

## **D. TOPICAL RESPONSES**

Certain topics were raised more than once, albeit in slightly different terms, in comments on the DEIR from multiple commenters. In order to minimize repetition and to provide a more comprehensive discussion, “Topical Responses” have been prepared to address some of these recurring comments, and responses to individual comments reference topical responses, as appropriate. The topical responses are intended to provide a response to comments on the same recurring subject. A particular topical response may provide more information than needed to address any individual comment. Further, if a topical response does not comprehensively address a given comment, information in addition to that in the topical response will be provided in the individual response to that comment.

The Topical Responses in this FEIR address the following issues and are numbered as set forth below:

1. Story Poles
2. Public Review Period for the DEIR
3. Standards for Responses to Comments and Focus of Review of Commenters
4. Deferral of Mitigation Measures
5. Alternatives to the Proposed Project
6. Recirculation of the DEIR
7. Visual Simulations of the Proposed Project
8. Traffic and Parking Impacts
9. Tsunami Hazards
10. Final Geotechnical Report
11. Sanitarium Use Permit
12. Construction Phasing for the Office Park
13. County Permit History
14. Location of Project Near the Half Moon Bay Airport
15. Project Potable and Recycled Water Demand

### **TOPICAL RESPONSE 1: STORY POLES**

Generally, public comments regarding story poles include requests that the applicant be required to erect story poles at the site and maintain the poles for the duration of the public comment period and raise questions about the County’s requirement for story poles. Many comments challenge the accuracy of computer-generated simulations contained in the DEIR, and assert that story poles are needed to provide an accurate depiction of the project’s visual impacts.

The County requested that the applicant erect story poles for the duration of the DEIR public review period. The applicant declined, but has stated that story poles will be installed and maintained during the public notification period prior to any County public hearing considering the project and the certification of the FEIR. The public notification period is 10 days prior to a public hearing date.

Detailed computer generated visual simulations prepared by Christopher A. Joseph and Associates (the environmental consultant the County retained for the preparation of the DEIR for the project) are included on pages IV.A-2, A-6 through A-8 of the DEIR. These simulations are based on true to scale AutoCAD maps integrated with photographs taken at map scaled locations. The visual simulations, along with other information in the DEIR and FEIR, afford a sufficient basis for assessing the aesthetic impacts of the project. As concluded on page IV.A-30, with the implementation of mitigation measures set forth in the DEIR and FEIR, the impact of the project on visual character and scenic resources would be less than significant. For additional information regarding the visual simulations in the DEIR, reference Topical Response 7, Visual Simulations of the Proposed Project.

Notwithstanding the foregoing, the applicant has agreed to install story poles for all Wellness Center buildings and for one of the Office Park buildings. The story poles will illustrate the vertical scale and stakes and flags will illustrate the horizontal scale. The story poles will represent the absolute height of the buildings, including finished elevation of the building pads and rooftop equipment (e.g., solar panels).

Further, it should be noted that neither the *CEQA Guidelines* nor the County Ordinance Code require the erection of story poles. As provided in Section 15151 of the *CEQA Guidelines*, “an evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.” Section IV.A (Aesthetics) of the DEIR concludes that the project would have a less than significant impact based on an analysis that addresses a variety of considerations, including the regulatory setting, the visual character and quality of the site and its surroundings including public views and scenic vistas, and potential project impacts to scenic resources, including nighttime views, during and after project construction. Story poles are not required in for a sufficient analysis of potential impacts to aesthetic resources given the comprehensive visual analysis contained in Section IV.A of the DEIR.

In an analysis, which is not based solely on the height of the proposed buildings, Section IV.A (Aesthetics) of the DEIR concludes that the project would have a less than significant impact. The analysis addresses a variety of considerations, including a detailed review of the regulatory setting and potential project impacts to public views and scenic vistas, scenic resources in the area, visual character and quality of the site and its surroundings, glare and light impacts to nighttime views, and the aesthetic impacts related to project construction. In light of the extent of graphic (i.e., visual simulations) and narrative descriptions of potential project impact to aesthetic resources on-site and in the surrounding area as contained in Section IV.A of the DEIR, story poles left in place for the entirety of the public comment period are not required for a sufficient analysis of potential project impact to aesthetic resources.

