Oaks

Policy 2A: Improve, update and adequately maintain existing parks and recreation facilities.

Policy 2B: Establish new and expand existing partnerships with local resident groups and organizations to help maintain smaller local parks and playgrounds in North Fair Oaks.

Goal 5.3: Provide quality recreational facilities in or near North Fair Oaks to offer a diverse range of programs and activities for residents of all ages.

Policy 3A: Expand recreation programs at parks and recreation facilities to increase efficient use of existing facilities and the diversity of recreation and leisure options available for residents of all ages and abilities.

4.12.3 Impact Analysis

a. Methodology and Significance Thresholds

The following thresholds are based on the *CEQA Guidelines* Appendix G checklist. For purposes of this EIR, impacts related to public services and recreation from the project would be significant if implementation of the proposed project would:

1. Result in substantial adverse physical impacts associated with the need for or provision of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other objectives for:
 - a. Fire protection,
 - b. Police protection,
 - c. Schools,
 - d. Parks, or
 - e. Other public facilities;
2. 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; or
3. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Additionally, for impacts to be considered significant, development of these public service and recreational facilities would also have to result in a significant physical environmental impact not already analyzed and disclosed in the other resource chapters of this EIR.

b. Project Impacts and Mitigation Measures

Threshold 1a: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Impact PS-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN SUBSTANTIAL ADVERSE PHYSICAL IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF NEW OR PHYSICALLY ALTERED FIRE FACILITIES TO MAINTAIN ACCEPTABLE SERVICE RATIO RESPONSE TIMES OR OTHER OBJECTIVES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As discussed in Section 2, *Project Description*, development facilitated by the project would result in up to 332 new housing units and an estimated 918 new residents in the unincorporated county. Development facilitated by the project would be designed and constructed to meet all applicable current state and local codes and ordinances related to fire protection. Physical changes resulting from project implementation may include development of higher-density housing and first-floor commercial uses on rezoning parcels, with new structures and infrastructure constructed to the latest fire and building code safety standards. The increase in population and residential development would generate additional demand for fire protection and emergency services.

None of the rezoning parcels are located within the Redwood City Fire Department's jurisdiction of the project area; there would be no increase in residential density under District 11 under the proposed project and there would be no impact to response times for the department.

The rezoning parcels are all within 1.5 miles of the Menlo Park Fire Protection District Station 5, and emergencies on these sites would be responded to within the response time goals. The rezoning parcels could be accessed from the nearest fire stations within the response time goal for the respective district and would not increase the total population served by the District by more than one percent. Development on the rezoning parcels would not involve the construction of barriers to movement that could prevent the local fire districts from meeting these response time goals. San Mateo County General Plan Policy 15.27 states to consider higher density land uses to be appropriate if development can be served by CDF/County Fire Department, a fire protection district or a city fire department, adequate access for fire protection vehicles is available and sufficient water supply and fire flow can be guaranteed.

Development facilitated by the project, pursuant to the proposed land use and zoning of these sites, would be required to comply with existing laws and regulations regarding fire safety. The following requirements would be applicable to future development in the project area:

1. Compliance with the California Fire and Building Code, which applies to construction, equipment, use and occupancy, location, and maintenance of proposed buildings and includes regulations for vegetation and fuel management.
2. Compliance with San Mateo County Fire Code consisting of Public Resources Code 4291 and California Code of Regulations Title 14 for defensible space regulations.
3. San Mateo County General Plan and North Fair Oaks Community Plan Policies pertaining to fire prevention and response.

Therefore, while the project would generate additional demand, it would not substantially reduce existing response times or require the construction of new or altered fire stations and development facilitated by the project would be required to comply with existing regulations regarding fire safety (Johnston 2023). Furthermore, any future construction of a new fire station or expansion of an existing station in the project area would be subject to CEQA review at the time a site is identified and a specific design proposed. Therefore, impacts related to the provision of fire services would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 1b: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Impact PS-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN SUBSTANTIAL ADVERSE PHYSICAL IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF NEW OR PHYSICALLY ALTERED POLICE FACILITIES TO MAINTAIN ACCEPTABLE SERVICE RATIO RESPONSE TIMES OR OTHER OBJECTIVES. IMPACTS WOULD BE LESS THAN LESS THAN SIGNIFICANT.

Development facilitated by the project would increase the number of individuals in the unincorporated county, with associated increases in activity at those sites. This increase in activity level at the sites may deter some crime, as the presence of more people can deter criminal activity. As for police protection services, the increase in population generated by the project would contribute to greater police service demands. Development facilitated by the project would be designed and constructed to meet all applicable current state and local codes and ordinances related to police protection.

The target service ratio for the San Mateo County Sherriff's office is 1 officer per 1,000 residents (Meyers 2023). Development facilitated by the project would result in up to 332 new housing units and an estimated 918 new residents in the unincorporated county. Approximately one additional officer may be required to maintain the service level currently serving the project area but would not warrant the construction of a new facility. Therefore, development facilitated by the project would not require the construction of a new police station(Meyers 2023). Development facilitated by the project would not result in significant environmental impacts.

Mitigation Measure

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 1c: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Impact PS-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN SUBSTANTIAL ADVERSE PHYSICAL IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF NEW OR PHYSICALLY ALTERED SCHOOL FACILITIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Students residing at the rezoning parcels would attend various schools throughout the Redwood City School District and Sequoia Union High School District. Table 4.12-4 summarizes the projected increase in students from development facilitated by the project.

Table 4.12-4 Schools Serving the Project Area Capacity Analysis

| School District | Number of New Residents | Number of New Students | Projected Enrollment (2031-32) ³ | Projected Change in Enrollment (from 2021-22 to 2031-32) ³ |
|--------------------|-------------------------|------------------------|---|---|
| Redwood City | 918 | 115 ¹ | 1,892 | -320 |
| Sequoia Union High | 918 | 36 ² | 5,066 | -859 |

¹ Based on an elementary and middle school student generation rate of 12.6 age 5 to 14 children per an increase of 100 people (United States Census Bureau 2021).

² Based on an elementary and middle school student generation rate of 3.9 age 15 to 17 children per an increase of 100 people (United States Census Bureau 2021).

³ Based on data in Table 4.12-2.

As shown in Table 4.12-4, based on school-age population statistics provided by the United States Census Bureau, development facilitated by the project would generate approximately 115 school-aged children in the Redwood City School District. The generation rates used for this analysis are considered conservative, as it assumes all school-age children would attend public schools and does not account for private schools or homeschooling. Based on the projected decline in enrollment and the approximately 115 new school-aged children that would result from development facilitated by the project, the elementary and middle schools would be able to absorb new and incoming students because the increases in the student population are not greater than the anticipated decreases in enrollment. Similarly, the approximately 36 high school students that would result from development facilitated by the project would be substantially lower than the projected enrollment decline, and the high schools serving the project area would be able to absorb the new students.

As described in Section 4.12.1(c), San Mateo County school enrollment is anticipated to decline by 14.5 percent between 2021-2022 and 2031-2032. Therefore, the increased demand for school services facilitated by the project would not exceed the anticipated countywide enrollment decrease, and schools would be able to absorb new students generated as a result of the project buildout. Furthermore, the Redwood City School District and Sequoia High School District require the payment of developer fees to fund future reconstruction and upgrades of school facilities. Pursuant to Government Code Section 65997, payment of school fees by development constitutes adequate CEQA mitigation. Impacts to schools are considered less than significant without mitigation.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| | |
|----------------------|--|
| Threshold 1d: | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives? |
| Threshold 2: | Would the project 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? |
| Threshold 3: | 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? |

Impact PS-4 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN SUBSTANTIAL ADVERSE PHYSICAL IMPACTS ASSOCIATED WITH THE PROVISION OF NEW OR PHYSICALLY ALTERED PARKS, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL IMPACTS, TO MAINTAIN ACCEPTABLE SERVICE RATIOS AND WOULD NOT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As described in Section 4.12.1(d), the two existing park facilities within North Fair Oaks (North Fair Oaks Community Park and Friendship Park) provide a parkland ratio of 0.03 acres of parkland per 1,000 residents. The North Fair Oaks Community Plan plans for 3.8 additional acres of public (parks and recreation) uses within the Plan area (County of San Mateo 2011).

Future residents in the project area are anticipated to use other area parks, including Flood Park, Friendship Park, Hoover Park, Andrew Spinass Park, the SportsHouse and a variety of County and Midpen lands in the foothills (Calderon 2023).

Development facilitated by the project would increase demand and use of existing park and recreational facilities, resulting in approximately 918 new residents in the project area. Therefore, the project is not anticipated to result in the need for new or physically altered parks or recreational facilities and would not result in substantial physical deterioration of existing parks.

Project implementation would not place demands on existing or future parks or recreational facilities such that substantial physical deterioration would occur. While existing and future parks would need periodic maintenance, the increased demand for parks and other recreational facilities would not outpace routine maintenance. In addition, San Mateo County receives funding for parks and recreation under Measure K, which is a voter-approved half-cent general sales tax. The project would not require construction of new parks or recreational facilities. Impacts would therefore be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 1e: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Impact PS-5 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN SUBSTANTIAL ADVERSE PHYSICAL IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF NEW OR PHYSICALLY ALTERED LIBRARY OR OTHER PUBLIC FACILITIES TO MAINTAIN ACCEPTABLE SERVICE OBJECTIVES, AND THE PAYMENT OF PROPERTY TAXES FUNDING LIBRARY OR OTHER PUBLIC FACILITIES WOULD BE REQUIRED. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project would introduce approximately 918 new residents, which would be expected to proportionally increase library service utilization. Approximately 50 percent to 70 percent of the population registers for library services (Despain 2021). Thus, it can be conservatively anticipated that library services would increase by approximately 643 additional registrants (70 percent of the projected new residents) following full buildout of the rezoned parcels. These additional registrants would visit their local library branch, check out items, and participate in library events, but such increased demand for library services would not necessarily compel the construction of a new or expanded library facility in the county. The Atherton and North Fair Oaks County Libraries are located approximately one mile or less from the rezoning parcels. In 2022, the Atherton Library opened its new 10,000 square foot facility featuring “flexible, blended, multi-use spaces which can be readily adapted for community needs” (SMCL 2022). In addition, new residents would be able to visit other library locations throughout the county.

The SMCL currently does not have plans to construct additional library facilities, although an increase in population under the project would increase the need for library hours, parking, staffing, and possibly expansion of the existing library. The SMCL is currently exploring options for additional outreach and bookmobile services as well as considering placing library outposts throughout their county service area. Furthermore, the SMCL is also exploring possibilities for co-locating libraries with future public housing, community services, or school projects.

Because adequate existing and planned facilities are available, development facilitated by the project would not require construction of new or expanded library facilities. This impact would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.12.4 Cumulative Impacts

Fire Protection

The geographical scope for cumulative fire protection impacts is the service area of each fire district or department serving the rezoning parcels. This geographic scope is appropriate because development facilitated by the project will increase the demand on these departments. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact fire protection facilities.

For this analysis, a cumulative impact would occur if growth in the service area requires physical expansion of facilities such as construction of new fire facilities that would result in adverse physical impacts. Fire protection services are maintained and expanded through property taxes and collection of fees that grow incrementally as development occurs within a service area. New or expanded fire protection facilities may be required to serve cumulative development in the county; however, the districts have not identified the need for new fire protection facilities in order to serve new development. Therefore, cumulative impacts related to adverse physical impacts from new or physically altered fire protection services would be less than significant.

As described under Impact PS-1 above, the project would generate additional demand for fire protection services. Development facilitated by the project would not result in construction of new or altered fire stations. Therefore, the project would not result in a considerable contribution to cumulative impacts related to fire protection services.

Police Protection

The geographical scope for cumulative police protection impacts is the County Sheriff's Office service area, which includes the project area. This geographic scope is appropriate because development facilitated by the project will increase the demand from the Sheriff's Office. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact police facilities.

Cumulative impacts would occur if growth within the service area requires the construction of a new or the expansion of an existing police station that would result in significant adverse physical impacts. New or expanded police facilities may be required to serve cumulative development in the county; however, the Sheriff's Office has not identified the need for new police facilities in order to serve new development. Therefore, cumulative impacts related to adverse physical impacts from new or physically altered police services would be less than significant.

As described in Impact PS-2, development facilitated by the project would result in the need for one new police officer at the Sheriff's Office. This increase would not require the construction of new police facilities; therefore, development facilitated by the project would not result in a considerable contribution to cumulative impacts related to police protection services.

Schools

The geographical scope for cumulative school impacts is the school district boundaries serving the rezoning parcels, as identified in Section 4.12.1(c), above. This geographic scope is appropriate because development facilitated by the project will increase the demand on school district services and facilities. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact schools.

Cumulative impacts would occur if growth within a district would result in significant adverse physical impacts with the provisions for, or the need for, new or physically altered school facilities. Cumulative projects would increase enrollment in the districts; however, all districts in the county are anticipating a decline in student enrollment and would be able to absorb new and incoming students from cumulative projects. Because the districts have adequate capacity to serve cumulative development, cumulative impacts would be less than significant, and the project would not result in a considerable contribution to cumulative impacts related to schools.

Libraries

The geographical scope for cumulative library impacts is the SMCL network. This geographic scope is appropriate because development facilitated by the project would increase the demand on library services. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact libraries.

Cumulative impacts could occur if growth within the system requires the construction of new or the expansion of an existing library that would result in adverse physical impacts. Cumulative population growth, including the proposed project, would increase the demand for new libraries. However, cumulative projects are expected to use existing library facilities. Because new (unplanned) or expanded facilities would not be required, cumulative impacts would be less than significant, and the proposed project would not result in a considerable contribution to cumulative impacts related to library services.

Parks

The geographic scope for cumulative parks and recreation impacts is parks and recreational areas within 10 miles of the project area. This geographic scope is appropriate because new residents in the project area would use parks and recreational facilities nearby and hiking trails throughout the county. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact parks and recreation facilities.

Cumulative impacts to parks and recreational facilities would occur if development, and related population growth, within the county increases the use of existing facilities such that substantial physical deterioration of those facilities would occur, or if new facilities would need to be constructed or existing facilities expanded that would have an adverse effect on the environment. Development facilitated by the project in combination with other cumulative development in the county would result in an increase in the use of existing recreational facilities; however, funding through Measure K, and impact fees paid by development in neighboring cities, would support the maintenance of park facilities. Therefore, cumulative impacts related to new or expanded park and recreation facilities, or the physical deterioration of existing park and recreation facilities, would be less than significant, and the proposed project would not result in a considerable contribution to cumulative impacts related to park and recreation facilities.

4.13 Transportation

This section analyzes the potential impacts of the project on transportation, including conflicts with transportation plans, VMT, project-related transportation hazards, and emergency access, associated with the implementation of the proposed project. The information provided in this section was based primarily on research and analysis provided by W-Trans.

4.13.1 Setting

The transportation system in San Mateo County consists of highways, streets, and parking areas for automobile travel, a countywide bus system, a commuter rail line, bikeways, pedestrian sidewalks, an international airport, and a seaport, and provides for the shipment of goods as well as the movement of people. Each component of the transportation system will be examined below followed by a review of the demand for transportation, future transportation needs, the interrelationship of transportation modes, and the needs of special population groups.

a. Roadway System

North Fair Oaks is served by a system of arterials, collectors, and local streets as classified by Caltrans in their *Road System Map*. The *North Fair Oaks Community Plan* (County of San Mateo 2011) further classifies the roadway system into the following four categories:

- **Destination Street** – roadways where a mix of uses that promote local businesses and activities and where community amenities currently exist and will continue to be supported and enhanced.
- **Regional Connector** – roadways connecting to adjacent communities that run on the periphery of North Fair Oaks.
- **Primary Neighborhood Connector** – roadways serving as a main connection to other arterials and local streets within North Fair Oaks and with the potential opportunity for further commercial development.
- **Secondary Neighborhood Connectors** – roadways providing direct access to neighborhoods within North Fair Oaks. These roadways typically do not run all the way through the community.

El Camino Real (State Route [SR] 82) is a principal arterial and regional connector that runs north-south between San Jose and Daly City. It has a posted speed limit of 35 miles per hour (mph). As El Camino Real passes through the southern edge of North Fair Oaks, it has three travel lanes in each direction separated by a median. Parallel parking is permitted on the east side of the street.

Middlefield Road is a minor arterial and destination street that generally runs parallel to El Camino Real between Central Expressway in Sunnyvale and Jefferson Road in Redwood City. In North Fair Oaks, it has a posted speed limit of 30 mph and has two travel lanes in each direction with parking permitted on both sides.

Bay Road is a minor arterial and regional connector that runs east-west between Florence Street in North Fair Oaks and Chestnut Street in Redwood City. West of 5th Avenue, it has two travel lanes per direction and parallel parking lanes on both sides. East of 5th Avenue, it has one travel lane per direction, a center two-way left-turn lane, and two parallel parking lanes. Bay Road has a posted speed limit of 30 mph.

5th Avenue is a minor arterial and primary neighborhood collector that connects Bay Road, Middlefield Road, and El Camino Real. It has a posted speed limit of 25 mph and has one travel lane per direction with parallel parking permitted on both sides.

b. Pedestrian Facilities

Pedestrian facilities include sidewalks, crosswalks, pedestrian signal phases, curb ramps, curb extensions, and various streetscape amenities such as lighting, benches, etc. In general, a network of sidewalks, crosswalks, pedestrian signals, and curb ramps provide access for pedestrians in North Fair Oaks; however, sidewalk gaps, obstacles, and barriers can be found along some of the roadways connecting to the project area. Sidewalk is not provided along many of the local streets in North Fair Oaks east of 1st Avenue. Existing gaps such as these can impact convenient and continuous access for pedestrians and present safety concerns in those locations where appropriate pedestrian infrastructure would potentially address conflict points.

c. Bicycle Facilities

The Highway Design Manual (Caltrans 2019), classifies bikeways into four categories:

- **Class I Multi-Use Path** – a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- **Class II Bike Lane** – a striped and signed lane for one-way bike travel on a street or highway.
- **Class III Bike Route** – signing only for shared use with motor vehicles within the same travel lane on a street or highway.
- **Class IV Bikeway** – also known as a separated bikeway, a Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and the motor vehicle traffic lane. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

In North Fair Oaks, buffered Class II bike lanes exist on 5th Avenue between El Camino Real and the South Pacific Railroad Crossing and Class III Bike Routes are provided on Middlefield Road and on Semicircular Road between Middlefield Road and 5th Avenue. Bicyclists are expected to ride in the roadway and/or on sidewalks along all other streets within the community. Barriers to bicycle travel in North Fair Oaks include the Caltrain tracks (except at the 5th Avenue undercrossing), the railroad tracks north of Edison Way that are now used solely for freight service, and El Camino Real, which can be difficult to cross.

d. Transit System

SamTrans

SamTrans provides fixed route bus service in San Mateo County. Three bus routes that serve North Fair Oaks offer local and subregional service to transit and activity centers on the Peninsula, while one route provides school-oriented service.

Bus Route ECR provides subregional service that is also used for local trips. It passes through North Fair Oaks along El Camino Real (SR 82) and offers daily service between the Daly City Bay Area Rapid Transit (BART) Station and the Palo Alto Transit Center from 4:00 a.m. to 1:00 a.m. with a bus arriving approximately every 15 minutes on weekdays. On weekends, the buses have 20-minute headways.

Route 397 provides subregional evening off-peak service between San Francisco and the Palo Alto Transit Center with stops at San Francisco International Airport. Within North Fair Oaks, it travels on Middlefield Road with four stops in each direction. Service is provided from 12:30 a.m. to 6:30 a.m. with 1-hour headways.

Route 296 provides daily service between the Redwood City Transit Center and the Palo Alto Transit Center. Within North Fair Oaks, it travels on Middlefield Road with stops in each direction at the intersections of Douglas Avenue, Dumbarton Avenue, 2nd Avenue, 5th Avenue, and 8th Avenue. Service is provided between 4:00 a.m. and 2:00 a.m. with approximately 20-minute headways during the weekdays. On weekends, service is provided between 4:00 a.m. and 2:00 a.m., with 30-minute headways between 7:00 a.m. and 8:00 p.m., followed by 1-hour headways during off-peak periods.

Route 79 provides school day service between the Florence/17th Bus Station and Kennedy Middle School. There are nine stops per direction within North Fair Oaks: three on Bay Road, one on 5th Avenue, three on Fair Oaks Road, one on Hurlingame Avenue, and one on Middlefield Road. As this is a school-oriented service, buses only run once in the morning, departing Florence Street/17th Avenue at 7:18 a.m., and once in the afternoon, departing Kennedy Middle School at 3:15 p.m.

Two bicycles can be carried on most buses. Bike rack space is on a first come, first served basis. Additional bicycles are allowed on buses at the discretion of the driver.

Caltrain

Caltrain is the commuter rail line serving the San Francisco Peninsula and San Mateo County with connections to San Francisco to the north and Gilroy to the south. North Fair Oaks access to Caltrain generally occurs at the Redwood City Station to the north and the Menlo Park Station to the south.