**TOPICAL RESPONSE 2: PUBLIC REVIEW PERIOD FOR THE DEIR**

Generally, public comments regarding the public review period include requests to extend the initial 45-day public review period for several reasons, including problems with the distribution of Chapter IV.N (Utilities and Service Systems) in hard copies of the Draft EIR, that the comment period ran through the holiday season, the length of the document, and the limited number of hard copies available at the Half Moon Bay Library.

Section 15105 of the State *CEQA Guidelines* (Public Review Period for a Draft EIR or a Proposed Negative Declaration or Mitigated Negative Declaration) provides basic guidance regarding this issue and states the following:

- (a) *The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 45 days, unless a shorter period, not less than 30 days, is approved by the State Clearinghouse.*

As discussed in Section I (Introduction) of this FEIR, the DEIR for the proposed project was made available to various public agencies, citizen groups, and interested individuals for a 64-day public review period from October 22, 2009 through December 24, 2009. Initially, the public review period was October 22, 2009 to December 7, 2009. The DEIR was circulated to State agencies through the State Clearinghouse of the Governor's Office of Planning and Research. The Notice of Availability (NOA) of the Draft EIR was completed by the County in accordance with Section 15085 of the *CEQA Guidelines*, including publication of the NOA in the Half Moon Bay Review and San Mateo County Times, both newspapers of general circulation serving the area in which the project is located. Although not required by CEQA, the notice was also sent by mail to interested parties (those who had provided comments during the scoping period), responsible agencies, and adjacent properties, including all addresses at the Pillar Ridge Mobile Home Park. Copies of the DEIR were made available for review at the County of San Mateo Planning and Building Department and the Half Moon Bay Library, and an electronic link to the DEIR in ".pdf" format was posted on the County's website.\*

On November 9, 2009, the County of San Mateo sent a revised NOA to the State Clearinghouse and others who were sent the original NOA stating that the public review period for the proposed project had been extended from 45 days to 64 days to allow more time for responsible agencies and interested members of the public to review the DEIR. This extended the public review period for the DEIR by 19 calendar days. In a memorandum dated November 17, 2009, the State Clearinghouse acknowledged and notified all reviewing agencies of the public review period extension.

The extension of the review period was partly intended to allow for thorough review of Section IV.N (Utilities and Service Systems), which was inadvertently excluded from the initial hard-copy distribution of the DEIR. Hard copies of Section IV.N of the DEIR were distributed on November 6, 2009. On this

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\* *The comment does not identify a significant environmental issue for which CEQA requires a response by the Lead Agency. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. The comment is noted for the record and is included in the FEIR for the consideration of decision-making bodies in reviewing the project.*

date, a copy of Section IV.N, in addition to an extra full-set copy of the DEIR, was made available at the Half Moon Bay Library, and an electronic copy of Section IV.N, which was made available for review as a stand alone document on the County's website from the start of the public review period, was inserted into the online compiled version of the DEIR.

As described above, the length of the public review period for the Big Wave Wellness Center and Office Park DEIR complies with the public review period requirements of Section 15105 of the State *CEQA Guidelines*.

### **TOPICAL RESPONSE 3: STANDARDS FOR RESPONSES TO COMMENTS AND FOCUS OF REVIEW OF COMMENTERS**

Numerous public comments request additional analysis, mitigation measures, or revisions to the DEIR that are not provided in the FEIR for reasons identified in the response to individual comments. In some circumstances, these responses reference this topical response for a variety of reasons. Such circumstances include, but are not limited to, instances when comments: did not address a specific environmental concern; assert the potential for significant impacts, or request additional studies, without providing substantial evidence in support of such assertions and requests; request for additional studies regarding impacts that have been determined to be less than significant without providing sufficient justification; and present an expert opinion that is in disagreement with the analysis based on expert opinion contained in the DEIR.

These responses comply with Sections 15003 and 15204(a) of the *CEQA Guidelines*, as described below.

Section 15003 states:

*(i) CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692).*

*(j) CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement (Laurel Heights Improvement Assoc. v. Regents of U.C. (1993) 6 Cal.4th 1112 and Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553).*

Section 15204(a) states:

*In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or*

*mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

Sections 15003 and 15204(a) reflect judicial interpretation of CEQA. Reviewers are encouraged to focus on the sufficiency of the environmental document's analysis, mitigation measures, and project alternatives. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. CEQA requires that lead agencies need only respond to significant environmental issues, and do not need to provide all information requested by reviewers, so long as a good faith effort at full disclosure is made in the EIR.