Service from the Redwood City Station is provided by 52 trains in each direction on weekdays, with 29 trains providing limited-stop, express service. On weekdays there are 38 trains servicing the Menlo Park Station in the northbound and southbound directions, 15 of which provide limited-stop, express service. On weekends there are 16 trains per direction that stop at both stations.

e. Planned Improvements

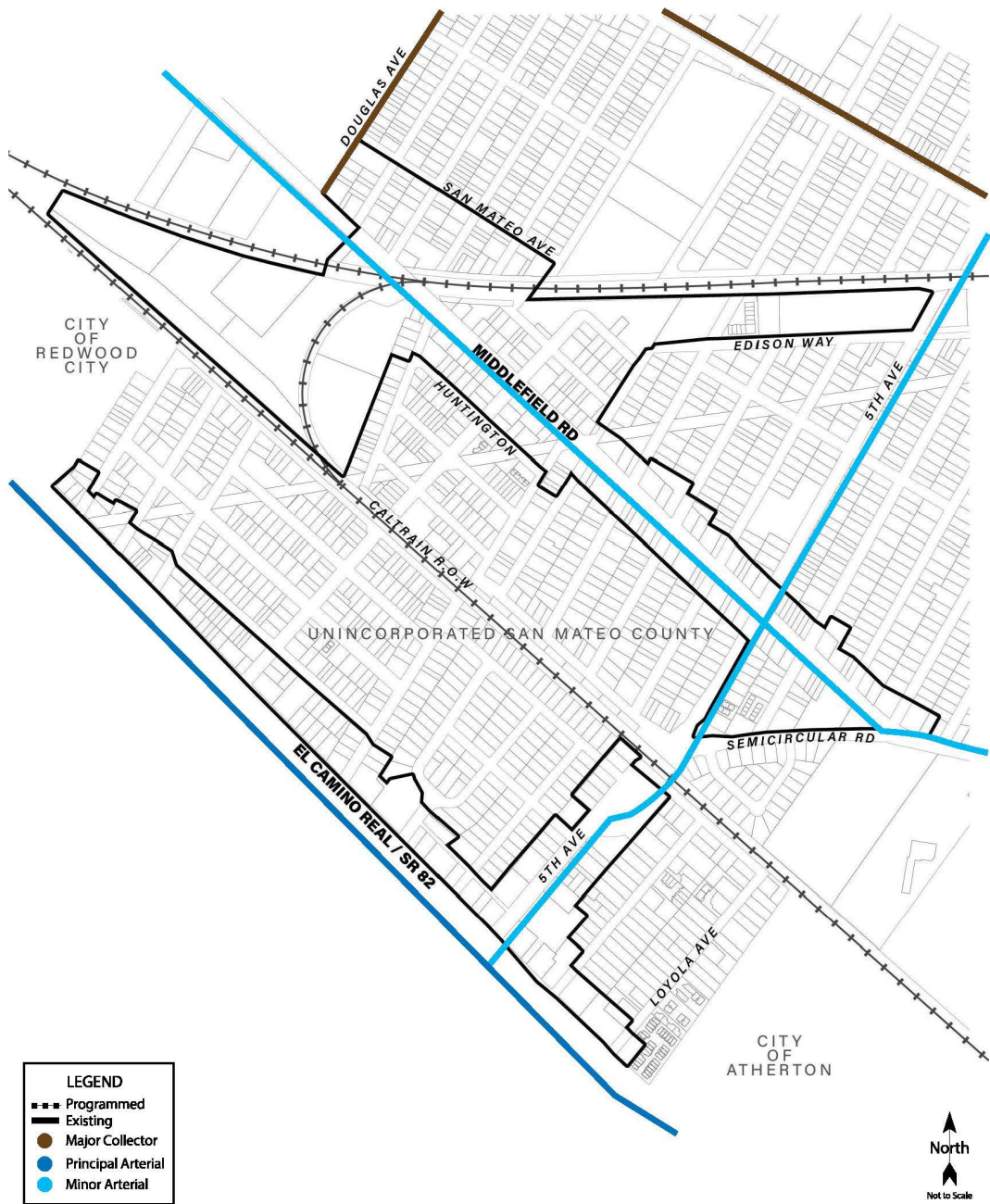
Road System

There are no planned improvements to increase roadway capacity on major or minor arterials within North Fair Oaks. However, along US 101 to the north, Caltrans is implementing high-occupancy vehicle lanes that will connect to the existing carpool lanes north of Whipple Avenue. When completed, US 101 will have over 22 continuous miles of express lanes in each direction. Interchange improvements at US 101/Marsh Road to the south are also proposed. Existing and planned roadway improvements are depicted in Figure 4.13-1.

Within North Fair Oaks, the County's Middlefield Road Improvements Project is under construction (as of February 2023) and includes a "road diet"¹ along Middlefield Road to accommodate improved bicycle and pedestrian infrastructure, reducing Middlefield Road to three lanes. Traffic calming and lane narrowing is also being considered through North Fair Oaks on El Camino Real, which is under Caltrans jurisdiction. Only 5th Avenue directly connects Middlefield Road and El Camino Real within the vicinity of the project area.

¹ A "road diet" refers to the reduction of the total number of lanes (i.e. from 4 total lanes to 3 or 2 total lanes).

Figure 4.13-1 Existing Plus Programmed Road Network



Source: W-Trans 2023

Bicycle System

Class II bicycle lanes are planned on Middlefield Road through North Fair Oaks as part of the County's Middlefield Road Improvements Project. The bike lanes will connect the existing separated Class II bike lanes west of Woodside Road to the existing bike facilities east of Encina Avenue which, along with the Class II bike lane along 5th Avenue, will form a full bicycle link via Middlefield Road (County of San Mateo 2023a).

The Dumbarton Rail Trail, a proposed Class I Multi-Use Path connecting Menlo Park to the existing Bay to Sea Trail, is proposed along the Dumbarton Rail alignment. The Existing Bay to Sea Trail connects to the San Francisco Bay Trail and Half Moon Bay. This link would provide a complete bicycle connection between Menlo Park and Half Moon Bay (San Mateo County Transit District 2017; City/County Association of Governments of San Mateo County [C/CAG] 2021).

Another important addition to the bicycle network is a planned bridge over the Caltrain tracks resulting from the which was recently initiated by San Mateo County. The Study is expected to recommend a preferred location for a bicycle and pedestrian bridge in late 2023 (County of San Mateo 2022).

Class III bike routes, referred to as Bike Boulevards in the *San Mateo County Countywide Bicycle and Pedestrian Plan* (2021), are proposed on many of the local streets within North Fair Oaks. These include 2nd Avenue, Williams Avenue, Fair Oaks Avenue, Hurlingame Avenue, Edison Way, Calvin Avenue, Williams Avenue, Glendale Avenue, Westmoreland Avenue, Marlborough Avenue, Berkshire Avenue, and Northumberland Avenue (County of San Mateo 2022).

The Grand Boulevard Initiative, a collaboration of cities, counties, and local jurisdictions to improve El Camino Real, has proposed separated Class II bicycle facilities for the section of El Camino Real that passes through North Fair Oaks. The Grand Boulevard Initiative proposes to have a continuous stretch of Class II bike lanes (both separated and not separated) along El Camino Real between Ralston Avenue in Belmont and Valparaiso Avenue in Menlo Park (C/CAG 2021a).

The existing and planned bicycle network improvements are shown in Figure 4.13-2.

Pedestrian System

In the County's *Countywide Bicycle and Pedestrian Plan* (2021), much of North Fair Oaks is identified as a pedestrian focus area. These areas are defined as areas in the county that are likely to have the highest walking activity. As such, the County is encouraging local agencies to improve all streets and crossings in these areas as is feasible. Studies examining the potential for more grade-separated pedestrian crossings across the Caltrain alignment are underway; however, to date there are no planned improvements to address the pedestrian barrier that Caltrain represents.

Middlefield Road, through the Redwood City Moves General Plan and the County of San Mateo's Middlefield Road Improvements Project, is identified as a potential complete streets corridor (County of San Mateo 2023a). Wider sidewalks and corner bulb-outs at intersections, along with amenities such as landscaping, benches, and street art, are proposed to encourage pedestrian travel through the commercial corridor.

The County is currently assessing the feasibility of a pedestrians-bicyclists bridge over the Caltrain, through the North Fair Oaks Bicycle & Pedestrian Railroad Crossing Study. The Study is expected to recommend a preferred location for a bridge in late 2023 (County of San Mateo 2022), although the likelihood and timing of development of any recommended bridge remains uncertain.

Figure 4.13-2 Existing Plus Programmed Bicycle Network



Source: W-Trans 2023

The Grand Boulevard Initiative also proposes to improve the pedestrian environment along El Camino Real through the addition of more crossings at activity centers, wider sidewalks, clear walking areas with no obstructions (e.g., benches, trees, etc.), improved crossing treatments (e.g., bulbouts, median refuge islands, beacons and other signalized measures), and improved landscaping and pedestrian lighting (C/CAG 2021a).

Transit System

As shown in Figure 4.13-3, programmed improvements to transit systems within North Fair Oaks include improvements to existing SamTrans bus routes and Caltrain rail operations, as well as new rail systems.

SamTrans

SamTrans is planning on updating their bus routes beginning in 2022 as stated in the Reimagine SamTrans project, published in 2021. The frequency on Route 296 is expected to increase with a bus arriving every 15 minutes for both weekend and weekday service. Evening service on the route will remain unchanged at one-hour headways. SamTrans is not proposing changes to any other existing route within North Fair Oaks, nor are they adding new routes.

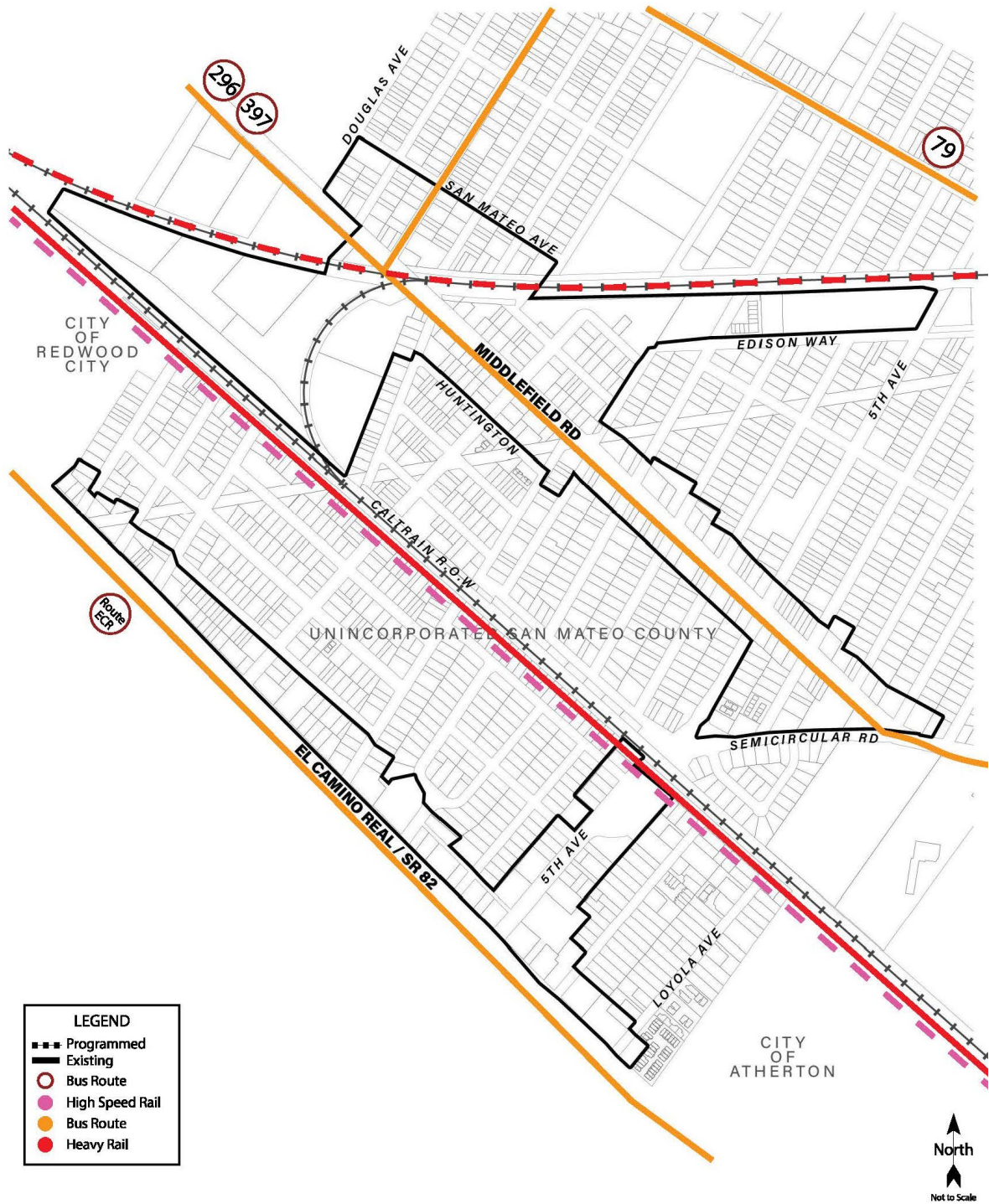
Caltrain

Through the Caltrain Modernization project, which will convert the existing diesel based Caltrain system to an electric one, Caltrain trains are expected to provide faster service between destinations and have greater capacity. Due to increased train speeds, six peak-hour trains per direction are expected to arrive at the Menlo Park and Redwood City stations in the future as opposed to five in the existing condition.

Dumbarton Rail

While no decision has been made to proceed with the Dumbarton Rail project, SamTrans, cooperating with Cross Bay Transit Partners, LLC (Facebook and Plenary Americas), is currently performing pre-environmental work for the Dumbarton Rail. If created, the new commuter rail service would connect Fremont to Redwood City, travelling across the existing Dumbarton Bridge and on the existing South Pacific Railroad tracks through North Fair Oaks. The Redwood City Transit Center to the northwest of North Fair Oaks would serve as a hub station, while other potential station locations have not been finalized (San Mateo County Transportation District 2017).

Figure 4.13-3 Existing Plus Programmed Transit Network



Source: W-Trans 2023

4.13.2 Regulatory Setting

a. State

California Department of Transportation (Caltrans)

Caltrans is the owner and operator of the state highway system, which includes facilities in and around North Fair Oaks. In its Vehicle Miles Traveled-Focused Transportation Impact Study Guide, 2020, Caltrans developed an approach for evaluating the transportation impacts of land use projects and plans on state highway facilities; this document does not address the impacts of transportation projects (Caltrans 2020). In accordance with current CEQA requirements, the Transportation Impact Study Guide does not consider vehicle delay in its evaluation of transportation impacts, instead focusing on VMT. The purposes of the Transportation Impact Study Guide include providing guidance to lead agencies regarding when they should analyze potential impacts to the state highway system; to aid Caltrans staff in reviewing projects; and to ensure consistency in the assessment of impacts and identification of non-capacity increasing mitigation measures.

California Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law. SB 743 changed the way transportation impact analysis is conducted as part of CEQA compliance. These changes eliminated automobile delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA.

Prior rules treated automobile delay and congestion as an environmental impact. Instead, SB 743 requires the *CEQA Guidelines* to prescribe an analysis that better accounts for transit and reducing greenhouse gas emissions. In November 2017, Office of Planning and Research (OPR) released the final update to *CEQA Guidelines* consistent with SB 743, which recommend using VMT as the most appropriate metric of transportation impact to align local environmental review under CEQA with California's long-term greenhouse gas emissions reduction goals (OPR 2018). The *CEQA Guidelines* require all jurisdictions in California to use VMT-based thresholds of significance.

California Fire and Building Code

The 2019 Fire and Building Code establishes the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare for the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The provisions of this code apply to the construction, alteration, movement enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout the state of California.

b. Regional

Plan Bay Area 2050

Plan Bay Area 2050 is the nine-county San Francisco Bay Area's long-range plan that addresses regional transportation, housing, economic development, and environmental resilience. The plan identifies funding priorities for a \$1.4 trillion vision over a 30-year period, directed toward

addressing the Plan's 35 strategies. *Plan Bay Area 2050* was adopted by the Metropolitan Transportation Commission and Association of Bay Area Governments in 2021.

Plan Bay Area 2050 includes the following transportation strategies:

- T1. Restore, operate and maintain the existing system. Commit to operate and maintain the Bay Area's roads and transit infrastructure while reversing pandemic-related cuts to total transit service hours.
- T2. Support community-led transportation enhancements in Equity Priority Communities. Provide direct funding to historically marginalized communities for locally identified transportation needs.
- T3. Enable a seamless mobility experience. Eliminate barriers to multi-operator transit trips by transfer hubs.
- T4. Reform regional transit fare policy. Streamline fare payment and replace existing operator-specific discounted fare programs with an integrated fare structure across all transit operators.
- T5. Implement per-mile tolling on congested freeways with transit alternatives. Apply a per-mile charge on auto travel on select congested freeway corridors where transit alternatives exist, with discounts for carpoolers, low-income residents, and off-peak travel; and reinvest excess revenues into transit alternatives in the corridor.
- T6. Improve interchanges and address highway bottlenecks. Rebuild interchanges and widen key highway bottlenecks to achieve short- to medium-term congestion relief.
- T7. Advance other regional programs and local priorities. Fund regional programs like motorist aid and 511 while supporting local transportation investments on arterials and local streets.
- T8. Build a Complete Streets network. Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths.
- T9. Advance regional Vision Zero policy through street design and reduced speeds. Reduce speed limits to between 20 and 35 miles per hour on local streets and 55 miles per hour on freeways, relying on design elements on local streets and automated speed enforcement on freeways.
- T10. Enhance local transit frequency, capacity and reliability. Improve the quality and availability of local bus and light rail service, with new bus rapid transit lines, South Bay light rail extensions, and frequency increases focused in lower-income communities.
- T11. Expand and modernize the regional rail network. Better connect communities while increasing frequencies by advancing the Link21 new transbay rail crossing, BART to Silicon Valley Phase 2, Valley Link, Caltrain Downtown Rail Extension and Caltrain/High-Speed Rail grade separations, among other projects.
- T12. Build an integrated regional express lanes and express bus network. Complete the buildout of the regional express lanes network to provide uncongested freeway lanes for new and improved express bus services, carpools and toll-paying solo drivers.

c. Local

San Mateo County Congestion Management Program 2019

The C/CAG is the designated Congestion Management Agency (CMA) for San Mateo County. In accordance with California Government Code Section 65088, each CMA is required to prepare and

adopt a Congestion Management Program (CMP) on a biennial basis. The CMP includes monitoring and evaluation of LOS along the designated CMP network. With the passage of SB 743, maintenance of LOS standards is no longer part of the assessment of project impacts under CEQA.

Transportation Demand Management Program

The CMP also provides a countywide TDM program with requirements that apply to all new developments expected to generate at least 100 average daily trips. The TDM policy requires each qualifying project to complete a TDM checklist and incorporate TDM measures to reduce the estimated project-generated trips to between 25 and 35 percent lower than the most recent trip generation rates from the Institute for Transportation Engineers' (ITE) *Trip Generation Manual*, depending on the land use type, as well as the size and location of the project. To demonstrate compliance with the TDM program applicants must meet monitoring requirements. For projects not in compliance with program requirements, the County may require project owners/operators to modify their previously approved TDM measures.

San Mateo Countywide Transportation Plan 2040

Adopted by C/CAG in February 2019, the San Mateo Countywide Transportation Plan 2040 (*SMCTP*) provides overarching policy guidance and coordination between the various municipal regional plans produced by municipalities within San Mateo County.

San Mateo County Vehicle Miles Traveled Policy

Per the requirements of SB 743 the County has developed a VMT policy based on assessment of local needs and development characteristics that is to be used in evaluating the potential VMT impacts of land development and transportation projects. VMT significance thresholds were presented in a memorandum titled "Staff Interpretation of State of California Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA"; these thresholds are an interim measure to be used until thresholds are formally adopted by the County. The County's policy is generally consistent with the OPR technical advisory and includes: 1) screening criteria to determine which projects should be evaluated for potential VMT impacts under CEQA, and 2) for projects requiring VMT analysis, significance thresholds based on the proposed land use.

As indicated in the County policy, projects meeting any of the specified screening criteria are presumed to have a less-than-significant impact on VMT and are exempt from further CEQA transportation impact analysis. These criteria include project sites located within a Transit Priority Area, proposed uses consisting of 100 percent affordable housing in an infill location, meeting the specified definition of a "small project", or being located in a Transportation Analysis Zone (TAZ) where the baseline per-capita or per-employee home-based work trip is below the County average.

San Mateo County Transportation Authority

The San Mateo County Transportation Authority (SMCTA) is an independent agency governed by an appointed board of seven directors who are elected officials representing the county, cities, and the San Mateo Transit District. The SMCTA plans, finds, and delivers transportation programs and projects throughout San Mateo County. The SMCTA was formed in 1988 with the passage of the voter-approved half-cent sales tax for countywide transportation projects and programs known as Measure A. The original Measure A ran through 2008 and was reauthorized by voters in 2004 to

extend through 2033. The SMCTA administers the proceeds from Measure A to fund a broad spectrum of transportation-related projects and programs.

The SMCTA's Strategic Plan 2020-2024 provides a policy framework for guiding programming and allocation decisions over the next 5 years for Measure A and Measure W with Measure A focused on countywide transportation projects and programs and Measure W focused on improving transit and relieving traffic congestion. Measure A fund expenditures are guided by Expenditure Plans approved by the voters. The Expenditure Plan includes six key programs: transit, highway, local streets and transportation, grade separation, pedestrian and bicycles, and alternative congestion relief (SMCTA 2021).

San Mateo County General Plan

The County of San Mateo General Plan Transportation Element (1986) includes a number of goals, policies and actions addressing traffic, roadways, transit, and bicycle and pedestrian facilities. The Transportation Element adopted an approach that makes optimal use of the existing roadway capacity through coordination of transportation and land use planning. Following are relevant policies and actions identified in the General Plan Transportation Element, including:

Goal 12.6: Plan for a transportation system that provides for the safe, efficient, and convenient movement of people and goods in and through San Mateo County

Goal 12.7: Create and maintain Complete Streets that serve all categories of transportation users and goods, providing safe, efficient, comfortable, and convenient travel along all streets through an integrated, balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the General Plan

Goal 12.8: To the extent possible, plan for accommodating future transportation demand in the County by using existing transportation facilities more efficiently, or improving and expanding them before building new facilities

Goal 12.9: Provide for a balanced and integrated transportation system in the County which allows for travel by various modes and easy transfer between modes

Goal 12.10: Plan for increasing the proportion of trips using public transit or ridesharing

Goal 12.11: Balance and attempt to minimize adverse environmental impacts resulting from transportation system improvements in the County

Goal 12.12: Promote the development of energy-conserving transportation systems in the County

Goal 12.13: Coordinate transportation planning with adjacent jurisdictions

Policy 12.14: When providing additional capacity for automobile traffic where needed, give priority to upgrading and expanding existing roads before developing new road alignments.

Policy 12.15: In rural areas, where improvements are needed due to safety or congestion, support improved traffic control measures that balance the needs of all users and provide safe travel, implementing measures such as signing, lane markings, and speed controls, and the construction of operational and safety improvements,

such as adequate passing lanes, elimination of sharp curves, lane widening, or paved shoulders.

Policy 12.16: In urban areas, where improvements are needed due to safety concerns or congestion, support the construction of interchange and intersection improvements, additional traffic lanes, turning lanes, redesign of parking, channelization, traffic control signals, or other improvements while enhancing the functionality of travel routes for all transportation users.

Policy 12.21: In unincorporated communities, plan for providing:

- a. Maximum freedom of movement for all transportation users and adequate access to various land uses;
- b. Improved streets, sidewalks, bicycle routes, landscaping, shared-use paths, and other site-appropriate design features that enhance the safety and usability of transportation networks in developed areas;
- c. Minimal through traffic in residential areas;
- d. Routes for truck traffic which avoid residential areas and are structurally designed to accommodate trucks;
- e. Access for emergency vehicles;
- f. Safe and efficient bicycle and pedestrian travel;
- g. Access by all transportation users, including persons with disabilities, seniors, children, and youth, to public buildings, shopping areas, hospitals, offices, and schools;
- h. Prioritization of accessibility to transit services and to routes and turnouts for public transit;
- i. Parking areas for ridesharing; and
- j. Coordination of transportation improvement with adjacent jurisdictions.

Policy 12.22: Allow for modification of road standards for sub-areas of the County, which respond to local needs and conditions as identified in area plans.

Policy 12.23: In reviewing requests for sale, vacation, or abandonment of County streets, rights-of-way, or easements, consider the following:

- a. whether access is available to existing parcels and developed areas adjacent to the subject area, or possible future development based on adopted area plans;
- b. whether the area to be vacated is not required for public transit use based on adopted plans; and
- c. whether the area to be vacated is not suitable for non-motorized use.

Policy 12.24: Review official plan lines to assure they are current and conform to County road standards. Delete plan lines on streets which have already been improved to County standards or which have become incorporated within city boundaries.

Policy 12.26: Utilize all funds available for roadway repair and maintenance, and seek additional funding, if necessary, to prevent further deterioration of the County's road system.

- Policy 12.27:** Encourage freight carriers (rail and truck) and roadway construction crews to operate during off-peak periods.
- Policy 12.32:** Encourage SamTrans to continue to work toward improving service levels on both local and mainline routes through reevaluation and expansion of routes, increased service to the Coastsides, provision of more satellite parking facilities, and evaluation of smaller buses for local routes.
- Policy 12.34:** Support the continued upgrading of the Peninsula Train Service by CalTrans, including relocation of the station in San Francisco to a more central location, more frequent service, acquisition of new rolling stock, refurbishing of stations, and track rehabilitation.
- Policy 12.39:** Encourage and support SamTrans and the Paratransit Coordinating Council to work toward meeting the transportation needs of the mobility-impaired, the young, and the elderly.
- Policy 12.40:** Request that SamTrans maintain a minimal level of local service on weekends for the benefit of all transit dependents.
- Policy 12.41:** Encourage CalTrans and SamTrans to identify and acquire sites for additional park and ride lots at convenient locations along Highway 101 and Interstate 280 and provide for transit service and ridesharing at these facilities.
- Policy 12.43:** Encourage the cities to develop local bikeway plans, obtain funding, and construct and maintain a system of local bikeways that is consistent with the County Bikeways Plan.
- Policy 12.45:** Promote the provision of bicycle lockers and other storage facilities at transit stops, schools, shopping areas and other activity centers.
- Policy 12.47:** Encourage large employers to provide shower and locker facilities for their employees who bike to work as part of a commute alternative program.
- Policy 12.48:** Encourage the provision of safe and adequate pedestrian paths in new development connecting to activity centers, schools, transit stops, and shopping centers.
- Policy 12.49:** Encourage CalTrans to provide pedestrian bridges and connections in areas where State highways have divided communities.
- Policy 12.56:** Cooperate with the cities, transit operators and employers in the development and implementation of traffic mitigation programs, which lessen the cumulative effects of new development on existing transportation systems, including (1) auto commute alternatives programs; (2) establishing a network of traffic coordinators; (3) parking management strategies; and (4) incorporation of transit improvements into new developments.
- Policy 12.57:** Delineate a system of primary through roads in unincorporated areas to serve as a guide for future improvements. Allocate County funds for improvements to these primary roads according to the criteria of Policy 12.14.

2021 C/CAG San Mateo County Comprehensive Bicycle and Pedestrian Plan

The San Mateo County Comprehensive Bicycle and Pedestrian Plan was adopted in 2011. The plan provides a high-level overview of pedestrian and bicycle facilities and designates pedestrian focus areas for all of the cities within San Mateo County. The plan identifies El Camino Real and areas around schools as pedestrian focus areas. This plan is intended to identify areas where bicycle and pedestrian facilities should be prioritized but does not identify specific improvements (C/CAG 2021a).

North Fair Oaks Community Plan

The North Fair Oaks Community Plan includes a Circulation and Parking Chapter which includes goals and policies that provide guidance for improving all forms of transportation in North Fair Oaks. The Circulation and Parking Chapter also provides a framework for developing an integrated system that facilitates travel by public transit, bicycle and automobile, while providing a safe and attractive walking environment for pedestrians.

Policies from the North Fair Oaks Community Plan Circulation and Parking Element that support a VMT reduction are listed below (County of San Mateo 2011):

Goal 3.2: Improve existing pedestrian facilities (sidewalks, sidewalk furniture, trees, paths, and other facilities), and provide new facilities throughout North Fair Oaks (see Figure 4.13-2: Existing Plus Programmed Bicycle Network)

Policy 2A: Improve and enhance pedestrian facilities along key streets that connect to destinations throughout North Fair Oaks to prioritize “complete streets” design standards that give equal space to pedestrians, bicyclists, public transit, and cars. The design standards and guidelines in Chapter 7: Design Standards and Guidelines support this objective.

Policy 2F: Evaluate the feasibility of implementing a lane reduction, or “road diet” for Middlefield Road between Douglas Avenue and 8th Avenue. By reducing the number of travel lanes, the roadway width can be reallocated to provide bike lanes, widened sidewalks, crosswalk curb extensions (bulbouts), and other streetscape improvements.

Policy 2H: Support the planning efforts and policies of the Grand Boulevard Initiative to transform El Camino Real from an auto-oriented commercial corridor into an attractive multi-modal boulevard with design elements that facilitate transit, pedestrian, and bicycle mobility.

Goal 3.3: Improve bicycle connectivity throughout North Fair Oaks by providing additional designated bicycle facilities such as bike lanes and paths and by improving the safety of existing infrastructure

Policy 3A: Complete the bicycle facility improvements identified in this Plan (see Appendix C) as well as in the San Mateo County Bicycle Route Plan (2011) and Redwood City General Plan (2010) to create a network of well-connected primary bicycle facilities along contiguous sections of Middlefield Road and El Camino Real and secondary facilities along 5th Avenue, Fair Oaks Avenue, Douglass Street, Dumbarton Avenue, 2nd Avenue, and 8th Avenue. Ensure that these improvements are identified, supported, and coordinated in future local and regional plan updates.

Policy 3B: Provide safe, secure bicycle parking in commercial areas, along designated bike routes and transit corridors, and at parks and schools.

Policy 3D: Improve pedestrian and bicycle connectivity within North Fair Oaks by constructing new off-street pedestrian/ bicycle paths along the Hetch-Hetchy right-of way.

Policy 3F: Explore the implementation of wayfinding signs to guide bicyclists and pedestrians to recommended travel routes and destinations throughout the community.

Policy 3G: Explore, as part of implementation of the Plan, whether any existing narrow residential streets might beneficially be redesigned to limit parking to one street side, with designated bicycle lanes on the opposite side.

Goal 3.4: Strengthen the local and regional transit connectivity of the North Fair Oaks community

Policy 4A: As described in Chapter 2: Land Use Designations, study the feasibility, potential improvements required, and necessary land use and zoning policies needed to support a future multi-modal transit hub in North Fair Oaks, potentially including bus, Bus Rapid Transit (BRT), and train service (see Figure C) for proposed transit hub location). Depending on future rail development, the future transit hub could include potential Dumbarton rail service or Redwood City streetcar service, High Speed Rail, Caltrain, or other rail, in addition to various bus transit types. The hub would connect to pedestrian, bicycle, and automobile facilities and would serve as a multi-modal transit center and a catalyst for surrounding transit-oriented development.

Policy 4C: Make required circulation, transportation, and access improvements to ensure that the community has as much multi-modal access to the identified transit hub location as possible.

Policy 4E: Explore the potential to reroute existing bus service or create a new local circulator route or shuttle service to provide better north-south connectivity within North Fair Oaks. Prioritize 5th Avenue, which serves as one of the few continuous north-south connections through North Fair Oaks, as a preferred route for service improvements.

Policy 4G: Require that new development projects improve access to and accommodations for public transit.

Policy 4H: Support SamTrans' long-range planning goals for Bus Rapid Transit (BRT) service, including high-frequency rapid service along El Camino Real (SR-82). Also support potential BRT along Middlefield Road. Encourage provision of BRT as a means of providing additional mass transit service at relatively low costs, along existing routes.

Goal 3.5: Improve the efficiency of the existing parking system, provide sufficient parking to support future development without creating significant excess supply, and reduce overall parking demand by leveraging diverse parking management strategies

Policy 5A: Support the use of transportation modes other than the automobile to reduce the need for additional parking.

4.13.3 Impact Analysis

a. Significance Thresholds

In accordance with Appendix G of the *CEQA Guidelines*, the project would be considered to have a significant transportation impact if it would:

1. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;
2. Conflict or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b);
3. Substantially increase hazards because of a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
4. Result in inadequate emergency access.

b. Methodology

CEQA Guidelines Section 15064.3 establishes that VMT is the most appropriate metric for the analysis of transportation impacts under CEQA.

The parcels included in the project area were evaluated based on the potential transportation impacts associated with the additional development that would be permitted as a result of the proposed rezoning. However, since specific projects have not yet been proposed for these sites, this analysis was undertaken at the program level, as project-level impacts such as site access and adequacy of multimodal circulation cannot be analyzed as part of this review. This more detailed assessment would need to take place in the future as part of the development review process for proposed projects. However, additional review would not be required for proposed developments that are consistent with the C/CAG VMT Estimation Tool and screening criteria (C/CAG 2021b).

The project's potential transportation impacts analysis was based on the application of the San Mateo County interim VMT policy. VMT for the project TAZs was estimated for 2019 using the most recent version of City/County Association of Governments of San Mateo County – Santa Clara County Valley Transportation Authority (C/CAG-VTA) Countywide Model. The parcels included in the project were evaluated for their respective TAZs based on the VMT per capita and VMT per worker as generated by the model. The assumption underlying the use of model-generated data is that future development in a given TAZ would exhibit similar transportation patterns to that of existing development.

The County's interim VMT policy indicates that projects meeting any of the specified screening criteria can be presumed to have a less than significant VMT impact and are therefore exempt from further CEQA transportation impact analysis. For projects that require VMT analysis, thresholds of significance were developed for the County's interim VMT policy that specify land use types and transportation projects. These thresholds are generally consistent with the technical advisory published by OPR.

c. Project Impacts and Mitigation Measures

Threshold 1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

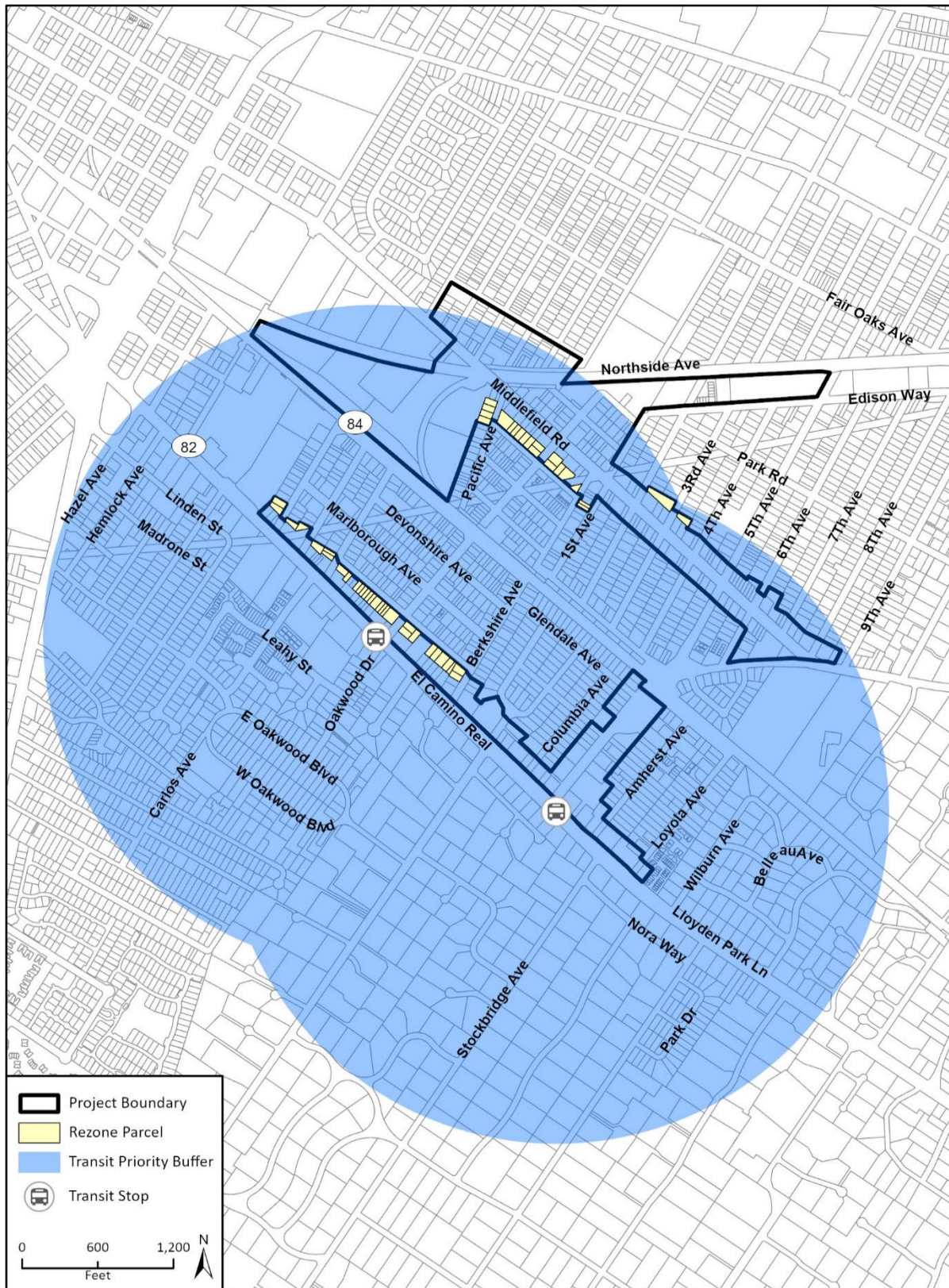
Impact TRA-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE AND PEDESTRIAN FACILITIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The project consists of a rezoning and therefore does not include any specific development proposals. The rezoning would provide for increased residential density along El Camino Real and Middlefield Road, plus the addition of commercial development. Since no development projects are proposed at this time, no project-related transportation infrastructure improvements are included as part of the project. The County would assess the need for development projects to provide such improvements as part of each development's review process, and the County would review potential circulation system conflicts at that time.

The proposed zoning changes and their implications for the land use pattern in the area were reviewed for consistency with County circulation system policies. As shown in Figure 4.13-4, all project parcels are located within one-half mile of an existing rail transit station or along a high-quality transit corridor where bus service is available at headways of 15 minutes or less during a.m. and p.m. peak commute hours. While *Plan Bay Area 2050* included the proposed Dumbarton Rail Corridor and a proposed station in North Fair Oaks, that station was excluded from the assessment of the project's proximity to high quality transit due to the uncertainty of transit service along this corridor. Considering proximity to the existing SamTrans ECR bus service along El Camino Real, development facilitated by the project would be within an acceptable walking distance of high-quality transit service. The project therefore supports County General Plan policies 12.4, 12.5 and 12.6 intended to reduce reliance on vehicle transportation.

The policies in the adopted Circulation Element specify the County's support the development of higher-intensity land uses near transit and commercial areas to reduce the need to travel, to provide convenient access to transit, and to support the reduction in vehicle trips. Based on the proximity of the project sites to commercial areas and stops along a high-quality transit corridor, the resulting land development pattern is expected to result in shorter trip lengths and would encourage use of non-vehicle modes of transportation. As detailed in Section 4.13.1, *Setting*, the parcels proposed for rezoning are currently accessible by a variety of Class I and Class II bike lanes, transit lines, and pedestrian facilities. In addition, the County's *Countywide Bicycle and Pedestrian Plan* (2021) includes plans to expand bicycle and pedestrian systems through the Middlefield Road Improvement Project, Grand Boulevard Initiative, and projects resulting from the North Fair Oaks Bicycle & Pedestrian Railroad Crossing Study (C/CAG 2021). In addition, the Reimagine SamTrans project and Caltrain Modernization project both aim at increasing transit speeds, frequency of stops, and reliability incentivizing additional ridership. It is therefore expected that the project would generate additional walking, bicycling, and transit trips. Since the project is expected to further encourage the use of transit and active transportation, it would support existing County policies. Therefore, with respect to potential conflicts with circulation system policies, impacts would be less than significant.

Figure 4.13-4 Half-Mile Buffer Around Stops Along High Quality Transit Corridors



Imagery provided by Microsoft Bing and its licensors © 2023.
Additional data provided by San Mateo County, 2022.

23-11539 EPS LU
Fig X Transit Buffer

Mitigation Measures

No mitigation is required.

Significance After Mitigation

This impact would be less than significant without mitigation.

Threshold 2: Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Impact TRA-2 THE PROPOSED PROJECT WOULD CONFLICT WITH CEQA GUIDELINES SECTION 15064.3(B) BY RESULTING IN INCREASED VMT FROM FUTURE OFFICE-ONLY COMMERCIAL DEVELOPMENT FACILITATED BY THE PROJECT. IT CANNOT BE GUARANTEED THAT MITIGATION WOULD REDUCE OFFICE-ONLY COMMERCIAL VMT TO ACCEPTABLE LEVELS; THEREFORE, IMPACTS WOULD BE SIGNIFICANT AND UNAVOIDABLE.

The County's interim VMT policy includes screening criteria to determine if a project could be exempted from detailed VMT analysis, as well as significance thresholds for projects that do not meet the screening criteria. The screening criteria and significance thresholds were both applied to the analysis of the proposed project.

Application of Screening Criteria

San Mateo County's interim VMT policy screening criteria apply to Urban/Suburban areas; North Fair Oaks was identified as one of these areas. The policy indicates that projects meeting any of the five specified screening criteria "...are exempt from further CEQA transportation impact analysis as OPR deems these projects not likely to significantly increase VMT." The screening criteria are as follows:

- Transit Priority:
 - Is within one-half mile from high-quality transit stop/rail station, when high-quality transit is defined as a fixed route bus service with service intervals no longer than 15 minutes during peak commute hours; and
 - Has a floor area ratio greater than 0.75; and
 - Does not replace affordable residential units with a smaller number of moderate/ high income housing units; and
 - Does not provide more parking than required; and
 - Is consistent with Sustainable Communities Strategy.
- Affordable Housing: 100 percent affordable housing (as defined by the Department of Housing for extremely low-, very low-, low-, or moderate-income levels) in infill locations.
- Small Projects:
 - Generate or attract fewer than 110 trips per day; and
 - Are consistent with the General Plan; and
 - Have no substantial evidence indicating a potentially significant level of VMT would result.
- Existing Low VMT Area: Residential and office projects located in a TAZ where the baseline per-capita or per-employee home-based-work trip is below the County Average.
- Local and Regional Serving Retail: Are less than 50,000 square feet in size.

While this is a program-level analysis and specific development projects are not being proposed at this time, the screening criteria were applied to parcels proposed for rezoning; if all parcels were determined to meet the criteria, the project could be presumed to have a less than significant VMT impact at the project level.

As shown in Figure 4.13-4, the parcels proposed for rezoning were determined to be located within one-half mile of bus stops for SamTrans' ECR bus route along El Camino Real. Each of these satisfy the criteria for proximity to a high-quality transit corridor based on their 15-minute headways during peak commute hours. However, since no specific project is proposed at this time, the other criteria related to transit proximity (Floor-Area Ratio, provision of excess parking, reduction in affordable housing, and consistency with the SCS) could not be evaluated.