Under CEQA, the decision as to whether an environmental effect should be considered significant is reserved to the discretion of the lead agency based on substantial evidence in the record as a whole. The analysis of this EIR is based on the scientific and factual data reviewed by the County and reflects its independent judgment and conclusions. CEQA permits disagreements of opinion with respect to environmental issues addressed in an EIR without the EIR being deemed inadequate. As Section 15151 of the *CEQA Guidelines* states, even “[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts.” With regard to comments that assert potential impacts should be considered significant, Section 21080(e) of CEQA defines the type of evidence required to support a conclusion of significant effect on the environment. It provides that:

*(1) For the purposes of this section and this division, substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.*

*(2) Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment.*

In addition, Section 15204(c) of CEQA advises reviewers that comments should be accompanied by factual support:

*Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

Finally, various comments request that the EIR analyze the potential impacts of scenarios that require significant speculation. CEQA does not require such speculative analysis. *CEQA Guidelines* Section 15145 provides that:

*If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.*

#### **TOPICAL RESPONSE 4: DEFERRAL OF MITIGATION MEASURES**

Generally, public comments regarding the alleged deferral of mitigation include requests to revise or recirculate the Draft EIR to provide additional technical details or the results of additional studies necessary to determine the extent of project impacts. Commenters assert that the DEIR defers important project details and studies into the future and that without such information it is difficult to assess impacts and develop appropriate mitigation.

The following excerpts from the *CEQA Guidelines* provide helpful guidance with respect to such comments:

Section 15147 (Technical Detail): *The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public.*

Section 15126.4(a)(1) (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects): *An EIR shall describe feasible measures which could minimize significant adverse impacts.*

The following subsections provide applicable guidance:

*(b) Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way. ...*

*(d) If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.*

Section 15370 (Mitigation): “Mitigation” includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.*
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.*

- (c) *Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.*
- (d) *Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.*
- (e) *Compensating for the impact by replacing or providing substitute resources or environments.*

While, by definition, mitigation may require that changes be made to the project proposed by an applicant for purposes of minimizing environmental impacts, the proposed mitigation measures of the DEIR do not alter the fundamental description of the project contained in Section III (Project Description) of the DEIR or the actual project analyzed. Consistent with CEQA's definition of mitigation, the DEIR relies on various approaches and measures designed to alleviate specific project-related impacts.

CEQA requires comprehensive environmental review at the earliest feasible stage in the planning process, and that mitigation be adequately identified in the EIR and not be deferred to the future. As noted above, CEQA does not require a project to mature to its precise final form before it is studied. As such, certain mitigation measures do require that future studies, investigations, and plans be prepared so that the extent of the mitigation required can be accurately and precisely determined once the specific project designs are presented to the County.

The following table describes how each required mitigation measure in the DEIR complies with the *CEQA Guidelines*:

<p align="center"><b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b></p>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
<b>AES-4:</b> Prior to the approval of final project plans, a detailed lighting plan shall be submitted to San Mateo County for review and approval, consistent with its requirements.	The proposed lighting plan is described on page III-48 of the DEIR and incorporates many features to avoid substantial light and glare impacts to day and nighttime views (e.g., low height and low wattage, widely spaced, focused lighting). In addition, the mitigation measure applies performance standards (i.e., County lighting standards), as permitted by Section 15126.4(a)(1)(B) of the CEQA Guidelines, prior to the approval of project plans, thereby mitigating any potential significant effect of the project.
<b>AQ-2:</b> The applicant shall require the construction contractor to implement a dust control program.	The analysis acknowledges that dust may be generated from construction activities and minimizes the amount of dust in the air through dust control. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate "mitigation" under CEQA ( <u>Section 15370</u> ) and, therefore, this does not constitute deferred mitigation.
<b>AQ-5:</b> The project applicant shall provide supporting engineering calculations and site plan details to verify the basis of design for the odor removal system.	The proposed odor removal system is described on page IV.C-27 of the DEIR, where it states that the proposal incorporates many features to avoid the escape and spread of objectionable odors to neighboring areas. In addition, the mitigation measure applies performance standards (RWQCB requirements), as permitted by Section 15126.4(a)(1)(B) of the CEQA Guidelines, prior to the approval of the sewage treatment plant, thereby mitigating any