In addition to transit proximity, the other screening criteria were considered, and since no development projects are proposed at this time, the number of affordable housing units and the number of trips generated by the project could not be evaluated at this time. Regarding retail development, it is noted that the commercial uses proposed for the project include both office and retail uses. The screening criterion for retail projects was considered; since the maximum square footage that could be developed as retail on any individual parcel is 8,786 square feet, such retail uses are at a scale that would be considered local-serving and therefore could be presumed to have a less than significant VMT impact. However, due to the uncertainty regarding the characteristics of future development facilitated by the project and the application of these factors, these projects may not pass the screening criteria, in which case they would be subject to more detailed VMT analysis.

Application of Significance Thresholds

For projects not meeting any of the screening criteria and for which a VMT analysis is required, the significance thresholds identified in the County policy must be applied, as appropriate, depending on the proposed land use. Projects would be determined to have a less than significant VMT impact if:

1. The project is at least 15 percent below the countywide average home-based work trip VMT per capita for residential projects,
2. The project is at least 15 percent below the countywide average home-based work trip VMT per worker for office projects,
3. The project results in no increase in total VMT for retail projects, and
4. For other proposed land uses, thresholds are to be determined on a case-by-case basis.

Since the County policy does not address the question of how mixed-use projects should be evaluated, guidance provided by OPR was applied. OPR indicates that each land use can be evaluated separately for projects with multiple land use types. Alternatively, it may be appropriate to analyze only the dominant use if other proposed uses are considered incidental; based on the maximum number of residential units and commercial square footage that would be permitted under the proposed rezoning, neither use was considered incidental and therefore both potential uses were analyzed. VMT for the project was calculated based on 2019 conditions as estimated in the most recent version of the countywide travel demand model. The TAZs surrounding the proposed project are depicted in Figure 4.13-5.

Residential Development

Residential projects are considered to have a less-than-significant VMT impact if they are located in a TAZ for which the VMT per capita is at least 15 percent below the countywide average; with a countywide VMT per capita of 21.25 this translates to a threshold of 18.06. The VMT for the project area was calculated to be 12.13, based on the sum of the home-based VMT and populations for the TAZs that are included in the project area. Considered individually, all project TAZs also fall below this threshold, as shown in Table 4.13-1; therefore, residential development proposed on these sites would have a less than significant VMT impact.

Table 4.13-1 VMT per Capita for Project TAZs

| TAZ | VMT per Capita | Countywide VMT per Capita | Countywide Threshold |
|---------------------------|----------------|---------------------------|----------------------|
| 1629 | 10.88 | 21.25 | 18.06 |
| 2014 | 13.60 | 21.25 | 18.06 |
| 2023 | 13.73 | 21.25 | 18.06 |
| 2027 | 12.43 | 21.25 | 18.06 |
| 2028 | 8.96 | 21.25 | 18.06 |
| 2029 | 11.62 | 21.25 | 18.06 |
| Total Project Area | 12.13 | 21.25 | 18.06 |

Source: C/CAG-VTA Travel Demand Model (2019)

Commercial Development

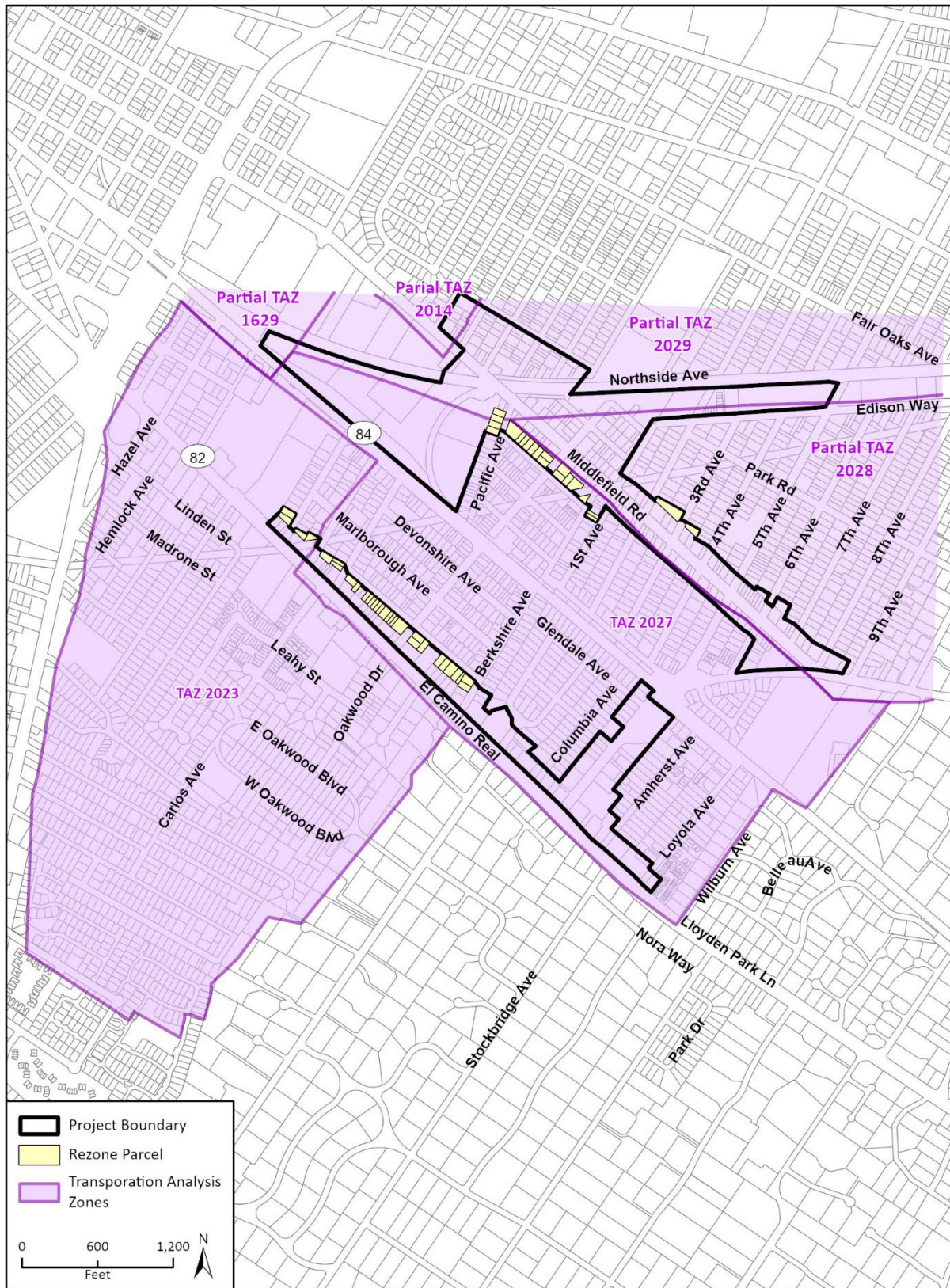
The proposed project would allow for commercial land uses in addition to the residential uses. As previously noted, based on the estimated commercial square footage for each parcel, retail development would screen out as local-serving and would therefore have a less than significant VMT impact.

Although office-only projects are not typical of the North Fair Oaks community based on recent development² and pending projects³ (County of San Mateo 2023b), VMT was also evaluated assuming that commercial development would include only office uses. In accordance with the County's interim VMT policy, the countywide VMT per employee of 18.14 was used as a baseline, establishing a VMT significance threshold of 15 percent below the countywide average, or 15.42. As with the evaluation of the proposed residential uses, the VMT for the project TAZs was considered in the aggregate, resulting in an estimated VMT per employee of 22.62. For the project's VMT per employee to be less than significant it would need to be reduced to 15.42, a reduction of 31.8 percent. Mitigation measures would be necessary for office-only commercial development facilitated by the project.

² Including a 90-unit residential care facility, 15-unit affordable housing project, 67-unit affordable housing project, and 16-unit assisted living facility, none of which included office-only commercial uses.

³ Including a 9-unit residential project, mixed-use building with 7 residential units and 900 square feet of retail, 4-units residential project, 169-unit residential project, 85-unit senior affordable housing project, and 86-unit affordable housing project, none of which include office-only commercial uses.

Figure 4.13-5 Project Area Transportation Analysis Zones



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Additional data provided by San Mateo County, 2022.

21-11539 EPS LU
Fig X TAZ

Summary of VMT Assessment

While all parcels proposed for rezoning are located within 0.5 mile of high-quality transit, they cannot be presumed to have a less than significant VMT impact since other characteristics of future projects are not yet known. Potential VMT impacts were analyzed based on the known data and it was determined that there would be a less than significant VMT impact associated with potential residential development. However, there are anticipated to be VMT impacts associated with potential office development. While projects generating at least 100 trips would be required to develop TDM plans, substantial trip reduction would be required for office development, and it could not be guaranteed that the trip reduction targets could be achieved. As a result, with respect to potential office development, Impact TRA-2 would be significant.

Mitigation Measures

TRA-2 Preparation of Transportation Demand Management Plan

Individual projects that include office-only commercial development and are estimated to generate more than 100 trips per day shall prepare a TDM plan for County and C/CAG review and approval. The TDM plan shall be designed and implemented to achieve trip reductions as required to meet thresholds identified by OPR to reduce daily VMT by reducing vehicle trips by 25 percent or 35 percent, depending on the land use and location of the project. The TDM Plan shall identify the trip reduction necessary to achieve the required VMT reduction (to 15.42 VMT per employee or less).

Trip reduction strategies that may be included in the TDM program include, but are not limited to, the following:

1. Provision of bus stop improvements or on-site mobility hubs
2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc.
3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program
4. Enhancements to countywide bicycle network
5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes
6. Cash allowances, passes, or other public transit subsidies and purchase incentives
7. Enhancements to bus service
8. Implementation of shuttle service
9. Establishment of carpool, bus pool, or vanpool programs
10. Vanpool purchase incentives
11. Participation in a future County VMT fee program
12. Participate in future VMT exchange or mitigation bank programs
13. Carshare/scooter-share/bikeshare facilities or incentives
14. On-site coordination overseeing TDM marketing and outreach
15. Rideshare matching program

Significance After Mitigation

Substantial trip reductions would be required for office-only commercial development to reduce potential VMT impacts to a less than significant level, and it cannot be guaranteed that the trip reduction targets could be achieved. As a result, with respect to potential office development, impacts would remain significant and unavoidable.

Threshold 3: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Impact TRA-3 THE PROPOSED PROJECT WOULD NOT SUBSTANTIALLY INCREASE HAZARDS DUE TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT). IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Modifications to the transportation network near the project parcels proposed for zoning changes would be implemented over time, as would facilities elsewhere in North Fair Oaks and the surrounding communities in San Mateo County. New or upgraded facilities would be designed and constructed to be consistent with local, regional, and federal standards and guidelines; as a result, they would not introduce hazardous design features. No new uses, such as agricultural or industrial uses, that could introduce incompatible vehicle or transportation needs are proposed with the project. In addition, the affected parcels have direct access to existing streets, and the project does not include new or reconfigured roadways.

Pursuant to County General Plan Policy 12.24, residential and mixed-use development projects would undergo project-level review, including an assessment of infrastructure improvements included as part of each project such as new streets, driveways, or pedestrian and bicycle facilities. Potential hazards would therefore be identified as part of the review process. Potential safety concerns to be evaluated include the adequacy of sight lines at project access points and visibility issues that result from project-related vehicle queues.

Based on the design requirements for new projects and the analysis included in project-level review, the impact of the project with respect to the introduction of hazardous design features, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

| |
|--|
| Threshold 4: Would the project result in inadequate emergency access? |
|--|

Impact TRA-4 THE PROPOSED PROJECT WOULD NOT RESULT IN INADEQUATE EMERGENCY ACCESS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project would not result in inadequate emergency access. At the project level, each project would be required to meet County standards and requirements and would be reviewed by public safety officials as part of the approval process (San Mateo County Fire 2016). Fire and Building Codes must be adhered to for potential development resulting from the proposed rezoning.

Emergency vehicle response times would continue to be reduced due to the ability of emergency vehicles to use vehicle preemption technology (where possible) and sirens; this capability would remain regardless of future roadway capacity modification. Additionally, it is not anticipated that development facilitated by the project would result in modifications to existing roadways throughout and adjacent to the project area. For the purposes of this programmatic analysis, the impacts of the project on emergency access would be less than significant.

Mitigation Measures

No mitigation is required.

Significance After Mitigation

This impact would be less than significant without mitigation.

4.13.4 Cumulative Impacts

The geographic scope for cumulative transportation impacts is San Mateo County. This geographic scope is appropriate because transportation facilities, including roadways, transit, bicycle, and pedestrian facilities, provide regional access to the project area and common destinations, including commercial areas, office/employment areas, and recreational facilities. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact transportation.

Cumulative development projects, like the proposed project, would be required to comply with local regulations and policies related to public transit, bicycle, pedestrian, and air traffic facilities. The cumulative impact to these facilities would not be significant, and the project would not result in a considerable contribution to this cumulative impact.

OPR provides the following guidance regarding cumulative impacts analysis and VMT:

When using an absolute VMT metric, i.e., total VMT (as recommended below for retail and transportation projects), analyzing the combined impacts for a cumulative impacts analysis may be appropriate. However, metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa (OPR 2018).

Cumulative projects may result in increased VMT in the region. Depending on specific development types and exact TAZ locations, cumulative VMT impacts would be significant. As described above in Section 4.13.3, *Impact Analysis*, the proposed project would result in significant and unavoidable impacts related to VMT (Impact TRA-2). Because the analysis for this project was based on a VMT per resident metric, the significant impact implies that the project would also have a considerable contribution to a significant cumulative impact, even with implementation of Mitigation Measure TRA-2, which requires the implementation of a TDM program.

Cumulative development that includes modifications to public rights-of-way would be required to comply with appropriate regulations and design standards set forth by the County's applicable plans, programs, and policies. The cumulative impact from roadway hazards would not be significant, and the project would not result in a considerable contribution to this cumulative impact.

Cumulative development would be required to meet all applicable state and local codes and ordinances related to fire protection, including emergency access. The cumulative impact to emergency access would not be significant, and the project would not result in a considerable contribution to this cumulative impact.

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4.14 Utilities and Service Systems

This section assesses impacts to utilities and service systems, including water, wastewater, stormwater, electricity, natural gas, telecommunications, and solid waste services, associated with development facilitated by the proposed project. This section incorporates the Sewer Analysis prepared by CSW/Stuber-Stroeh Engineering Group, Inc. for the proposed project, which is included as Appendix D to this EIR.

4.14.1 Setting

a. Water

California Water Service Company (Cal Water) Bear Gulch District serves the communities of Atherton, Portola Valley, Woodside, portions of Menlo Park, and unincorporated portions of San Mateo County, including West Menlo Park, Ladera, North Fair Oaks, and Menlo Oaks (Cal Water 2021). The project area is located within the Cal Water Bear Gulch District service area. Approximately 91 percent of the water supply to the Cal Water Bear Gulch District is treated water purchased from the City and County of San Francisco's Regional Water System (RWS), which is operated by the San Francisco Public Utilities Commission (SFPUC) (Cal Water 2021). Approximately 85 percent of the water supply to the SFPUC RWS originates in the Hetch Hetchy watershed, located in Yosemite National Park, and flows down the Tuolumne River into the Hetch Hetchy Reservoir. Water from the Hetch Hetchy watershed is managed through the Hetch Hetchy Water and Power Project. The remaining 15 percent of the water supply to the SFPUC RWS originates locally in the Alameda and Peninsula watersheds and is stored in six different reservoirs in Alameda and San Mateo Counties (Cal Water 2021). A discussion of nearby surface waters is provided in Section 4.8, *Hydrology and Water Quality*.

Cal Water is responsible for preparing and implementing an UWMP. The current 2020 UWMP includes an assessment of past and future water supplies and demands, evaluation of the future reliability of the region's water supplies over a 20-year planning horizon, and discussion of demand management measures (Cal Water 2021). Cal Water's contractual Supply Assurance from SFPUC is its Individual Supply Guarantee which is 35.68 million gallons per day (mgd) or 13,023 million gallons per year (mgy). With the adoption of the Bay-Delta Plan Amendment, Phase 1 (Bay-Delta Plan [BDP]) by the SWRCB in December of 2018, the SFPUC would need to develop alternative water supplies such that they would be in place to fill any potential gap in supply from the implementation of the BDP. In SFPUC's UWMP, SFPUC provided two modeled scenarios, which show significantly different supply reliability projections for the RWS:

1. With full implementation of the BDP Amendment in 2023
2. Without implementation of the BDP Amendment

Using these models, the Cal Water Bear Gulch District is expected to have adequate water supplies during normal years to meet its projected demands through 2045. However, significant water supply shortfalls are currently projected in future single and multiple dry years, directly because of the BDP Amendment implementation. Projections indicated that without the BDP Amendment SFPUC would be able to supply 100 percent of projected RWS demands in all year types through 2045, except for the fourth and fifth consecutive dry year in 2045, during which 90 percent of projected RWS demands (85 percent of the Wholesale demands) would be met (Cal Water 2021).

However, projections show that with implementation of the BDP Amendment, SFPUC would not be able to meet its contractual obligations (i.e., Level of Service goals) and Cal Water's forecasted demands during single or multiple dry year events. In addition to SFPUC's uncertainty, Bay Area Water Supply and Conservation Agency's (BAWSCA) current drought allocation cutbacks will require the Bear Gulch District to apply its Water Shortage Contingency Plan (WSCP) Stage 6, for water use restrictions above 50 percent and will affect Cal Water's short- and long-term water management decisions (Cal Water 2021).

Cal Water is working independently and with the other BAWSCA agencies to identify regional mitigation measures to improve reliability for regional and local water supplies and meet its customers' water needs. If conditions for large drought cutbacks to the RWS persist, Cal Water would need to implement additional demand management practices to invoke strict restrictions on potable water use, and obtain funding to accelerate developing alternate supplies of water. Cal Water is currently in the process of developing multiple regional water supply reliability studies using integrated resource planning practices to create a long-term supply reliability strategy through 2050 for Cal Water districts throughout California (Cal Water 2021). The goal of the studies is to create long-term strategies to address a wide range of water supply challenges including climate change, new regulatory requirements, and potential growth in demands due to new development. Cal Water also has its own water conservation program that is intended to continue to reduce per-capita usage and therefore demands on critical water sources.

b. Wastewater

The Fair Oaks Sewer Maintenance District (FOSMD) provides wastewater collection services to an approximate 5-square mile area south of the City of Redwood City in San Mateo County. FOSMD is the largest of the 10 wastewater districts operated and maintained by the County of San Mateo Department of Public Works, and serves approximately 7,200 customers in the unincorporated communities of North Fair Oaks and Sequoia Tract, portions of the City of Redwood City, and Towns of Atherton and Woodside. The FOSMD system discharges into the Redwood City infrastructure approximately one mile downstream of the project parcels to be rezoned. After the Redwood City sewer infrastructure intercepts flows from FOSMD, sewage is conveyed to the Silicon Valley Clean Water (SVCW) wastewater treatment plant in Redwood City, approximately five miles from the project parcels to be rezoned. Redwood City and Silicon Valley Clean Water agency sewer infrastructure may be at or under capacity and not able to intercept and convey any increases in sewer flow.

FOSMD consists of approximately 82 miles of gravity sewer pipelines ranging in size from 4- to 33-inches in diameter (RMC Water and Environment 2015). Most of the wastewater generated is conveyed to the SVCW treatment plant, which discharges the effluent to the San Francisco Bay. The SVCW treatment plant is located near the eastern side of Belmont, and serves all its member agencies, including West Bay Sanitary District, and the cities of Redwood City, San Carlos, and Belmont.

The SVCW treatment plant has a designed capacity of 29 mgd (dry weather flows) and provides tertiary level treatment. Approximately 7.4 percent of the treated effluent is recycled and used in Redwood City and the remainder is discharged to the San Francisco Bay. The total of all wastewater flows to the SVCW for 2020 (January – December 2020) was 4,620 million gallons (average day: 12.62 mgd). The SVCW is currently undergoing capital improvement projects within its Capital Improvement Program (SVCW 2020).

c. Stormwater

Stormwater drains through North Fair Oaks to the San Francisco Bay via two major drainage basins – the Redwood Creek watershed and the Atherton Creek watershed. Each is composed of numerous stream channels, culverts, and storm drain systems. The Redwood Creek complex is 37 square miles in size. North Fair Oaks lies equally over both watersheds. Storm flows are regulated in the upper reaches of the creek by Lower Crystal Springs Dam and the two reservoirs.

The storm drain system in North Fair Oaks includes streets and gutters. There is the potential for flooding to occur in North Fair Oaks from capacity deficiencies in local drainage systems. In addition, there are regional flooding issues associated with flow capacity limitations at the Bayfront Canal tide gates, which the City of Redwood City is currently working to resolve. The southern portion of North Fair Oaks drains to a storm drain system that conveys flows to the County's Athlone Pump Station. While there are some system deficiencies, the County has several ongoing improvement projects intended to lessen flooding and improve stormwater flows (County of San Mateo 2023). In addition, the stormwater drainage system showed no deficiencies under dry weather conditions (RMC Water and Environment 2015).

d. Solid Waste

San Mateo County is a member of the South Bay Waste Management Authority (SBWMA), also known as Rethink Waste. Recology of San Mateo County (Recology) provides exclusive waste collection, waste reduction, recycling, and composting services to North Fair Oaks. Residential and commercial solid waste collected by Recology, including recyclable and organic materials, is sent to Shoreway Environmental Center for processing and shipment. Shoreway Environmental Center is a regional recycling and transfer station owned by Rethink Waste and accepts waste from its member agencies.

Solid waste generated in North Fair Oaks is transported to and disposed of at the Corinda Los Trancos Landfill (California Department of Resources Recycling and Recovery [CalRecycle] 2019). This landfill has a permitted capacity of 60,500,000 cubic yards, a maximum daily throughput of 3,598 tons per day, a remaining capacity of 22,180,000 cubic yards, and an expected closure date of 2034 (CalRecycle 2023).

e. Electric Power, Natural Gas, and Telecommunications

Two electricity providers serve North Fair Oaks: PCE and Pacific Gas and Electric Company (PG&E). PG&E is also the natural gas provider for the community. PCE provides clean energy that is 100 percent carbon free, either sourced entirely from renewable energy (50 percent solar and 50 percent wind) or 52.2 percent renewable (including biomass and waste, geothermal, small hydroelectric, solar, and wind). PCE aims to provide only 100 percent renewable by 2025 (PCE 2021). In conjunction with the utility companies, the California Public Utilities Commission (CPUC) regulates energy conservation programs.

Telecommunications services in North Fair Oaks are provided by private companies, including AT&T and Comcast Cable. The telecommunications provider used by residents and businesses in North Fair Oaks is subject to the user's discretion. Telecommunications facilities are generally available throughout the community.

4.14.2 Regulatory Setting

The regulatory setting for utilities is provided below, organized by the topics addressed in this section, including water, wastewater, stormwater, solid waste, electric power and natural gas, and telecommunications.

a. Water

Federal

Clean Water Act

The federal Clean Water Act, enacted by Congress in 1972 and amended several times since, is the primary federal law that regulates water quality in the United States. It forms the basis for several State and local laws throughout the country. The Clean Water Act established the basic structure for regulating discharges of pollutants into the waters of the United States. The Clean Water Act gave the U.S. Environmental Protection Agency the authority to implement federal pollution control programs, such as setting water quality standards for contaminants in surface water, establishing wastewater and effluent discharge limits for various industry contaminants in surface water, establishing wastewater and effluent discharge limits for various industry categories, and imposing requirements for controlling nonpoint-source pollution. At the federal level, the Clean Water Act is administered by the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers. At the state and regional levels in California, the act is administered and enforced by the SWRCB and the nine RWQCBs.

National Pollutant Discharge Elimination System Permit Program

The North Fair Oaks community is required to comply with the NPDES permit, issued by the Regional Water Quality Control Board, regarding stormwater pollution protection. The NPDES permit requires local agencies in San Mateo County to incorporate stormwater controls in development projects, and provides specific guidelines on design measures, source controls, stormwater treatment measures, hydromodification management, and construction site controls. Municipal stormwater and wastewater discharges from Municipal Separate Storm Sewer Systems (MS4) and all other discharges are regulated by the local permitting authority where the USEPA has approved the agency. Most MS4 Permits are tailored versions of general USEPA permits, while many industrial discharge permits are individual permits created for the specific discharge requirements of the project. The County also implements a comprehensive storm water program as required by the CWA. The program is designed to reach residents and businesses in the city with the overall goal of reducing storm water pollutants that enter the storm drain system and minimize potential water quality impacts to nearby creeks, sloughs, and the bay.

State

Urban Water Management Planning Act

In 1983, the California Legislature enacted the Urban Water Management Planning Act (Water Code, Section 10610 et seq.), which requires urban water suppliers to develop water management plans to actively pursue the efficient use of available supplies. Every five years, water suppliers are required to develop Urban Water Management Plans to identify short-term and long-term water demand management measures to meet growing water demands.

Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act, enacted in 2006, required the DWR to update the Model Water Efficient Landscape Ordinance (MWELO). MWELO was incorporated into the California Code of Regulations (CCR) as Division 2, Title 23, CCR, Chapter 2.7. In 2009, the Office of Administrative Law approved the updated MWELO, which required a retail water supplier or a county to adopt the provisions of the MWELO by January 1, 2010, or enact its own provisions equal to or more restrictive than the MWELO provisions. The MWELO applies to new construction with a landscape area greater than 2,500 square feet, and requires, among other things, weather-based irrigation controllers or soil-moisture based controllers or other self-adjusting irrigation controllers for irrigation scheduling in all irrigation systems.

California Building Standards Code

CCR Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The current iteration is the 2022 Title 24 standards. The California Building Standards Code's standards related to utilities and service systems are outlined below.

PART 5 – CALIFORNIA PLUMBING CODE

The California Plumbing Code is codified in Title 24, California Code of Regulations, Part 5. The Plumbing Code contains regulations including, but not limited to, plumbing materials, fixtures, water heaters, water supply and distribution, ventilation, and drainage. More specifically, Part 5, Chapter 4, contains provisions requiring the installation of low flow fixtures and toilets. Existing development will also be required to reduce its wastewater generation by retrofitting existing structures with water efficient fixtures (SB 407 [2009] Civil Code Sections 1101.1 et seq.).

PART 11 – CALIFORNIA GREEN BUILDING STANDARDS

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers (Tiers I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

Regarding water conservation and stormwater drainage, the mandatory standards include requirements for a 20 percent reduction in indoor water use relative to specified baseline levels,¹ the use of water-efficient irrigation systems for new development with an aggregate landscape area equal or greater than 500 square feet, and other indoor and outdoor water efficiency and conservation measures such as separate water submeters for subsystems and specific fixtures and fittings. The voluntary standards include stricter water conservation requirements for specific

¹ Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

fixtures as well as 20 percent permeable paving for the Tier 1 standards and 30 percent permeable paving for the Tier II standards.

Local

County of San Mateo General Plan

The San Mateo County General Plan Water Supply Element describes water supply sources and water quality, inventories water suppliers, analyzes relevant issues affecting the supply and, finally, provides policies to guide the actions of decision-makers concerning water supply management (County of San Mateo 2013). The Water Supply Element includes several goals, objectives, and policies relevant to the proposed project such as the following:

Goal 10.3: Promote the conservation and efficient use of water supplies

Goal 10.4: Promote the development of water supplies to serve: (1) agricultural uses, as the highest priority; (2) domestic uses; and (3) recreational uses

Policy 10.6a: Encourage appropriate County and State agencies to monitor water supplies for pollutants.

Policy 10.6b: Encourage the removal of foul odors and tastes from domestic water supplies.

Policy 10.9a: Support the creation of water supplies which are commensurate with the level of development permitted in adopted land use plans.

Policy 10.9d: Encourage the use of treated wastewater as a potential source of water.

Policy 10.13: Support efforts to improve water distribution and storage systems in unincorporated neighborhoods and communities.

Policy 10.14: Support the development of a sufficient emergency supply of water including plans to interconnect with neighboring municipal water systems during emergencies that cause significant water service interruptions.

Policy 10.25a: Encourage the efficient use of water supplies through effective conservation methods.

Policy 10.25b: Require the use of water conservation devices in new structural development.

Policy 10.25c: Encourage exterior water conservation.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan includes the following goals and policies regarding water in Chapter 4: Infrastructure:

Goal 4.1: Improve the potable water system, which currently contains older conveyance pipes and lacks emergency storage facilities

Policy 1A: Pursue agreements with the City of Redwood City and California Water Service Company to ensure that emergency water storage is available in North Fair Oaks. The agreements should include a discussion of both the timing and funding of any future emergency water storage facilities. Any such new storage or distribution systems should be located such that cost and environmental impact to surrounding areas is

minimized. A separate study should be undertaken for any future water tank locations.

Policy 1B: Pursue a new standard to ensure that any future street improvements within North Fair Oaks include replacing existing water lines with new cast iron (or non-asbestos-containing water line materials suitable for the existing soil condition) water lines. Since water service is provided by the City of Redwood City and California Water Service Company, the County should coordinate the new standard with these water purveyors.

Policy 1D: Create new landscaping and building design criteria for new developments to reduce water use. The design criteria shall include incentives for all major new developments to provide dual-plumbing for future recycled water use, use the latest water efficient technologies (i.e., low-flow fixtures, infrared detectors, waterless urinals, etc.), and plant drought tolerant and native non-invasive landscaping.

Policy 1E: Engage in discussions with the California Water Service Company and the City of Redwood City to develop a suitable, proactive replacement plan for the existing water distribution system. This replacement plan should identify older and/or undersized water lines that need to be repaired or replaced, and ensure that such lines within North Fair Oaks are prioritized for replacement.

San Mateo County Ordinance Code

Chapter 4.36, Water Conservation, of the SMCOC is intended to promote reasonable conservation of water in the County of San Mateo consistent with maintaining a comfortable standard of living and a healthy economy. It provides a framework for the orderly and timely implementation of reasonable water conservation measures by the different elements of the County's economy. This ordinance also carries out certain provisions of the Water Code of the State of California as embodied in Article XIV, Section 3 of the Constitution of the State of California which states that maximum beneficial use of the water resources of the State is necessary to prevent the waste or unreasonable use, or unreasonable method of use, of water.

SMCOC Chapter 4.64, Water Supply System, sets all standards pertaining to facilities that collect, store, treat or distribute water. This chapter includes standards for domestic water use, disinfection of water mains, chlorination, and correction of other health hazards and sanitary defects within the water system.

b. Wastewater

Federal

The CWA is described in Section 4.14.2(a), *Water*.

State and Regional

Standards for wastewater treatment plant effluent are established using State and federal water quality regulations. After treatment, wastewater effluent is either disposed of or reused as recycled water. The RWQCBs set the specific requirements for community and individual wastewater treatment and disposal and reuse facilities through the issuance of Waste Discharge Requirements, required for wastewater treatment facilities under the California Water Code Section 13260. The California Code of Regulations Title 22, Division 4, Chapter 3, Sections 60301 through 60355 are

used to regulate recycled wastewater and are administered by the RWQCBs. Title 22 contains effluent requirements for four levels of wastewater treatment, from un-disinfected secondary recycled water to disinfected tertiary recycled water. Higher levels of treatment have higher effluent standards, allowing for a greater number of uses under Title 22, including irrigation of freeway landscaping, pasture for milk animals, parks and playgrounds, and vineyards and orchards for disinfected tertiary recycled water.

Local

County of San Mateo General Plan

The San Mateo County General Plan Wastewater Element is concerned with all existing and proposed wastewater facilities in San Mateo County. Although the focus of the General Plan is on the unincorporated areas of the County, most wastewater treatment and disposal systems in the urban area are regional, serving both cities and unincorporated areas. In the rural areas and in some urban areas, on-site disposal systems such as septic tanks are used. The Wastewater Element reviews these systems and assesses the adequacy of existing and proposed facilities to accommodate planned growth levels. Finally, Federal, State, regional, and local programs pertaining to wastewater management are surveyed (County of San Mateo 2013).

Goal 11.1: Plan for the provision of adequate wastewater management facilities to serve development in order to protect public health, wildlife habitats, and water quality

Goal 11.2: Encourage the development of wastewater management systems that utilize current technology

Policy 11.4: Plan for the availability of adequate sewerage collection and treatment capacity for unincorporated urban areas.

Policy 11.5a: Consider sewerage systems as the appropriate method of wastewater management in urban areas.

Policy 11.6: Develop equitable financing plans for sewerage improvements in urban areas that are consistent with local needs.

Policy 11.7: Phase the development of wastewater facility improvements in areas with substantial growth potential so that sufficient capacity becomes available when needed by new growth in accordance with adopted land use plans.

North Fair Oaks Community Plan

The North Fair Oaks Community Plan includes the following goals and policies regarding wastewater facilities in Chapter 4: Infrastructure:

Goal 4.2: Improve conveyance and treatment capability of sanitary sewer system facilities within North Fair Oaks

Policy 2A: Negotiate with adjacent sanitary sewer jurisdictions, such as the City of Redwood City and the South Bayside System Authority wastewater treatment plant, to secure additional sewer allocations at the earliest opportunity possible. Obtaining additional sewer allocations will allow larger new developments to be located in North Fair Oaks.

Policy 2B: Revise existing County water demand and sewer generation standards to reflect the latest water efficient technologies. Incentives programs should also be created for new developments that implement more stringent water demand and sewer generation standards. This will promote water reduction measures and reduce the amount of sewage generated.

Policy 2C: Perform regular inspections of sanitary sewer facilities to identify leaks within the system. Identify priority lines and structures within the sanitary sewer system, on an annual basis, that need repair and/or replacement. High priority should be given to existing facilities that receive high infiltration and inflow, to mitigate unnecessary flows downstream. In addition, continue existing routine and maintenance repairs of the collection system.

Policy 2D: Pursue new standards requiring that each new development minimize infiltration and inflow into the sewer system by contributing to replacement of existing sanitary sewer laterals and/or mains. The extent of the replacements should be based on the new development's net increase in sewage generation.

Policy 2E: Reassess sanitary sewer maintenance costs annually and update connection and usage fees accordingly, to ensure that both new and existing users of the sanitary sewer system contribute their fair share of sanitary sewer costs.

Policy 2F: Create a new program to share and gather sewage conveyance data from Redwood City and the South Bayside System Authority treatment plant on an annual basis. This information can then be used for planning and determining the basis for cost-sharing and/or fee adjustments.

San Mateo County Ordinance Code

SMCOC Chapter 4.24, Sewer Connections, sets standards for all connections or additions to the County's sewer system. In addition, SMCOC Chapter 4.24 includes the fee schedule, development standards, and permitting requirements for all new connections. SMCOC Chapter 4.28, Discharge of Waste into Sewer System, Stormwater establishes standards and conditions, and to provide for fees, relating to the use of sanitary sewage facilities of Districts pursuant to SMCOC Section 4.24.010. In addition, SMCOC Chapter 4.28 establishes uniform requirements for discharges into the wastewater collection and treatment systems used jointly with other public agencies and entities.

c. Stormwater

Federal, state, and local regulations pertaining to stormwater management, drainage, flooding, and water quality is discussed in Section 4.8, *Hydrology and Water Quality*.

d. Solid Waste

Federal

Title 40 of the CFR, Part 258 (Resource Conservation and Recovery Act, Subtitle D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the Federal landfill criteria.

State

PRC Chapter 476 (AB 341) and PRC Chapter 295 (SB 1383)

The purpose of AB 341 of 2011 (PRC Chapter 476, Statutes of 2011) is to reduce greenhouse gas (GHG) emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California. In addition to Mandatory Commercial Recycling, AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

SB 1383 of 2016 (PRC Chapter 395, Statutes of 2016) established the following goals: a 50-percent reduction in the level of the statewide disposal of organic waste from 2014 levels by 2020, and a 75-percent reduction in the level of the statewide disposal of organic waste from 2014 levels by 2025. This bill also authorized CalRecycle to adopt regulations, to take effect on or after January 1, 2022, to achieve these targets.

PRC 41780 (AB 939)

AB 939 (PRC 41780) requires cities and counties to prepare integrated waste management plans and to divert 50 percent of solid waste from landfills beginning in calendar year 2000 and each year thereafter. AB 939 also requires cities and counties to prepare source reduction and recycling elements as part of the integrated waste management plans. These elements are designed to develop recycling services to achieve diversion goals, stimulate local recycling in manufacturing, and stimulate the purchase of recycled products.

PRC Chapter 727 (AB 1826)

AB 1826 of 2014 (PRC Chapter 727, Statutes of 2014) requires businesses that generate a specified amount of organic waste per week to arrange for recycling services for that waste, and that jurisdictions implement a recycling program to divert organic waste from businesses subject to the law. The jurisdictions must report to CalRecycle on their progress in implementing an organic waste recycling program. As of January 1, 2017, businesses that generate four cubic yards or more of organic waste per week shall arrange for organic waste recycling services.

PRC Chapter 343 (SB 1016)

SB 1016 of 2007 (PRC Chapter 343, Statutes of 2007) requires that the 50 percent solid waste diversion requirement established by AB 939 be expressed in pounds per person per day. SB 1016 changed the CalRecycle review process for each municipality's integrated waste management plan. After an initial determination of diversion requirements in 2006 and establishing diversion rates for subsequent calendar years, the Board reviews a jurisdiction's diversion rate compliance in accordance with a specified schedule. Since January 1, 2018, the Board is required to review a jurisdiction's source reduction and recycling element and hazardous waste element once every two years.

Local

County of San Mateo General Plan

The San Mateo County General Plan Solid Waste Element inventories the solid waste facilities in the unincorporated areas of San Mateo County, reviews the adequacy of these facilities to meet projected demands for solid waste disposal, reviews opportunities and constraints in meeting solid

waste disposal needs, and provides techniques to mitigate the environmental impacts of utilizing solid waste facilities, and provides for the efficient disposal of solid waste in unincorporated areas (County of San Mateo 2013).

Goal 13.1: Provide management of solid waste in the most efficient and economical manner which will provide adequate services, protect the public health, prevent the creation of nuisances, reduce waste generation and provide for maximum resource recovery

Goal 13.3: Minimize adverse environmental impacts resulting from any existing, new or expanded solid waste facility in unincorporated areas of the County

Goal 13.5: Reduce to a minimum the dependence on landfills by promoting recycling, resource recovery and reduction of residential and commercial wastes

Goal 13.6: Promote the recovery of by-products from solid waste and provide for the timely utilization of technological advances in the fields of materials recovery and energy recovery

Policy 13.10: Provide long-term landfill disposal capability for nonrenewable wastes and residues from resource recovery operations.

Policy 13.12: Minimize environmental impacts associated with any existing, new or expanded solid waste landfill facility by requiring that impacts, such as removal of vegetation, reduction of wildlife habitat, creation of dust, erosion and odor, be localized and not extended beyond the landfill itself.

Policy 13.13: Require the mitigation of environmental impacts associated with solid waste landfill facilities including, but not limited to, minimizing the adverse effects of grading, cut and filling, land clearing, water runoff and soil erosion.

Policy 13.15: Require standards for and the reclamation of solid waste landfill sites for the purpose of restoring landfills to a usable condition adaptable to alternative land uses and minimizing adverse impacts from landfill operations.

Policy 13.26: Support the passage of Federal and State legislation which promotes a reduction in the generation of waste materials and the reuse of recycled materials.

Policy 13.27: Continue encouraging transfer station operators to use techniques, such as front-end materials separation, at Bayside transfer stations, in order to reduce the amount of solid waste requiring transportation and disposal at Ox Mountain.

San Mateo County Ordinance Code

SMCOC Chapter 4.04, Solid Waste Collection, Transport Storage, and Disposal, was adopted per the PRC, Division 30. Waste Management, Part 1. Integrated Waste Management, Chapter 1. General Provisions, Section 40059 which authorizes a local agency to determine all aspects of solid waste handling. This chapter includes provisions regarding frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location, and extent of providing solid waste handling services within the County's jurisdiction.

e. Electric Power and Natural Gas

As the State's primary energy policy and planning agency, the CEC collaborates with State and federal agencies, utilities, and other stakeholders to develop and implement State energy policies.

Since 1975, the CEC has been responsible for reducing the State's electricity and natural gas demand, primarily by adopting new Building and Appliance Energy Efficiency Standards that have contributed to keeping California's per capita electricity consumption relatively low (CEC 2023).

The CPUC regulates investor-owned electric and natural gas utilities operating in California. The energy work responsibilities of the CPUC are derived from the California State Constitution, specifically Article XII, Section 3 and other sections more generally, numerous State legislative enactments and various Federal statutory and administrative requirements. The CPUC regulates natural gas utility service for approximately 10.8 million customers that receive natural gas from PG&E and other natural gas utilities across California (CPUC 2021a).

f. Telecommunications

The CPUC develops and implements policies for the telecommunication industry. The Communications Division is responsible for licensing, registration and the processing tariffs of local exchange carriers, competitive local carriers, and non-dominant interexchange carriers. It is also responsible for registration of wireless service providers and franchising of video service providers. The Division tracks compliance with commission decisions and monitors consumer protection and service issues and Commission reliability standards for safe and adequate service. The Communications Division is responsible for oversight and implementation of the six public purpose Universal Service Programs (CPUC 2021b).

4.14.3 Impact Analysis

a. Methodology and Significance Thresholds

The following thresholds are based on *CEQA Guidelines* Appendix G. For purposes of this EIR, impacts related to water supplies, wastewater, solid waste, or storm water conveyance are considered significant if implementation of the proposed project would:

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;
2. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years;
3. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the projects' projected demand in addition to the provider's existing commitments;
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; or
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

b. Project Impacts and Mitigation Measures

| | |
|---------------------|---|
| Threshold 1: | Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? |
| Threshold 3: | Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? |

Impact UTIL-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT REQUIRE OR RESULT IN THE RELOCATION OR CONSTRUCTION OF NEW OR EXPANDED WATER, STORM WATER DRAINAGE, ELECTRIC POWER, NATURAL GAS, OR TELECOMMUNICATIONS FACILITIES. HOWEVER, INCREASED WASTEWATER GENERATION FROM DEVELOPMENT FACILITATED BY THE PROJECT WOULD EXACERBATE EXISTING SYSTEM DEFICIENCIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Water

North Fair Oaks is served by existing Cal Water Bear Gulch District potable water facilities. Development facilitated by the project may require the installation of additional water main lines, lateral connections, and hydrants within the community. Such facilities would be installed during individual project construction and within the disturbance area of such projects or the rights-of-way of previously disturbed roadways where infrastructure maintenance and upgrades are routine; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those already identified throughout this EIR.

Wastewater

Development facilitated by the project would create additional demand for wastewater treatment services in the unincorporated county. Because development facilitated by the project would occur within the FOSMD service area, wastewater infrastructure already exists in the project area. The affected parcels are located directly adjacent to existing sewer pipelines. Therefore, the proposed project would not result in construction or relocation of new wastewater facilities such that significant environmental impacts would result.