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	potential significant effect of the project.
<b>BIO-1a:</b> A qualified biologist, capable of monitoring projects with potential habitat for Western pond turtles (WPT), San Francisco garter snakes (SFGS), and California red-legged frogs (CRLF) shall be present at the site to perform required duties (i.e., installation and removal of exclusion fencing).	The mitigation measure minimizes impacts to listed species by containing individuals and groups away from construction areas using exclusion fencing. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>BIO-1b:</b> Any active bird nests in the vicinity of proposed grading shall be avoided until young birds are able to leave the nest (i.e., fledged) and forage on their own... If permanent avoidance of the nest is not feasible, impacts shall be minimized by prohibiting disturbance within the nest-setback zone until a qualified biologist verifies that the birds have either a) not begun egg-laying and incubation, or b) that the juveniles from the nest are foraging independently and capable of independent survival at an earlier date.	The mitigation measure minimizes impacts to bird species by avoiding active bird nests or limiting their disturbance during implementation of the project. Avoiding the impact altogether by not taking a certain action or parts of an action and/or minimizing impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>BIO-1c:</b> The applicant shall continue to coordinate all project activities potentially regulated by State, Federal, and local agencies and shall obtain all necessary permits from CDFG, Corps of Engineers, USFWS, and the RWQCB as required by Federal and State law to avoid, minimize or offset impacts to any species listed under either the State or Federal Endangered Species Acts or protected under any other State or Federal law.	This mitigation measure incorporates and applies performance standards (compliance with CDFG, Corps, USFWS, and the RWQCB permit requirements), as permitted by Section 15126.4(a)(1)(B), in order to address the project’s potentially significant effects on special-status species.
<b>BIO-1d:</b> Sensitive and general habitat features outside the limits of approved grading and development shall be protected by identifying a construction and development boundary on all project plans and prohibiting construction equipment operation within this boundary.	The mitigation measure minimizes impacts to listed species by protecting habitat areas from construction activity using a construction and development boundary. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>BIO-4a:</b> Requires additional provisions to be implemented to further protect wildlife habitat resources related to fencing, lighting, pets and food wastes.	The mitigation measure minimizes impacts to wildlife movement and habitat connectivity by applying performance standards related to fencing, lighting, pets and food wastes, as permitted by Section 15126.4(a)(1)(B), thereby mitigating any potential significant effect of the project.



<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
<b>CULT-2a:</b> To avoid impacts to CA-SMA-151, the archaeological site shall be excluded from disruption during project construction. If avoidance of site CA-SMA-151 is impractical or infeasible, a County-approved archaeologist shall be retained to conduct test excavations at the site to determine the integrity of its subsurface deposit and prepare a mitigation plan.	The mitigation measure minimizes impacts to the archaeological site by requiring avoidance of the site or minimization of impacts to the site through a mitigation plan. As described in Section III of this FEIR, the applicant has revised the Wellness Center site plan to avoid the site. Avoiding the impact altogether by not taking a certain action or parts of an action constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>CULT-2b:</b> A qualified archaeologist, as determined by the County, and a Native American shall monitor future ground-disturbing activities in the monitoring area north of site CA-SMA-151.	The mitigation measure minimizes impacts to the archaeological site by requiring an archaeologist to monitor future ground-disturbing activities within the monitoring area. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>CULT-2c:</b> In the event that additional subsurface archaeological resources are encountered during the course of grading and/or excavation, all development shall temporarily cease in these areas until the County Planning Department is contacted and agrees upon a qualified archaeologist to be brought onto the project site to properly assess the resources and make recommendations for their disposition.	The mitigation measure minimizes impacts to the archaeological resources by requiring construction activities to temporarily cease in the event that additional subsurface archaeological resources are encountered during the course of grading and/or excavation. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>CULT-3:</b> A qualified paleontologist, as determined by the County, shall monitor future ground-disturbing activities in native soil both on-site and off-site as related to the project.	The mitigation measure minimizes impacts to the archaeological resources by requiring a paleontologist to monitor future ground-disturbing activities in native soil both on-site and off-site. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>GEO-3a:</b> In summary, this mitigation measure recommends three methods of addressing potential impacts related to cyclic densification, as determined in the final geotechnical investigation report: (1) over-excavating and replacing loose sandy soil with compacted engineered fill; (2) applying deep soil compaction techniques, or (3) designing building foundations to accommodate total and differential ground settlement resulting from cyclic densification, post-liquefaction settlement, and consolidation ground settlement (if	As stated in Section IV.F (Geology and Soils) of the DEIR, Treadwell and Rollo reviewed available subsurface data and concluded that the proposed project, as proposed and mitigated, is feasible from a geotechnical standpoint. The recommendations of the final geotechnical investigation would not address project feasibility (which has already been determined), but provide performance standards relating to method and design to address the potential impact. Compliance with performance standards prior to the approval of project plans would minimize any potential significant effect related to cyclic densification. <i>CEQA Guidelines</i> Section 15126.4.a.1 (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects) states that while formulation of mitigation measures should not be deferred