Development facilitated by the project would generate 133,972 gallons per day (gpd) of additional wastewater in the project area (Appendix D). The Sewer Analysis determined that the sewer mains fronting the proposed rezoning parcels can accommodate the anticipated increase in flow that would be generated by the project at buildout (Appendix D). Parcels located along streets which are at the most upstream ends of smaller diameter sewer mains, which are assumed to be 6" in diameter, are not included in the FOSMD-identified locations of predicted surcharge and capacity deficiencies. However, there are two Capacity Projects that FOSMD has identified which are downstream of the proposed rezoning parcels. The existing sewer system at these Capacity Project locations are either currently experiencing or are anticipated to experience throttle and backup of sewer flows related to future development. These Capacity Projects consist of replacing portions of the existing system with larger diameter pipe to increase system capacity. Timing for construction and implementation of the FOSMD Capacity Projects is unknown.

North Fair Oaks Rezoning and General Plan Amendment Project

The proposed rezoning parcels, which are grouped under “Project South” in Table 4.14-1, below, would contribute wastewater to Capacity Project 5. Capacity Project 5 is anticipated to experience throttle and backup conditions resulting from future development, which would be exacerbated by development facilitated by the project. In addition to the “Project South” parcels, one proposed rezoning parcel located on 6th Avenue would contribute additional flow to Capacity Project 2, and is listed under “Project North.” Capacity Project Location 2 is experiencing throttle under existing conditions. The remaining “Project North” proposed rezoning parcels do not have sewer capacity deficiencies. Both Capacity Project areas and existing service lines are depicted in Figure 4.14-1, below.

Table 4.14-1 Potential Total Flow (gallons per day)

| | Total Flow of Existing Development | Total Flow under Existing Zoning Buildout | Potential Total Flow under Proposed Zoning | Wastewater Flows to Capacity Project? |
|--------------------------|------------------------------------|---|--|---------------------------------------|
| Project South | | | | |
| Northumberland Avenue | 6,741.60 | 6,741.60 | 16,927.69 | Yes, Capacity Project 5 (CP 5) |
| Nottingham Avenue | 5,901.60 | 5,901.60 | 8,827.72 | Yes, CP 5 |
| Buckingham Avenue | 0.00 | 0.00 | 0.00 | Yes, CP 5 |
| El Camino Real | 3,272.80 | 3,633.60 | 4,847.76 | Yes, CP 5 |
| Blenheim Avenue (east) | 20,131.20 | 20,492.00 | 33,406.80 | Yes, CP 5 |
| Blenheim Avenue (West) | 28,420.80 | 34,193.60 | 55,738.33 | Yes, CP 5 |
| Dumbarton Avenue | 4,893.60 | 5,254.40 | 8,545.20 | Yes, CP 5 |
| Berkshire Avenue | 1,015.60 | 1,015.60 | 6,383.30 | Yes, CP 5 |
| Project North | | | | |
| Pacific Avenue | 5,877.69 | 5,877.60 | 27,497.66 | No |
| Dumbarton Avenue | 995.60 | 1,356.40 | 19,478.60 | No |
| Berkshire Avenue | 360.80 | 721.60 | 721.60 | No |
| 1 st Avenue | 851.60 | 851.60 | 5,532.80 | No |
| Huntington Avenue (East) | 2,986.80 | 3,708.40 | 5,006.20 | No |
| Huntington Avenue (West) | 5,646.40 | 6,007.20 | 18,185.30 | No |
| 3 rd Avenue | 1,656.80 | 1,656.80 | 17,318.67 | No |
| 6 th Avenue | 5,394.00 | 5,394.00 | 8,360.15 | Yes, Capacity Project 2 |
| Total | 94,146.80 | 102,806.00 | 236,777.76 | - |
| Source: Appendix D | | | | |

Figure 4.14-1 FOSMD Capacity Projects



Source: Appendix D

The County requires development projects to replace sewer main infrastructure within the existing system in order to reduce predicted inflow exceedances by an amount equivalent to the anticipated change in flow. The length of replacement pipe is calculated to mitigate flows only to the amount that a specific project is contributing. This County requirement ensures that the existing system is upgraded as development occurs in order to provide adequate capacity for future development, and to alleviate existing capacity issues.

As described above and shown in Table 4.14-1, development facilitated by the project would exacerbate existing wastewater system capacity issues. While County requirements would help to reduce impacts, additional measures would be required in order to manage wastewater system capacity issues. Therefore, mitigation measure UTIL-1 would be required in order to reduce impacts to less than significant levels.

Stormwater

As discussed in Section 4.8, *Hydrology and Water Quality*, development facilitated by the project would be required to comply with the California Green Building Standards code and SMCOG required BMPs for stormwater retention and runoff. Development facilitated by the project may require the installation of additional stormwater infrastructure on individual project sites. Such

facilities would be installed during individual project construction and within the disturbance area of such projects or the rights-of-way of previously disturbed roadways; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those already identified throughout this EIR.

Electric Power

The project would require connections to existing electrical transmission and distribution systems on site to serve the project site. This service would be provided in accordance with the rules and regulations of PG&E and PCE on file with and approved by CPUC. Based on the availability of existing electrical infrastructure, it is not anticipated that the construction of new electrical transmission and distribution lines would be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate electrical facilities to serve future development in the project area and impacts related to electricity would be less than significant.

Natural Gas

Future development in the project area would connect to existing natural gas infrastructure to meet the needs of site residents and tenants. Based on the availability of existing natural gas infrastructure, construction of new natural gas pipelines would not be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate natural gas facilities to serve the future development in the project area and impacts related to natural gas would be less than significant.

Telecommunications

Development facilitated by the project would require connections to existing adjacent utility infrastructure to meet the needs of future residents and tenants. Based on the availability of existing telecommunications infrastructure, construction of new telephone and cable lines would not be required, and individual projects would be able to connect to existing infrastructure. Future development projects would be required to adhere to applicable laws and regulations related to the connection to existing telecommunication infrastructure. Therefore, there would be adequate telecommunications facilities to serve the future development in the project area and impacts related to telecommunications would be less than significant.

Summary

As discussed above, there is adequate water, stormwater, electric power, natural gas, and telecommunication infrastructure to serve the project. Impacts related to the provision of these utility facilities would be less than significant. Development facilitated by the project would exacerbate existing wastewater system capacity issues, and mitigation would be required in order to reduce wastewater capacity impacts to less than significant.

Mitigation Measures

UTIL-1 Wastewater Provider Capacity

If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County shall require future development on parcels in the

project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

Significance After Mitigation

Mitigation Measure UTIL-1 requires that future projects on parcels that contribute to Capacity Project 2 and 5 demonstrate sufficient capacity is available within these systems. Impacts would be less than significant with mitigation incorporated.

Threshold 2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact UTIL-2 THE CAL WATER BEAR GULCH DISTRICT IS EXPECTED TO EXPERIENCE WATER SHORTAGES UNDER SINGLE- AND MULTI-DRY YEAR CONDITIONS; HOWEVER, DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE REQUIRED TO COMPLY WITH THE WATER SHORTAGE CONTINGENCY PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The Cal Water Bear Gulch District UWMP projects Cal Water's service population to be 62,835 by 2045 which is accounted for in the analysis of water management within the UWMP. It is estimated that Cal Water's service area population was 60,814 in 2020 (Cal Water 2021). As discussed in Section 4.11, *Population and Housing*, the project could accommodate an estimated net increase of 918 buildout population potential in the North Fair Oaks community. Accordingly, the estimated population increase would not exceed the projected population increase within the Cal Water Bear Gulch District UWMP. Cal Water presents water supply and demand comparison scenarios for normal year supply and demand and single dry year with implementation of the BDP, and multiple dry year conditions with implementation of the BDP. Table 4.14-2 shows the Cal Water Bear Gulch District UWMP water demand and supply projections from 2020 to 2045 under normal, single dry, and multiple dry years (Cal Water 2021).

Table 4.14-2 Normal, Single Dry, and Multiple Dry Year Supply and Demand Scenarios (acre-feet)

| | | 2025 | 2030 | 2035 | 2040 | 2045 |
|-----------------------------------|-------------------|---------------|---------------|---------------|---------------|---------------|
| Normal Year | Supply Totals | 12,796 | 12,699 | 12,730 | 12,675 | 12,694 |
| | Demand Totals | 12,796 | 12,699 | 12,730 | 12,675 | 12,694 |
| | Difference | 0 | 0 | 0 | 0 | 0 |
| Single Dry Year | Supply Totals | 8,546 | 8,482 | 8,503 | 8,334 | 7,154 |
| | Demand Totals | 13,354 | 13,253 | 13,285 | 13,228 | 13,248 |
| | Difference | -4,808 | -4,771 | -4,782 | -4,894 | -6,094 |
| Multiple Dry Year Scenario | | | | | | |
| First Year | Supply Totals | 8,767 | 8,701 | 8,722 | 8,549 | 7,339 |
| | Demand Totals | 13,669 | 13,595 | 13,629 | 13,570 | 13,591 |
| | Difference | -4,932 | -4,894 | -4,906 | -5,021 | -6,252 |
| Second Year | Supply Totals | 7,534 | 7,477 | 7,360 | 7,328 | 7,339 |
| | Demand Totals | 13,699 | 13,595 | 13,629 | 13,570 | 13,591 |
| | Difference | -6,164 | -6,118 | -6,296 | -6,242 | -6,252 |
| Third Year | Supply Totals | 7,534 | 7,477 | 7,360 | 7,328 | 7,339 |
| | Demand Totals | 13,699 | 13,595 | 13,629 | 13,570 | 13,591 |
| | Difference | -6,164 | -6,118 | -6,296 | -6,242 | -6,252 |
| Fourth Year | Supply Totals | 7,534 | 7,477 | 7,360 | 6,514 | 6,252 |
| | Demand Totals | 13,699 | 13,595 | 13,629 | 13,570 | 13,591 |
| | Difference | -6,164 | -6,118 | -6,296 | -7,057 | -7,339 |
| Fifth Year | Supply Totals | 7,534 | 7,477 | 6,814 | 6,514 | 6,252 |
| | Demand Totals | 13,699 | 13,595 | 13,629 | 13,570 | 13,591 |
| | Difference | -6,164 | -6,118 | -6,814 | -7,057 | -7,339 |

Source: Cal Water 2021

As shown in Table 4.14-2, significant water supply shortfalls are currently projected in future single and multiple dry years, which is a direct result of the BDP Amendment implementation. However, numerous uncertainties remain in the implementation of the BDP Amendment. The water supply projections presented above likely represent a worst-case scenario in which the BDP Amendment is implemented without the SFPUC and the SWRCB reaching a Voluntary Agreement and do not account for implementation of SFPUC's Alternative Water Supply Planning Program (AWSP). Regardless of implementation of the BDP, current water supplies could potentially be insufficient to meet demand from the project's future demands, particularly during single and multiple dry year events.

The California Code of Regulations Title 24, Part 11 (CALGreen) requires a 20 percent reduction in residential indoor water use that would lower potential water demand. Cal Water Bear Gulch

District's service area gross water use in 2020 was reported as 12,972 AF (Cal Water 2021). According to the UWMP, the Cal Water Bear Gulch District service area has a water reduction goal of 187 gallons per capita per day (GPCD) by 2020, and in 2020 the Cal Water Bear Gulch District reported its GPCD was 190 GPCD, short of the targeted 187 GPCD. However, the Regional Alliance, comprised of five Bay Area Cal Water districts, had a 2020 target of 150 GPCD and reported an actual 2020 GPCD of 130 GPCD, well below the 2020 target (Cal Water 2021).

Cal Water also evaluated several different scenarios to assess its need for water under potential drought conditions. These different scenarios capture the uncertainty in long-term planning. Uncertainty is inherent in any future-oriented planning effort and is a driving factor in long-term water resources planning. Water supplies are constantly subject to uncertainties that directly affect the amount and timing availability of the sources of water. In order to address these inherent uncertainties, and as required by Section 10632 of the California Water Code, Cal Water Bear Gulch District maintains a current WSCP, which is published as part of the UWMP, and subject to 5-year updates with the UWMP. The WSCP provides the framework to address water shortages, and identifies actions to manage supply and demand before and during a water shortage to ensure a reliable water supply (Cal Water 2021).

As discussed in Section 4.14.1, *Setting*, the Bear Gulch District derives its water supply from a combination of both imported surface water supply purchased from the SFPUC RWS and local surface water supply from Bear Gulch Creek the District's supply is expected to be sufficient to meet demands in normal year conditions. However, based on SFPUC dry year cutbacks, Cal Water is expected to experience significant shortfalls during single dry and multiple dry year conditions. For the purposes of the UWMP, Cal Water conservatively assumed that local surface water supplies would be zero during single dry and multiple dry years over the planning horizon. Dry year RWS supply availability is calculated as a percentage of projected RWS demands for each base year consistent the revised BAWSCA Drought Methodology that assumes equal percent cutbacks across all Wholesale Agencies. Cal Water assumes a 0 percent supply cutback in 2021 and 2022, with a 47 percent supply cutback in 2023, 2024, and 2025, reflecting implementation of the BDP Amendment in 2023 (Cal Water 2021). These water supply cutbacks would ensure that adequate water supplies are available to serve anticipated demands (Cal Water 2021). Therefore, sufficient water supplies are projected to be available to meet existing and projected demands during normal water year (non-drought) conditions, as well as during a single dry year, and during all multi-year drought condition.

Further, compliance with the water conservation regulations and policies would help to maintain sufficient supplies. CCR Title 24, Part 11 (CALGreen) requires a 20 percent reduction in residential indoor water use that would lower potential water demand. New development would be subject to the CCR concerning water-efficient landscapes (Division 2, Title 23, CCR, Chapter 2.7, Sections 490 through 495). Implementation of MWEL0 (referenced by Title 24, Part 11, Chapters 4 and 5 CalGreen Building Code) would encourage water conservation for new development and in landscaped areas. Furthermore, new development would be subject to other green building and water conservation requirements described in Section 4.14.2(a).

In summary, compliance with regulatory requirements, proactive management of available supplies, and drought response and conservation efforts conducted by Cal Water Bear Gulch District collectively support the continued reliability of water supplies currently used in North Fair Oaks. With implementation of Cal Water's WSCP, sufficient supplies are anticipated for normal, single, and multi-year drought conditions. Therefore, sufficient water supplies are available to serve reasonably foreseeable development under the proposed project, and appropriate systems are in

place to address potential drought-related water supply shortages, such that potential impacts would be less than significant.

Mitigation Measures

No mitigation would be required.

Significance After Mitigation

Impacts would be less than significant.

Threshold 4: Would the project 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?

Threshold 5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact UTIL-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT GENERATE SOLID WASTE IN EXCESS OF STATE OR LOCAL STANDARDS, OR IN EXCESS OF THE CAPACITY OF LOCAL INFRASTRUCTURE. DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE REQUIRED TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL SOLID WASTE MANAGEMENT AND REDUCTION REGULATIONS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project could result in the addition of up to 918 residents and 332 residential units throughout the project area. The California Emissions Estimator Model (CalEEMod) was used to estimate the proposed project's solid waste generation and has been included as Appendix B. Since the proposed rezoning parcels would be zoned for mixed use, CalEEMod based operational waste projections using inputs for low-rise apartments and strip mall. The proposed project would generate an estimated approximately 0.45 tons per day or 163.1 tons per year. According to CalRecycle, the remaining capacity of the Corinda Los Trancos Landfill (Ox Mtn) is 60.5 million cubic yards and is projected to reach its maximum capacity in year 2034 (CalRecycle 2023). Development facilitated by the project would account for less than approximately 0.01 percent of the remaining capacity of the Corinda Los Trancos Landfill (Ox Mtn). Therefore, development facilitated by the project would not generate solid waste in excess of the capacity of local solid waste infrastructure.

Development facilitated by the project would also be required to demonstrate compliance with all applicable regulations. Policies in the County of San Mateo General Plan address solid waste generation and disposal at residential properties. Development facilitated by the project would be required to comply with these policies, including achieving greater diversion rates than required by AB 939. Development facilitated by the project would comply with all applicable federal, state, and local solid waste management and reduction regulations, and impacts would be less than significant.

Mitigation Measures

No mitigation would be required.

Significance After Mitigation

Impacts would be less than significant.

4.14.4 Cumulative Impacts

Water

The geographic scope for cumulative water supply impacts is the Cal Water Bear Gulch District service areas. This geographic scope is appropriate because the local water purveyors are responsible for supplying potable water to all residential, commercial, industrial, and fire protection uses within their respective service areas. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact water.

Cumulative development will continue to increase demands on water supplies. Cumulative projects within the Cal Water Beach Gulch District service area would be required to connect to existing service lines. In regard to the expansion or construction of new water facilities, cumulative impacts would be less than significant. As described in Impact UTIL-1, development facilitated by the project would connect to existing service lines and water mains. Development would not require the expansion of any existing water facilities. Therefore, the project would not result in a considerable contribution to a significant cumulative impact.

Cumulative projects within Cal Water's jurisdiction may further increase demands on the water supply system. Cumulative projects would be required to adhere to all State and local regulations, such as restrictions set in the WSCP, which would decrease total water demands. Thus, cumulative impacts would be less than significant. As discussed under Impact UTIL-2, the proposed project would lead to an increase in water use. The proposed project would be required to adhere to all water reduction measures implemented by the WSCP. Therefore, the proposed project would not result in a considerable contribution to cumulative impacts.

Wastewater

The geographic scope for cumulative wastewater facilities impacts encompasses all areas within the local wastewater district service areas. This geographic scope is appropriate because the local wastewater operators are responsible for treating and discharging wastewater to all land uses within their service areas. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact wastewater.

Given existing sewer system facility deficiencies, cumulative projects may contribute to additional throttle and backup conditions depending on the location and nature of the project. Specifically, any projects that connect to Capacity Projects 2 and 5 may increase wastewater levels to a level that the existing sewer system cannot accommodate. For that reason, cumulative impacts may be significant. As described in Impact UTIL-1, the proposed project would connect to existing service lines and wastewater mains. However, compliance with County requirements to replace pipes in order to address localized capacity problems would reduce the potential for system backup. In addition, with the incorporation of Mitigation Measure UTIL-1, the proposed project would lessen its impact on the existing wastewater system. Therefore, the proposed project would not result in a considerable contribution to this cumulative impact.

Electric Power and Natural Gas

The geographic scope for cumulative electricity and natural gas impacts is the PG&E and PCE service area. This geographic scope is appropriate because, as the local providers, PG&E and PCE are responsible for transmitting electricity (both companies) and natural gas (PG&E only) to all land uses within its service area, including the project area. Cumulative buildout in this region, including

projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact electric power and natural gas.

PG&E and PCE are subject to the requirements set forth and/or enforced by the CPUC. The need for electric and natural gas infrastructure would be addressed on a case-by-case basis for each cumulative project, and would be subject to CPUC requirements, similar to those applicable to the project. Therefore, cumulative impacts related to electric power and natural gas transmission facilities would be less than significant. Adequate electricity and natural gas facilities are available to connect to the proposed project. Therefore, the proposed project would not result in a considerable contribution to a cumulative impact regarding electricity and natural gas.

Telecommunications

The geographic scope for cumulative telecommunications impacts is the county. This geographic scope is appropriate because local providers are responsible to provide adequate telecommunication infrastructure to all land uses within the county, including the project area. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact telecommunications.

Cumulative development would increase demand for telecommunications infrastructure in the county. However, cumulative projects would each be required to provide adequate telecommunications infrastructure on a project-by-project basis. Therefore, cumulative impacts related to telecommunications infrastructure would be less than significant. As discussed above under Impact UTIL-1, existing utility infrastructure would be adequate to meet the needs of residents and tenants in the project area. The project would not result in a cumulatively considerable contribution to a cumulative impact regarding telecommunication services.

Solid Waste

The geographic scope for cumulative solid waste impacts encompasses all areas in the county that contribute solid waste to the Corinda Los Trancos Landfill (Ox Mtn). This geographic scope is appropriate because the Corinda Los Trancos Landfill (Ox Mtn) is responsible for accepting solid waste from all land uses within its service area, including the project area. Cumulative buildout in this region, including projects listed in Table 3-1 and shown on Figure 3-1, would have the potential to adversely impact solid waste.

As discussed under Impact UTIL-4, the Corinda Los Trancos Landfill (Ox Mtn) has a substantial remaining capacity. Compliance with applicable solid waste regulations and with General Plan goals, objectives, and policies would maintain or improve upon diversion rates. Cumulative development in the county would be required to adhere to AB 939 requires a solid waste diversion rate of 50 percent. Thus, cumulative impacts to solid waste facilities would be less than significant. Although the project would increase development in the project area compared to existing conditions, Ox Mtn has sufficient capacity to accommodate the projected increase in solid waste generation. Therefore, the project would not result in a cumulatively considerable contribution to a significant cumulative impact regarding solid waste services.

4.15 Effects Found Not to be Significant

Section 15128 of the *CEQA Guidelines* requires an EIR to briefly describe any possible effects that were determined not to be significant and were therefore not discussed in detail in the EIR. The sections below include the checklist questions listed in Appendix G of the *CEQA Guidelines* and a brief discussion of environmental impacts that were determined to be less than significant. Any items not addressed in this section are addressed in Sections 4.1 through 4.14 of this EIR.

The project would not result in adverse impacts to agriculture and forestry resources, energy, mineral resources, and wildfire.

4.15.1 Agriculture and Forestry Resources

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?
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?
4. Result in the loss of forest land or conversion of forest land to non-forest use?
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?