<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
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applicable).	until some future time, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.
<b>GEO-3b:</b> In summary, this mitigation measure recommends four methods of addressing the potential for soil liquefaction and liquefaction-induced ground failures (such as lateral spreading, post-liquefaction reconsolidation, lurch cracking, and sand boils), after subsurface conditions have been better characterized: (1) improving the soil with deep soil compaction techniques, (2) use of stiffened shallow building foundations (i.e., footings with interlocking grade beams) bearing on a layer of well compacted fill; (3) use of deep building foundations such as drilled piers, driven piles or propriety piles (i.e., torque-down piles and auger cast piles); and (4) constructing a structural slab that spans supported between columns.	<p>The recommendations of the final geotechnical investigation would not address project feasibility (which has already been determined), but provide performance standards relating to method and design to address the potential impact. Compliance with performance standards prior to the approval of project plans would minimize any potential significant effect related to soil liquefaction and liquefaction-induced ground failures. <i>CEQA Guidelines</i> Section 15126.4.a.1 (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects) states that while formulation of mitigation measures should not be deferred until some future time, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way. As described in Section III of the FEIR, the project has selected drilled piers with interlocking grade beams, as it is the most reliable of the recommended foundation types. For more information, please refer to Topical Response 4: Deferral of Mitigation Measures and Topical Response 10, Final Geotechnical Report.</p>
<b>GEO-4:</b> In summary, this mitigation measure recommends four methods (identical to those of Mitigation Measure GEO-3b) addressing the potential for total and differential ground settlement, after subsurface conditions and soil properties have been better characterized.	<p>The recommendations of the final geotechnical investigation would not address project feasibility (which has already been determined), but provide performance standards relating to method and design to address the potential impact. Compliance with performance standards prior to the approval of project plans would minimize any potential significant effect related to total and differential ground settlement. <i>CEQA Guidelines</i> Section 15126.4.a.1 (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects) states that while formulation of mitigation measures should not be deferred until some future time, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way. As described in Section III of the FEIR, the project has selected drilled piers with interlocking grade beams, as it is the most reliable of the recommended foundation types. For more information, please refer to Topical Response 4: Deferral of Mitigation Measures and Topical Response 10, Final Geotechnical Report.</p>
<b>GEO-6:</b> In summary, this mitigation measure recommends four methods of addressing the potential for expansive soils, after an estimate of differential movement has been determined: (1) use of shallow foundations as specified; (2) use of a deepened spread footing system as	<p>The recommendations of the final geotechnical investigation would not address project feasibility (which has already been determined), but provide performance standards relating to method and design to address the potential impact. Compliance with performance standards prior to the approval of project plans would minimize any potential significant effect related to expansive soils. <i>CEQA Guidelines</i> Section 15126.4.a.1 (Consideration and Discus-</p>

<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
specified; (3) use of a stiffened foundation system as specified; or (4) use of a deep foundation system as specified.	sion of Mitigation Measures Proposed to Minimize Significant Effects) states that while formulation of mitigation measures should not be deferred until some future time, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way. As discussed in Section III of the FEIR, the project will utilize Item 4, a deep pier foundation.
<b>GEO-7:</b> In summary, this mitigation measure requires the pervious pavement system to allow surface water to percolate through the pavement without causing adverse impacts to new pavements and building foundations and recommends three design recommendations: 1) the collection and redirection of surface and subsurface water away from the proposed building foundations, 2) using permeable base material within pavement areas, or 3) installing subdrains to collect and redirect water from areas that could adversely impact building foundations and vehicular pavement to a suitable outlet.	As stated in Section IV.F (Geology and Soils) of the DEIR, Treadwell and Rollo reviewed available subsurface data and concluded that the proposed project, as proposed and mitigated, is feasible from a geotechnical standpoint. The recommendations of the final geotechnical investigation would not address project feasibility (which has already been determined), but provide performance standards relating to method and design to address the potential impact. Compliance with performance standards prior to the approval of project plans would minimize any potential significant effect related to drainage. <i>CEQA Guidelines</i> Section 15126.4.a.1 (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects) states that while formulation of mitigation measures should not be deferred until some future time, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.
<b>GEO-8:</b> In summary, this mitigation measure requires the applicant's consultant (Registered Geotechnical Engineer and Registered Engineering Geologist) shall review and approve the final grading, drainage, and foundation plans and specifications. All mitigations and final design recommendations shall be reviewed and approved by the County prior to issuance of applicable permits and approval of the Final Map.	As with Mitigation Measure GEO-7, compliance with typical standards prior to the approval of project plans would minimize any potential significant effect related to drainage. Compliance with County performance standards, such as the County's Drainage Policy and NPDES requirements, would mitigate any potential significant effect of the project. <i>CEQA Guidelines</i> Section 15126.4.a.1 (Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects) states that while formulation of mitigation measures should not be deferred until some future time, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.
<b>HAZ-2:</b> Prior to approval of final development plans, a Phase II Environmental Site Assessment (Phase II ESA) shall be performed at the project site to evaluate whether the recognized environmental conditions identified in the Phase I ESA represent an actual release of hazardous substances to soil or groundwater at the project site.	As stated within section Impact HAZ-2 of the DEIR, the environmental site condition identified by the Phase I study generally does not represent a threat to human health or the environment and generally would not be the subject of an enforcement action. Therefore, this does not qualify as a recognized environmental condition, the impact is less than significant, and no mitigation measures are required. The Phase II ESA is only a recommendation and compliance is not required in order to mitigate any potential significant effect of the project within the meaning of CEQA.
<b>HAZ-3:</b> Prior to approval of final development plans, an avigation easement shall be	The mitigation measure requires the creation of an avigation easement for the purpose of informing future residents that the

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<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
established for the project site, to the satisfaction of the County Director of Public Works. The avigation easement shall be recorded and shown on the vesting tentative map. With approval of the Wellness Center, the Wellness Center property owner(s) and tenants, and their successor's in interest in perpetuity, acknowledge the project's location adjacent to an airport and the noise level inherent in the use. A statement, as specified in the full mitigation measure, shall be included in the details of the avigation easement on the recorded Final Map, prior to the issuance of the Certificate of Occupancy for any residential unit at the subject property:	property is subject to noise and potential hazards. The mitigation measure has been formulated and would be implemented at the time of the Wellness Center parcel's creation.
<b>HYDRO-3:</b> "The applicant shall prepare and submit a SWPPP for the proposed project."	The mitigation measure minimizes the impacts of erosion and siltation to drainage patterns by requiring the preparation of a Stormwater Pollution Prevention Plan (SWPPP), subject to the requirements of the State's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit), prior to issuance of a building permit. The mitigation measure applies performance standards (requirements of Construction General Permit for the SWPPP), thereby mitigating any potential significant effect of the project.
<b>HYDRO-4:</b> The applicant shall submit a drainage report and plans to the County that identify the drainage pathways and the extent of any off-site drainage that flows on-site.	The Grading, Drainage and Utility Plans are provided in Figures III-25 and III-26 of the DEIR. The mitigation measure minimizes impacts to drainage patterns by requiring the preparation of a drainage report and plan to the County. In doing so, the mitigation measure applies performance standards (required drainage plan compliance with County Drainage Policy and NPDES requirements), thereby mitigating any potential significant effect of the project.
<b>HYDRO-5:</b> The applicant shall prepare and submit a comprehensive erosion control plan and SWPPP.	The mitigation measure minimizes project runoff by requiring the preparation of a SWPPP. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate "mitigation" under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>HYDRO-6:</b> The applicant shall abandon all unused wells on the project site consistent with San Mateo County Department of Environmental Health standards and the standards described in the State of California Department of Water Resources Well Standards (Bulletins 74-81 and 74-90).	Section Impact HYDRO-6 of the DEIR states that, if any other wells do exist, are not used, and are not properly destroyed, the unused wells could pose a potentially significant impact to groundwater quality as pollutants entering the well would be rapidly conveyed to the subsurface aquifer. The abandonment of unused wells minimizes or eliminates pollutants entering the well. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action constitutes