The project site is in an area classified as “Urban and BuiltUp Land” (California Department of Conservation 2016). The project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and would therefore not convert Important Farmland to non-agricultural use. There would be no impact.

The unincorporated community of North Fair Oaks and the surrounding area do not contain any land under Williamson Act contracts (County of San Mateo 2014). The project would have no impact on agricultural zoning or Williamson act contracts.

As discussed in Section 2, *Project Description*, the land use designations of project site parcels include Commercial Mixed Use; Neighborhood Mixed Use; Medium High Density Residential; Medium Density Residential; Institutional; and Parks. The zoning designations include Commercial Mixed Use-1 (CMU-1); Commercial Mixed Use-2 (CMU-2); Commercial Mixed Use-3 (CMU-3); Neighborhood Mixed-Design Review (NMU-DR); Neighborhood Mixed-Use El Camino Real (NMU-ECR); Parking (P); One Family Residential, Combining District S-73 (R-1/S-73); and Multiple Family Residential, Combining District S-5 (R-3/S-5). The project area is not adjacent to any agricultural land uses and is generally surrounded by residential neighborhoods with a mix of single-family and small multiplex buildings, and commercial uses along a portion of El Camino Real and west of the project area. Because the project site is not located on land designated or zoned for agricultural use, the project would not conflict with existing zoning for agricultural use.

There is no farmland, forest land, or timberland within the project area or surrounding areas. The project would not conflict with existing zoning for, cause rezoning of, or result in the loss of forest land or timberland in the county. The project does not involve any changes which could directly or indirectly result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. There would be no impact.

4.15.2 Energy

Would the project:

1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Project implementation could facilitate the construction of up to 332 additional dwelling units and 74,179 square feet of commercial space. During construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site. However, energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the area. In addition, construction contractors would be required to comply with the provisions of California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the United States Environmental Protection Agency Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. Furthermore, per applicable regulatory requirements such as the 2022 California Green Building Standards Code (CALGreen), the project would comply with construction waste management practices to divert a minimum of 65 percent of construction debris from disposal at a landfill. These practices would result in efficient use of energy necessary to construct the project. In the interest of cost-efficiency, construction contractors also would not utilize fuel in a manner that is wasteful or unnecessary. Therefore, the project would not involve the inefficient, wasteful, or unnecessary use of energy during construction, and construction impacts related to energy consumption would be less than significant.

Operationally, development facilitated by the project would be required to comply with the 2022 California Building Energy Efficiency Standards and CALGreen (California Code of Regulations Title 24, Parts 6 and 11) or later versions. The 2022 Standards require the provision of electric vehicle charging equipment, water-efficient plumbing fixtures and fittings, recycling services, solar on low-rise residential development, and other energy efficiency measures that would reduce the potential for the inefficient use of energy.

Development facilitated by the project would consist of modern buildings, which would consume less energy in the forms of electricity and natural gas than existing, older buildings in the project area. Furthermore, development facilitated by the project would be located in the vicinity of transit, jobs, schools, services, and open space, which would reduce transportation-related energy use per capita. Development facilitated by the project would not result in a wasteful, inefficient, or unnecessary consumption of energy, and would not result in potentially significant environmental

effects due to the wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

As discussed in Section 4.6, *Greenhouse Gas Emissions*, there are numerous state regulations regarding renewable energy and energy efficiency in California including building standards, fuel efficiency and vehicle standards, and renewable energy resource requirements. In addition, the following local plans and policies apply to development in the unincorporated community of North Fair Oaks and San Mateo County:

- The San Mateo EECAP is intended to streamline future environmental review of projects by following the CEQA Guidelines and meeting the BAAQMD's expectations for a Qualified GHG Reduction Strategy. The EECAP includes measures to reduce waste, improve the energy efficiency of buildings, and ensure long-term access to reliable, clean, and affordable energy.
- The San Mateo County CCAP was adopted in October 2022 and implements policies, programs, and activities focused on building energy, transportation, waste, and working lands. The CCAP includes strategies and actions to improve energy efficiency, electrify buildings and transportation, and use microgrids to generate local renewable energy. It recommends development patterns that reduce urban sprawl, preserve agricultural lands, and emphasize multi-modal transportation that allow people to go about their business on foot, by bicycle, or via public transportation.
- The 2035 San Mateo County General Plan Energy and Climate Change Element demonstrates San Mateo County's commitment to achieve energy efficiency and mitigate its impact on climate change by reducing greenhouse gas emissions consistent with state legislation. Policies 2.1, 2.2, 2.4, and 2.5 support energy conservation and efficiency; policies 3.1 and 3.2 promote the expansion of renewable energy; and policies 5.1 and 5.2 encourage the use of low-emission vehicles and equipment.
- The North Fair Oaks Community Plan contains policies that promote energy efficiency including Policy 21F which supports regional, state, and national initiatives to reduce greenhouse gas emissions; Policy 21H which promotes the use of "green" features such as rainwater collection, green roofs, bicycle storage, alternative energy systems; and Policy 21I which encourages the installation of EV charging stations.

The CCAP, EECAP, San Mateo County General Plan, and North Fair Oaks Community Plan include goals and policies that are consistent with state regulations regarding energy efficiency. As described above, development facilitated by the project would be required to comply with relevant state and local regulations regarding energy use during all phases of construction and operation which would also support the strategies set forth in the CCAP, EECAP, San Mateo County General Plan, and North Fair Oaks Community Plan. Any new buildings facilitated by the project would be subject to the provisions of CALGreen and the California Energy Code. The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts would be less than significant.

4.15.3 Mineral Resources

Would the project:

1. Result in a loss of availability of a known mineral resource that would be of value to the region and residents of the state?

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?

The unincorporated community of North Fair Oaks does not contain known mineral resources or active mining sites (County of San Mateo 2011). Development facilitated by the project would primarily occur on land currently designated as residential, commercial, or industrial areas, which are not compatible with, identified for, or used for mineral extraction. None of the proposed rezoning parcels are located on lands currently used for mineral extraction. There would be no impact to mineral resources.

4.15.4 Wildfire

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?
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?
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?
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?

As discussed in Section 4.7, *Hazards and Hazardous Materials*, the project area is not located in a Fire Hazard Severity Zone (California Department of Forestry and Fire Protection 2022). The nearest Fire Hazard Severity Zone is located approximately two miles west of the project area in the Emerald Lake Hills. The site is not designated as a Wildland Urban Interface area where homes are built near or among lands prone to wildland fire (California Department of Forestry and Fire Protection 2015).

The project site is in a built-up environment with limited degrees of slope or changes in elevation, which would not exacerbate landslide or flooding risk to the site or surrounding area. Following wildfire events, development facilitated by the project would not contribute to increased risks of flooding or landslides, as site topography and designated flood zones would not be modified substantially from existing conditions, and the area is not located within a designated flood area (Federal Emergency Management Agency 2019). Therefore, any changes to the risk of wildfire impacts from the project regarding post-fire slope instability or drainage changes would be very low.

The project does not include physical changes such as roadway construction that would interfere or impair emergency response or evacuation. Development facilitated by the project would accommodate future population growth and could lead to increased congestion during emergency evacuations. However, the County would review and approve projects to ensure that emergency access meets County standards, and the Menlo Park Fire Protection District or Redwood City Fire Department would review new development to ensure it would not interfere with evacuation routes and would not impede the effectiveness of evacuation plans. Impacts related to emergency response and evacuation plans would be less than significant.

The project would facilitate infill development in a built-up environment and would not introduce or increase risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

5 Other CEQA Required Discussions

This section discusses growth-inducing impacts and irreversible environmental impacts that could result from by the proposed project, in addition to the environmental impacts analyzed in Sections 4.1 to 4.15.

5.1 Growth Inducement

CEQA Guidelines Section 15126(d) requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth or the construction of additional housing. Growth does not necessarily create significant physical changes to the environment, but increases in population may tax existing facilities, requiring the construction of new facilities that could cause significant effects. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth-inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas. Future development facilitated by the project would have direct and indirect impacts on the environment including significant adverse effects. These issues are addressed, and mitigation measures are provided, throughout this EIR, particularly in Sections 4.1 to 4.15.

5.1.1 Population Growth

As discussed in Section 4.11, *Population and Housing*, development facilitated by the proposed rezoning would directly generate population growth. The proposed project could accommodate an estimated net increase of 918 buildout population potential from 332 new dwelling units in the North Fair Oaks community. The proposed would not exceed the Plan Bay Area 2050 Population and Housing Forecasts, would not exceed the North Fair Oaks Community Plan buildout projections, and would be consistent with the RHNA Allocation for the unincorporated county. The project would require a General Plan amendment and North Fair Oaks Community Plan amendment. While the proposed project would increase the buildout potential beyond that anticipated in the current General Plan and Community Plan, the county is experiencing an overall housing shortage due to more jobs available than residences (Housing Leadership Council 2019). Additionally, the increase of 332 housing units and 918 residents would not be substantial growth as compared to the population of the County (774,662 persons and 286,719 housing units) (DOF 2022). The project would be consistent with this identified housing need and RHNA allocation, as it would allow the future development of new housing on the rezoned parcels.

Moreover, the project would not extend services into rural areas or areas not already served by existing public services and utilities. Additionally, no change in allowable residential density is proposed for any mixed use designation (CMU-1, CMU-2, CMU-3, NMU, NMU-ECR, and Mixed-Use Industrial [M-1]). However, as described in Section 4.2, *Air Quality*, the project would have a significant and unavoidable impact related to increased air emissions from the increase in vehicle miles traveled. This would be a significant long-term physical environmental effects that would be caused by the anticipated population increase.

5.1.2 Economic Growth

The proposed project would generate temporary employment opportunities during construction. Because construction workers would be expected to be drawn from the existing regional work force, project construction would not be growth-inducing from an employment standpoint. The project would allow mixed-use development in the project area, which includes the potential for ground-floor commercial uses. These uses would result in increased employment opportunities in the area; however, the amount of commercial square footage that could be constructed as a result of the project would be minimal. The proposed project would not induce substantial economic expansion to the extent that direct physical environmental effects would result.

5.1.3 Removal of Obstacles to Growth

The project area contains a mix of commercial and residential uses that are served by existing infrastructure. As discussed in Section 4.14, *Utilities and Service Systems*, and Section 4.13, *Transportation*, existing infrastructure would be adequate to serve the project in most locations. Mitigation measures would be required for some sites. Improvements to water, sewer, and drainage connection infrastructure would be needed at some of the proposed rezoned parcels (such as expanded wastewater pipelines) but would be sized to specifically serve the needs of individual projects. These water and sewer utility extensions would be limited in extent and would be contained within existing roadway rights-of-way and/or existing public utilities parcels. These extensions would not result in additional growth surrounding the project area, as future development in urban service areas is already anticipated in the county. No new roads would be required. Because the project would facilitate development within already established urbanized areas, project implementation would not remove an obstacle to growth.

5.2 Irreversible Environmental Effects

CEQA Guidelines Section 15126.2(d) requires EIRs contain a discussion of significant irreversible environmental changes. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the proposed project.

The proposed rezoning would facilitate changes to the County's Zoning Regulations for mixed use designations in unincorporated San Mateo County. Construction and operation of development facilitated by the project would involve an irreversible commitment of construction materials and non-renewable energy resources. Development would involve the use of building materials and energy, some of which are non-renewable resources, to construct new residential buildings and associated infrastructure and landscaping. Consumption of these resources would occur with any development in the region and are not unique to the proposed project.

Development facilitated by the proposed project would also irreversibly increase local demand for non-renewable energy resources such as petroleum products and natural gas. However, increasingly efficient building design would offset this demand to some degree by reducing energy demands of the project. As described in Section 4.15, *Effects Found Not to be Found Significant*, the project would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6, of the CCR, *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*) and the California Green Building Standards Code (Title 24, Part 11 of the CCR). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California, and the Green Building Standards

Code requires solar access, natural ventilation, and stormwater capture. Consequently, the project would not use unusual amounts of energy or construction materials and impacts related to consumption of non-renewable and renewable resources would be less than significant. Again, consumption of these resources would occur with any development in the region and is not unique to the proposed project.

5.2.1 Significant and Unavoidable Impacts

Additional vehicle trips associated with the proposed project would incrementally increase local traffic and regional air pollutant and greenhouse gas emissions. Section 4.13, *Transportation*, concludes that long-term transportation impacts associated with office-only commercial uses accommodated by the project would remain significant and unavoidable even with incorporation of mitigation measures.

Because vehicle trips in the county would be increased by the proposed project, as discussed in Section 4.2, *Air Quality*, development facilitated by the project would generate air quality emissions during operation. No feasible mitigation measures are available to reduce this effect; therefore, the project would result in a significant and unavoidable impact related to air quality.

Development facilitated by the project could result in demolition or construction activities that could directly or indirectly affect potential historical resources. Because specific development projects are not proposed at this time, this impact is considered significant and unavoidable despite recommended mitigation measures, as there is no feasible mitigation to avoid this impact.

Construction of development facilitated by the project would temporarily increase noise levels that could affect nearby noise-sensitive receivers, and operation of development facilitated by the project would introduce new on-site noise sources and contribute to traffic noise. Construction, on-site operational noise impacts, and traffic noise impacts would be significant and unavoidable despite the implementation of feasible mitigation measures.

CEQA requires decision makers to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve a project. The analysis contained in this EIR concludes that the proposed project would result in significant and unavoidable impacts to air quality, cultural resources, noise, and transportation. Although development facilitated by the project would be required to implement mitigation measures, impacts would remain significant and unavoidable.

5.3 Secondary Effects

According to *CEQA Guidelines* Section 15126.4(a)(1)(D), an EIR should analyze whether mitigation measures would cause one or more significant effects in addition to those that would be caused by the project as proposed. As such, this section discusses potential secondary effects from implementation of mitigation measures that would be imposed on development facilitated by the project.

Mitigation Measures AQ-1a and AQ-1b are construction measures designed to reduce emissions of air pollutants and include reduction of idling times, limitations on vehicle speeds, proper vehicle maintenance, vehicle washing, and erosion control. These measures would reduce air pollution emissions and air quality nuisances and would not result in secondary environmental impacts.

Mitigation Measures BIO-1 would reduce or avoid environmental impacts to sensitive species. This measure requires construction activities to be scheduled outside of nesting season, to avoid the nesting season. This measure may place restrictions on construction activities but would not result in secondary environmental impacts.

Mitigation measures CUL-1a, CUL-1b, CUL-2a, CUL-2b, and CUL-4 would prevent impacts to historic, archaeologic, and tribal cultural resources through surveys and avoidance or monitoring. They may restrict, delay, or halt construction (such as during unanticipated discovery of a resources), but they would not result in secondary environmental impacts.

Mitigation measures NOI-1a, NOI-1b, NOI-1c, and NOI-2 are noise reduction measures aimed at reducing noise from construction activities and operational noise sources, as well as ensuring exterior and interior land use noise compatibility by performing additional analysis and/or limiting hours some activities could take place. These would reduce noise levels but would not result in secondary environmental impacts.

Mitigation Measure PH-2 requires preparation of a housing relocation plan for redevelopment of sites that contain rental housing. Preparation of the plan would not create environmental impacts by itself, and replacement housing could be subject to additional CEQA compliance prior to project approval.

Mitigation Measure TRA-2 would involve development of transportation demand management programs and construction traffic management plans. Construction traffic management plans would generally coordinate and centralize details of construction traffic management and would not result in new environmental impacts. However, some items in the transportation demand management could result in secondary environmental effects, such as pedestrian and bus stop improvements and bicycle network enhancements. These improvements would be minor and take place in existing public rights-of-way, and therefore would result in less than significant environmental effects. Additionally, it is likely that any major project would require its own CEQA compliance process. At the time these impacts are assessed based on project-specific design information, if there is an increase in severity of impacts beyond that analyzed in this EIR, additional project-specific mitigation measures may be necessary to reduce or avoid impacts.

Mitigation Measure UTIL-1 requires a demonstration that adequate wastewater capacity is available to serve future development. To provide adequate capacity, wastewater pipelines or infrastructure upgrades may be necessary. Such facilities would be installed during individual project construction and within the disturbance area of such projects or the rights-of-way of previously disturbed roadways; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those already identified throughout this EIR.

6 Alternatives

As required by Section 15126.6 of the *CEQA Guidelines*, this EIR examines a range of reasonable alternatives to the proposed project that would attain most of the basic project objectives (stated in Section 2 of this EIR) but would avoid or substantially lessen the significant adverse impacts.

As discussed in Section 2, *Project Description*, the objectives for the proposed project are as follows:

- Adopt more effective zoning by revising provisions that are difficult to administer and/or implement, replacing provisions necessitating subjective interpretation with objective standards, refining development application and review procedures, and incorporating professional practices that better promote Community Plan policies.
- Increase capacity for housing in the project area by modifying General Plan designations and zoning standards to potentially allow taller buildings and greater density in proposed rezoning areas, reduce building setbacks, modify parking requirements, and/or other strategies, while simultaneously protecting and expanding equitable access to opportunities, community livability, and desirable aspects of community character.

Included in this analysis are three alternatives, including the CEQA-required “no project” alternative, that involve changes to the project that may reduce the project-related environmental impacts as identified in this EIR. Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project.

The following alternatives are evaluated in this EIR:

- Alternative 1: No Project
- Alternative 2: Limited Commercial Uses
- Alternative 3: Residential Overlay

Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 6.1 through 6.3.

6.1 Alternative 1: No Project

6.1.1 Description

The No Project Alternative assumes that amendments to the existing commercial mixed-use and neighborhood mixed-use zoning districts along Middlefield Road, El Camino Real, and 5th Avenue would not occur, and that rezoning and related amendments to General Plan Land Use Designations to several residentially-zoned areas adjacent to El Camino Real and Middlefield Road would not occur. All parcels within the project area would continue to be subject to their existing zoning and land use designations.

The No Project Alternative would not fulfill either of the two project objectives because under this alternative the County would continue to implement zoning standards that are difficult to administer and would not replace provisions necessitating subjective interpretation with objective standards. Accordingly, the No Project Alternative would not be consistent with various new State

of California laws that requires zoning regulating the production of multi-family housing to provide objective development standards and streamlined permitting and approval processes. Additionally, this alternative would not facilitate the production of additional housing to address the increasing demand for housing that the County of San Mateo is experiencing.

6.1.2 Impact Analysis

Because the No Project Alternative consists of buildout under the existing community plan, the environmental impacts of the No Project Alternative would be consistent with the impacts identified in the North Fair Oaks Community Plan EIR (certified in November 2011, State Clearinghouse Number 2011042099), with some exceptions due to recent policy and regulatory changes. These impacts are summarized below.

The North Fair Oaks Community Plan EIR determined the following environmental impacts to be significant and unavoidable:

- **Cultural Resources** – historic resources and cumulative cultural resource impacts
- **Noise** – cumulative noise impacts
- **Transportation** – transit facility impacts, safety impacts, cumulative safety impacts

The North Fair Oaks Community Plan EIR determined the following environmental impacts to be less than significant with mitigation:

- **Air Quality** – short-term construction emissions, community risk and hazard impacts, and odor impacts
- **Biological Resources** – migratory wildlife impacts
- **Cultural Resources** – archaeological resource impacts
- **Geology and Soils** – paleontological resource impacts
- **Hydrology and Water Quality** – sea level rise flood impacts
- **Noise** – demolition and construction noise, temporary construction vibration, permanent vibration, exceedance of noise level standards

The North Fair Oaks Community Plan EIR determined that all remaining environmental impacts were be less than significant, including impacts related to aesthetics, air quality, biological resource, greenhouse gas emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services and utilities, and transportation.

Unless otherwise noted in the following discussion, the above impacts would be the same under the No Project Alternative as determined in the North Fair Oaks Community Plan EIR.

Based on the above summary of impacts from the North Fair Oaks Community Plan EIR, the No Project Alternative would have similar impacts to the proposed project as it relates to aesthetics, biological resources, geology and soils, hazards and hazardous materials, and land use and planning. The No Project Alternative would have lesser impacts to the proposed project as it relates to air quality (resulting from less operational air emissions), cultural resources (resulting from less ground disturbance), hydrology and water quality (based on reduced development potential), noise (based on reduced development potential), population and housing (based on reduced development potential), public services and recreation (based on reduced development potential), and utilities (based on reduced development potential). Due to regulatory changes since 2011, impacts of the

No Project Alternative as it relates to tribal cultural resources, greenhouse gas emissions, and transportation (vehicle miles traveled instead of Level of Service/congestion metrics), are described below.

a. Tribal Cultural Resources

Although no tribes responded to request consultation and no specific tribal cultural resources were identified during the preparation of this document, tribal cultural resources are known to exist in San Mateo County. Development under the No Project Alternative has the potential to adversely impact tribal cultural resources, similar to the proposed project. Potential impacts to tribal cultural resources would be less than significant with implementation of North Fair Oaks Community Plan Update Draft EIR mitigation measures. Impacts would be less than significant with mitigation, similar to the proposed project.

b. Greenhouse Gas Emissions

Under the No Project Alternative, less development would occur, consistent with allowed existing zoning. Temporary construction-related GHG emissions that result from grading and construction of new development and long-term impacts resulting from building operation (energy use, maintenance, and traffic) would be lower than under the proposed project. Impacts would be reduced when compared to the proposed project.

c. Transportation

Because most parcels in the project area are currently zoned for residential uses, the No Project Alternative would allow less retail and office development than the proposed project. Similar to the proposed project, residential uses in the project area can be assumed to have a less than significant impact to VMT as they are within 0.5 mile of high-quality transit. Three parcels are currently designated as Commercial Mixed Use or Neighborhood Mixed Use, which could be developed with retail or office uses. Retail uses can be assumed to be local serving and would have a less than significant impact to VMT, and the limited potential for office use development would be unlikely to result in significant VMT impacts. Impacts would be less than significant, reduced compared to the proposed project's significant and unavoidable VMT impacts.