<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
	appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>HYDRO-9:</b> In areas subject to tsunami and seiche effects, implementing agencies shall, where appropriate, ensure that the project incorporates features designed to minimize damage from a tsunami or seiche.	The mitigation measure minimizes tsunami and seiche effects to the project by requiring compliance with performance standards (required tsunami or seiche design features, as determined by the implementing agency), as permitted by Section 15126.4(a)(1)(B) of the CEQA Guidelines, thereby mitigating any potential significant effect of the project.
<b>NOISE-1:</b> The construction contractor shall implement measures to reduce the noise levels generated by construction equipment operating at the project site during project grading and construction phases.	The mitigation measure minimizes noise levels generated by construction equipment operating at the project site during project grading by requiring implementation of performance standards (noise reduction measures), as permitted by Section 15126.4(a)(1)(B), thereby mitigating any potential significant effect of the project.
<b>PS-1:</b> Provide on-site manned security with clear lines of communication to fire and emergency medical response.	As discussed in section Impact PS-2 of the DEIR, although project impacts to police services were found to be less than significant, the mitigation measure is recommended by the Sheriff’s Department to further reduce impacts related to an increased demand for police services associated with the proposed project. Implementation of the mitigation measure is not required in order to mitigate any potential significant effect of the project but is recommended.

<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
<p><b>TRANS-1:</b> The property owner shall submit a traffic report to the Community Development Director, at full occupancy of every 60,000 sq. ft. of office space, until full project occupancy, and submit traffic reports bi-annually after full project occupancy. The report shall prepared by a Professional Transportation Engineer in the State of California and identify the Level of Service (LOS) at the intersection of Cypress Avenue and SR 1, Airport Street &amp; Stanford/Cornell, Broadway &amp; Prospect Way, Prospect Way &amp; Capistrano Road and State Route 1 &amp; Capistrano Road to evaluate if they maintain a LOS C or better. If LOS falls below existing worst-case levels for this intersection (LOS C in the AM and LOS D in the PM), the applicant shall coordinate with Caltrans to pay a fair share for the installation of a signal as necessary to ensure that the signal will be installed within 1 year of the date of that report. If traffic reports reveal that the LOS of any of the other intersections listed above fall below LOS C, it shall identify methods for reducing vehicle trips to and from the project site, as well as other roadway or intersection improvements that would result in LOS C or better. The applicant shall implement the measures required by the County, subject to all necessary permitting and environmental review requirements, within 1 year of the date of that report. In the event that permits required for roadway or intersection improvements are not obtained, the methods for maintaining LOS C or better shall be achieved by reducing vehicle trips to and from the project site.</p>	<p>Due to the demand-based phasing of Office Park construction and the proposed and required project traffic impact reduction measures, it is speculative at this time whether traffic from the Office Park will reach a critical volume that would result in a significant impact on local streets. However, it is clear that once intersection LOS exceeds level “C” at any of the study intersections, traffic impacts can be mitigated (i.e., installation of a signal, construction of designated turn lanes) as per the recommendation of a traffic report. Implementation of such mitigation measures would restore LOS at the affected intersection such that it returns to a level “C” or better. Offsetting the impact by repairing, rehabilitating, or restoring the impacted environment constitutes appropriate “mitigation” under CEQA (<u>Section 15370</u>) and, therefore, there is no issue with respect to deferred mitigation.</p>
<p><b>TRANS-8:</b> Prior to issuance of grading permits, the applicant shall also submit a traffic control plan to the County Department of Public Works for review and approval. All staging during construction shall occur on-site.</p>	<p>The mitigation measure minimizes traffic impacts to area streets from project construction by requiring compliance with performance standards (traffic control plan, as approved by the County Department of Public Works), as permitted by Section 15126.4(a)(1)(B), thereby mitigating any potential significant effect of the project.</p>
<p><b>UTIL-2:</b> The applicant shall either: (a) revise the project design to limit the maximum amount of sewage flow to the</p>	<p>As described in Section III of the FEIR, the project incorporates flow equalization and water recycling such that the maximum amount of project sewage flow to the Granada Sanitary District</p>