6.2 Alternative 2: Limited Commercial Uses

6.2.1 Description

Under the Limited Commercial Uses Alternative, the County would not allow Office and Professional Services uses above the ground floor on parcels that, under the proposed project, would be rezoned from the existing R-1 or R-3 designation to the adjacent mixed-use designation (i.e. CMU-1, CMU-3, or NMU-DR). Specific uses that would be prohibited above the ground floor under this alternative would include Administrative; Professional and Business Offices; Medical and Dental Offices; Financial Institutions; and Non-Chartered Institutions. All other proposed development standards would apply, including but not limited to height restrictions and design guidelines.

Alternative 2 would fulfill both project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to the same extent as the proposed project by allowing taller buildings, greater

density, and via other strategies. While office uses would still be permitted under this alternative, less office use would be developed as none would be permitted above the ground floor on rezoned parcels in the project area.

6.2.2 Impact Analysis

a. Aesthetics

Under Alternative 2, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. The limitation on office uses would not significantly alter the height and density of future development under this alternative, which would be required to comply with applicable local regulations that would minimize impacts to scenic quality. Impacts would be less than significant, similar to the proposed project.

b. Air Quality

Development under Alternative 2 would be similar to the proposed project, but overall VMT would be reduced, which would result in lower air quality emissions from vehicle trips than the proposed project. Accordingly, this alternative would be consistent with BAAQMD's 2017 Air Quality Plan and impacts would be less than significant, similar to the proposed project.

Construction of this alternative would involve activities similar to the proposed project, such as demolition, grading, construction worker travel, and the use of construction equipment, which would generate pollutant emissions. This alternative would require implementation of Mitigation Measure AQ-2a, Implement Construction Best Management Practices, and impacts would be less than significant with mitigation, similar to the proposed project. In operation, this alternative would reduce VMT as compared to the proposed project by removing office-only land use types. However, Alternative 2 would still result in a cumulatively considerable net increase of operational criteria pollutants and impacts would be significant and unavoidable, similar to the proposed project.

Similar to the proposed project, construction activities would occur under this alternative that could last longer than two months and/or occur within 1,000 feet of sensitive receptors. Mitigation Measure AQ-3, Conduct Construction Health Risk Assessment, would be required under this alternative, and construction impacts to sensitive receptors would be less than significant with mitigation, similar to the proposed project. In operation, stationary sources emitting toxic air emissions would be required to receive a permit from BAAQMD, and development facilitated by this alternative would be subject to existing North Fair Oaks Community Plan policies that would ensure sensitive receptors would not be exposed to substantial pollutant concentrations due to location or design. Finally, buildout under this alternative would not involve land uses that typically produce objectionable odors, and this alternative would not result in odors or other emissions adversely affecting a substantial number of people. Impacts would be less than significant, similar to the proposed project.

c. Biological Resources

Under Alternative 2, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to wildlife species, plant species, and sensitive habitat, and Mitigation Measure BIO-1 would be required. Overall, impacts would be less than significant and similar to the proposed project.

d. Cultural and Tribal Cultural Resources

Under Alternative 2, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to archeological resources, historical resources, human remains, and tribal cultural resources, and mitigation measures CUL-1a, CUL-1b, CUL-2a, CUL-2b, and CUL-4 would be required. Impacts would be significant and unavoidable, similar to the proposed project.

e. Geology and Soils

Under Alternative 2, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to geology, soils, and paleontological resources, and Mitigation Measure GEO-6 would be required. Impacts would be less than significant, similar to the proposed project.

f. Greenhouse Gas Emissions

Temporary construction-related GHG emissions from grading and construction of new development would be similar to the proposed project. Long-term impacts resulting from operation of this alternative would be reduced compared to the proposed project, as restricting office uses to the ground floor of a parcel proposed to be rezoned would reduce VMT associated with operation. Impacts would be reduced compared to the proposed project and would be less than significant.

g. Hazards and Hazardous Materials

Under Alternative 2, the transport, storage, and use of hazardous materials associated with construction of development allowed under existing zoning, and operation of housing, commercial and industrial uses, such as paints and solvents, would be required to comply with existing regulations, similar to the proposed project. Compliance with existing regulations would also reduce potential impacts related to potentially releasing hazardous materials within 0.25 mile of a school. While there are no active hazardous materials sites listed pursuant to Government Code Section 65962.5 within the project area, any sites containing existing contamination would continue to require remediation and compliance with State and local regulations to allow for development under existing zoning. The project area would not be subject to excessive airport noise or airport safety hazards, as with the proposed project. Finally, the project area is not within a Fire Hazard Severity Zone as designated by CAL FIRE and this alternative would not expose people or structures to a significant risk involving wildland fires. Impacts would be less than significant under this alternative, similar to the proposed project.

h. Hydrology and Water Quality

Ground disturbance and construction of additional impervious surfaces would be similar to the proposed project and impacts would be the same, less than significant. Development under this alternative similarly would not substantially decrease groundwater supplies or violate water quality standards, following compliance with applicable laws and regulations. Finally, the project area is not located within a tsunami zone or near a body of water that could seiche. Impacts would be less than significant, similar to the proposed project.

i. Land Use and Planning

Alternative 2 would likely require additional revisions to existing zoning and land use designations within the project area to prohibit office uses above the ground floor on parcels proposed to be rezoned. Similar to the proposed project, this alternative would not alter connectivity with adjacent areas or divide established communities. Future development would be required to comply with regulatory goals and policies, similar to the proposed project as discussed in Impact LU-2. This alternative would allow the same residential buildout as the proposed project, and accordingly impacts related to housing displacement would be less than significant, similar to the proposed project.

j. Noise

Construction under this alternative would be generally similar to the proposed project. Construction noise and vibration impacts would be significant and unavoidable despite the implementation of mitigation measures NOI-1a and NOI-2, similar to the proposed project.

Operation of residential, commercial, and mixed-use land use development facilitated by this alternative would not involve substantial new vibration sources associated with operation. However, operation would result in new on-site noise sources and increased traffic noise levels in the project area. Similar to the proposed project, this impact would be significant and unavoidable despite mitigation measures NOI-1b and NOI-1c.

Finally, as discussed in Section 4.10, *Noise*, the project area would not be exposed to excessive aircraft noise levels. Alternative 2 would result in no impact to excessive aircraft noise, similar to the proposed project.

k. Population and Housing

Development under this alternative would result in buildout and population growth similar to the proposed project. As discussed in Section 4.11, *Population and Housing*, the additional residents and dwelling units would not exceed Plan Bay Area 2050 population and housing forecasts or North Fair Oaks Community Plan buildout projections. With the required General Plan and North Fair Oaks Community Plan amendments, this alternative would not result in unplanned population growth and impacts would be less than significant, similar to the proposed project. Additionally, parcels that would be rezoned under this alternative currently contain existing housing that could be removed during project implementation. Mitigation Measure PH-2, Replacement Housing, would be required under this alternative and impacts would be less than significant with mitigation incorporated, similar to the proposed project.

l. Public Services and Recreation

Development facilitated by this alternative would result in similar buildout and population growth to the proposed project. Accordingly, development facilitated by this alternative would not result in substantial adverse physical impacts associated with the construction of new or physically altered fire, police, school, park and recreation, or other public facilities. Impacts would be less than significant, similar to the proposed project.

m. Transportation

Development facilitated by Alternative 2 would be generally similar to the proposed project. Accordingly, this alternative would not conflict with a program, plan, ordinance, or policy addressing the circulation system and impacts would be less than significant, similar to the proposed project.

As discussed in Section 4.13, *Transportation*, residential and retail development can be assumed to have a less than significant VMT impact under screening criteria established by San Mateo County and the California Office of Planning and Research. Under Alternative 2, the County would not allow office uses above the ground floor on parcels proposed to be rezoned. Therefore, the proposed land uses under this alternative would meet the VMT screening criteria and impacts would be less than significant with no mitigation required. This impact would avoid the proposed project's significant and unavoidable VMT impacts associated with office-only uses.

New development in the project area would be designed and constructed to be consistent with local, regional, and federal standards for traffic hazards and emergency access. Each future project in the project area would be required to meet County standards and requirements and would be reviewed by public safety officials as part of the approval process. Impacts to traffic hazards and emergency access would be less than significant under this alternative, similar to the proposed project.

n. Utilities and Service Systems

Under Alternative 2, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to utilities and service systems, and Mitigation Measure UTIL-1 would be required. Impacts would be less than significant with mitigation, similar to the proposed project.

6.3 Alternative 3: Residential Overlay

6.3.1 Description

Under the Residential Overlay Alternative, the County would establish a Residential-Only Overlay District that would be applied to parcels that, under the proposed project, would be rezoned from the existing R-1 or R-3 designation to the adjacent mixed-use designation (i.e., CMU-1, CMU-3, or NMU-DR). Permitted uses in the Residential Overlay District would be limited to residential uses only; no new commercial development would be allowed within rezoned parcels under this alternative. All other proposed development standards would apply, and residential uses within the overlay district could be built at a greater density under their new mixed-use zoning compared to what is currently allowed by their existing residential zoning, similar to the proposed project. Therefore, the Residential Overlay Alternative would result in no commercial development, and similar residential development to that of the proposed project, on the rezoned parcels.

Alternative 3 would fulfill both project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to a similar extent as the proposed project, as the allowable residential density in the rezoned parcels would be the same as the proposed project.

6.3.2 Impact Analysis

a. Aesthetics

Under Alternative 3, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would not increase residential density compared to the proposed project, and the restriction on commercial development would not significantly alter the height and density of future development under this alternative. Impacts would be less than significant, similar to the proposed project.

b. Air Quality

Development under Alternative 3 would be similar to the proposed project, but overall VMT would be reduced, which would result in lower air quality emissions from vehicle trips than the proposed project. Accordingly, this alternative would be consistent with BAAQMD's 2017 Air Quality Plan and impacts would be less than significant, similar to the proposed project.

Construction of this alternative would involve activities similar to the proposed project, such as demolition, grading, construction worker travel, and the use of construction equipment, which would generate pollutant emissions. This alternative would require implementation of Mitigation Measure AQ-2a, Implement Construction Best Management Practices, and impacts would be less than significant with mitigation, similar to the proposed project. In operation, this alternative would reduce VMT as compared to the proposed project by removing commercial land use types. Alternative 2 would not result in a cumulatively considerable net increase of operational criteria pollutants. Impacts would be less than significant, and would avoid the proposed project's significant and unavoidable impact.

Similar to the proposed project, construction activities would occur under this alternative that could last longer than two months and/or occur within 1,000 feet of sensitive receptors. Mitigation Measure AQ-3, Conduct Construction Health Risk Assessment, would be required under this alternative, and construction impacts to sensitive receptors would be less than significant with mitigation, similar to the proposed project. In operation, stationary sources emitting toxic air emissions would be required to receive a permit from BAAQMD, and development facilitated by this alternative would be subject to existing North Fair Oaks Community Plan policies that would ensure sensitive receptors would not be exposed to substantial pollutant concentrations due to location or design. Finally, buildout under this alternative would not involve land uses that typically produce objectionable odors, and this alternative would not result in odors or other emissions adversely affecting a substantial number of people. Impacts would be less than significant, similar to the proposed project.

c. Biological Resources

Under Alternative 3, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to wildlife species, plant species, and sensitive habitat, and Mitigation Measure BIO-1 would be required. Overall, impacts would be less than significant and similar to the proposed project.

d. Cultural and Tribal Cultural Resources

Under Alternative 3, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar

impacts to archeological resources, historical resources, human remains, and tribal cultural resources, and mitigation measures CUL-1a, CUL-1b, CUL-2a, CUL-2b, and CUL-4 would be required. Impacts would be significant and unavoidable, similar to the proposed project.

e. Geology and Soils

Under Alternative 3, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to geology, soils, and paleontological resources, and Mitigation Measure GEO-6 would be required. Impacts would be less than significant, similar to the proposed project.

Construction and operation of the Rezone Area Residential Overlay Alternative would be generally similar to the proposed project. Accordingly, development under this alternative would be subject to existing regulations and policies, including but not limited to the California Building Code and the County's General Plan policies, which would minimize risks following a seismic event or related to expansive soils to a less than significant level. Impacts would be less than significant, similar to the proposed project.

Construction under the Rezone Area Residential Overlay Alternative would involve ground-disturbing activities and loose, disturbed soils prone to erosion and loss of topsoil. Development would be subject to the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit and best management practices would be implemented during construction as required. Additionally, County-required best management practices and General Plan policies would reduce the potential for development under this alternative to cause erosion. Impacts would be less than significant, similar to the proposed project.

Development under the Rezone Area Residential Overlay Alternative would occur in urban areas where existing wastewater infrastructure exists, and would not require the use of septic tanks. There would be no impacts related to soils incapable of adequately supporting the use of septic tanks, similar to the proposed project.

Development in the project area could potentially disturb soils with high paleontological sensitivity. This alternative would involve implementation of San Mateo County General Plan Policies 5.20 and 5.21, which would assess parcels proposed for development for paleontological resources and require construction to cease if a potential resource is discovered. Additionally, this alternative would implement Mitigation Measure GEO-6, which addresses unanticipated discovery of paleontological resources during construction activities. Impacts would be less than significant with mitigation, similar to the proposed project.

f. Greenhouse Gas Emissions

Construction and operation of this alternative would be generally similar to that of the proposed project. Temporary construction-related GHG emissions from grading and construction of new development would be similar to the proposed project. Long-term impacts resulting from operation of this alternative would be reduced compared to the proposed project, as not allowing commercial uses within the rezoned parcels would reduce VMT associated with operation. Impacts would be reduced compared to the proposed project and would be less than significant.

g. Hazards and Hazardous Materials

Under the Rezone Area Residential Overlay Alternative, the transport, storage, and use of hazardous materials associated with construction of development allowed under existing zoning, and

operation of housing, commercial and industrial uses, such as paints and solvents, would be required to comply with existing regulations, similar to the proposed project. Compliance with existing regulations would also reduce potential impacts related to potentially releasing hazardous materials within 0.25 mile of a school. While there are no active hazardous materials sites listed pursuant to Government Code Section 65962.5 within the project area, any sites containing existing contamination would continue to require remediation and compliance with State and local regulations to allow for development under existing zoning. The project area would not be subject to excessive airport noise or airport safety hazards, as with the proposed project. Finally, the project area is not within a Fire Hazard Severity Zone as designated by CAL FIRE and this alternative would not expose people or structures to a significant risk involving wildland fires. Impacts would be less than significant under this alternative, similar to the proposed project.

h. Hydrology and Water Quality

Ground disturbance and construction of additional impervious surfaces would be similar to the proposed project and impacts would be the same, less than significant. Development under this alternative similarly would not substantially decrease groundwater supplies or violate water quality standards, following compliance with applicable laws and regulations. Finally, the project area is not located within a tsunami zone or near a body of water that could seiche. Impacts would be less than significant, similar to the proposed project.

i. Land Use and Planning

Similar to the proposed project, this alternative would not alter connectivity with adjacent areas or divide established communities. Future development would be required to comply with regulatory goals and policies, similar to the proposed project as discussed in Impact LU-2. This alternative would allow the same residential buildout as the proposed project, and accordingly impacts related to housing displacement would be less than significant, similar to the proposed project.

j. Noise

Construction under this alternative would be generally similar to the proposed project. Construction noise and vibration impacts would be significant and unavoidable despite the implementation of mitigation measures NOI-1a and NOI-2, similar to the proposed project.

Operation of residential development facilitated by this alternative within the project area would not involve substantial new vibration sources associated with operation. However, operation would result in new on-site noise sources and increased traffic noise levels in the project area. Similar to the proposed project, this impact would be significant and unavoidable despite mitigation measures NOI-1b and NOI-1c.

Finally, as discussed in Section 4.10, *Noise*, the project area would not be exposed to excessive aircraft noise levels. Alternative 3 would result in no impact to excessive aircraft noise, similar to the proposed project.

k. Population and Housing

Development under this alternative would result in residential buildout and population growth similar to the proposed project. As discussed in Section 4.11, *Population and Housing*, the additional residents and dwelling units would not exceed Plan Bay Area 2050 population and housing forecasts or North Fair Oaks Community Plan buildout projections. With the required General Plan and North Fair Oaks Community Plan amendments, this alternative would not result in unplanned population

growth and impacts would be less than significant, similar to the proposed project. Additionally, parcels that would be rezoned under this alternative currently contain existing housing that could be removed during project implementation. Mitigation Measure PH-2, Replacement Housing, would be required under this alternative and impacts would be less than significant with mitigation incorporated, similar to the proposed project.

I. Public Services and Recreation

Development facilitated by this alternative would result in similar buildout and population growth to the proposed project. Accordingly, development facilitated by this alternative would not result in substantial adverse physical impacts associated with the construction of new or physically altered fire, police, school, park and recreation, or other public facilities. Impacts would be less than significant, similar to the proposed project.

m. Transportation

Development facilitated by Alternative 3 would be generally similar to the proposed project. Accordingly, this alternative would not conflict with a program, plan, ordinance, or policy addressing the circulation system and impacts would be less than significant, similar to the proposed project.

As discussed in Section 4.13, *Transportation*, residential and retail development can be assumed to have a less than significant VMT impact under screening criteria established by San Mateo County and the California Office of Planning and Research. Under Alternative 3, the Overlay District would not allow commercial uses, including office uses, on parcels proposed to be rezoned. Therefore, the proposed land uses under this alternative would meet the VMT screening criteria, and impacts would be less than significant with no mitigation required. This impact would avoid the proposed project's significant and unavoidable VMT impacts associated with office-only uses.

New development in the project area would be designed and constructed to be consistent with local, regional, and federal standards for traffic hazards and emergency access. Each future project in the project area would be required to meet County standards and requirements and would be reviewed by public safety officials as part of the approval process. Impacts to traffic hazards and emergency access would be less than significant under this alternative, similar to the proposed project.

n. Utilities and Service Systems

Under Alternative 3, buildout within the project area would occur similar to the proposed project, with the only change being in the allowed commercial uses. This alternative would have similar impacts to utilities and service systems, and Mitigation Measure UTIL-1 would be required. Impacts would be less than significant with mitigation, similar to the proposed project.

6.4 Alternatives Considered but Rejected

The *CEQA Guidelines* state that an EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination (*CEQA Guidelines* Section 15126.2(c)). The County did not consider alternatives other than the alternatives discussed above. An alternative location was not considered, as there is no alternative area in North Fair Oaks similar to the project area that would be appropriate for a project of this type.

6.5 Environmentally Superior Alternative

Table 6-1 indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed project for each of the issue areas studied. Based on the alternatives analysis provided above, Alternative 1 would be the environmentally superior alternative.

Alternative 1, No Project, assumes that amendments to the existing commercial mixed-use and neighborhood mixed-use zoning districts along Middlefield Road, El Camino Real, and 5th Avenue would not occur, and that rezoning and related amendments to General Plan Land Use Designations to several residentially-zoned areas adjacent to El Camino Real and Middlefield Road would not occur. All parcels within the project area would continue to be subject to their existing zoning and land use designations. This alternative would avoid significant and unavoidable impacts to air quality, noise, and transportation associated with the proposed project. However, this alternative would not meet either of the proposed project's objectives.

Table 6-1 Impact Comparison of Alternatives

| Issue | Proposed Project Impact Classification | Alternative 1: No Project | Alternative 2: Limited Commercial Uses | Alternative 3: Residential Overlay |
|--|---|------------------------------|--|---------------------------------------|
| Aesthetics | Less than Significant | = | = | = |
| Air Quality | Significant and Unavoidable | + | + | + |
| Biological Resources | Less than Significant with Mitigation | = | = | = |
| Cultural and Tribal Cultural Resources | Significant and Unavoidable | + | = | = |
| Geology and Soils | Less than Significant with Mitigation | = | = | = |
| Greenhouse Gas Emissions | Less than Significant | + | + | + |
| Hazards and Hazardous Materials | Less than Significant | = | = | = |
| Hydrology and Water Quality | Less than Significant | + | = | = |
| Land Use and Planning | Less than Significant | = | = | = |
| Noise | Significant and Unavoidable | + | = | = |
| Population and Housing | Less than Significant with Mitigation | + | = | = |
| Public Services and Recreation | Less than Significant | + | = | = |
| Transportation | Significant and Unavoidable | + | + | + |
| Utilities and Service Systems | Less than Significant with Mitigation | + | = | = |
| Summary | | + 9 = 5 | + 3 = 11 | + 3 = 11 |
| + Superior to the proposed project (reduced level of impact) | | | | |
| = Similar level of impact to the proposed project | | | | |

If the No Project Alternative is the environmentally superior alternative, CEQA requires that an environmentally superior alternative among the remaining alternatives be identified (*CEQA Guidelines* Section 15126.6[e]). Based on this consideration, Alternative 3 would be the environmentally superior alternative. Although Alternative 2 and Alternative 3 would reduce impacts compared to the proposed project in similar ways, Alternative 3 would allow residential development only in the rezoned parcels, and would not allow retail or office development. Retail and office development facilitated by the proposed project would result in significant and unavoidable impacts to air quality and transportation. While Alternative 2 would reduce the amount of office development in the rezoned parcels, Alternative 3 would not develop any retail or office development in the rezoned parcels, thereby reducing significant impacts to a greater extent than Alternative 2. Alternative 3 would also meet project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to a similar extent to the proposed project as the allowable residential density in the rezoned parcels would be the same as the proposed project.

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