<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
Granada Sanitary District sewer system to that which can be accommodated by the existing 8-inch sewer line in Stanford Avenue and the Princeton Pump Station; or (b) provide necessary expansion of the capacity of the sewer system to accommodate the addition of the expected maximum sewage flow of 26,000 gpd from the project.	sewer system could be accommodated by the existing 8-inch sewer line.  Implementation of the mitigation measure minimizes impacts to the sewer system by maintaining a sewage flow that can be accommodated with the existing system. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.
<b>UTIL-4:</b> The applicant shall comply with State Health Department and RWQCB requirements for wastewater recycling.	The mitigation measure minimizes impacts resulting from the proposed wastewater facilities by requiring compliance with performance standards (State Health Department and RWQCB requirements for wastewater recycling), as permitted by Section 15126.4(a)(1)(B), thereby mitigating any potential significant effect of the project.
<b>UTIL-5:</b> The applicant shall revise the project plans and water budget analysis to correct the inconsistencies in the water recycling assumptions and calculations, and shall use this information to verify: (a) the adequacy of plans for irrigation uses of recycled water; and (b) the sufficiency of the proposed landscape areas for winter season dispersal of all wastewater flow not distributed for toilet flushing. The project’s use of treated wastewater for irrigation shall be managed and controlled to prevent changes in existing drainage and hydrology that could adversely impact the biology or hydrology of wetland habitats or result in ponding that could result in health, circulation, or structural stability problems. Prior to Planning approval of any grading permit, the applicant shall submit a report, prepared by a biologist/hydrologist to determine appropriate recycled watering levels for all seasons that is consistent with the above requirement and the revised water budget analysis. The report shall be submitted for review by the Environmental Health Division, RWQCB, and the County Planning Department. Use of recycled water for irrigation shall be monitored for two years by a biologist/hydrologist to adjust water levels as necessary based on actual site conditions.	The mitigation measure minimizes impacts resulting from the proposed wastewater and recycling facilities by requiring compliance with performance standards (RWQCB requirements), as permitted by Section 15126.4(a)(1)(B), thereby mitigating any potential significant effect of the project.
<b>UTIL-6:</b> The project applicant shall modify the current plans for sewer	The mitigation measure minimizes impacts resulting from the proposed creek crossing by requiring compliance with

<b>Table II-1</b> <b>Discussion of Mitigation Measures of DEIR, as Revised by the FEIR</b>	
<b>Mitigation Measure (Summarized)</b>	<b>Compliance with CEQA Guidelines</b>
connection between the North and South parcels to provide either: (a) realignment and profile correction to accommodate a gravity sewer line; or (b) incorporation of a lift station on either the North or South parcel.	performance standards (specified modifications to sewer plans), as permitted by Section 15126.4(a)(1)(B), thereby mitigating any potential significant effect of the project.
<b>UTIL-11:</b> To facilitate on-site separation and recycling of construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during construction. The applicant shall prepare and submit a facility recycling program for the collection and loading of recyclable materials prepared in response to the California Solid Waste Reuse and Recycling Access Act of 1991 as described by the CIWMB, Model Ordinance.	Implementation of the mitigation measure (facilitation of on-site separation and recycling of construction-related wastes and a facility recycling program) minimizes project construction and operations wastes to that which can be accommodated by the landfill. Minimization of impacts by limiting the degree or magnitude of the action and its implementation constitutes appropriate “mitigation” under CEQA ( <u>Section 15370</u> ) and, therefore, there is no issue with respect to deferred mitigation.

Section 21081.6 of the Public Resources Code requires a lead agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the State *CEQA Guidelines* provides additional direction on mitigation monitoring or reporting). The County of San Mateo is the lead agency for the proposed project and is therefore responsible for enforcing and monitoring the mitigation measures in the Mitigation Monitoring and Reporting Program. Enforcement of this Program, which is included in Section IV of Volume I of the FEIR, will ensure that mitigation measures are carried out in a manner and timeframe that complies with CEQA requirements.

## **TOPICAL RESPONSE 5: ALTERNATIVES TO THE PROPOSED PROJECT**

Generally, public comments regarding the alternatives to the proposed project request the County to consider a described alternative or an alternative project location.

*CEQA Guidelines* require that EIRs include the identification and evaluation of a reasonable range of alternatives that are designed to reduce the significant environmental impacts of the project while still meeting the general project objectives. The following sections of the *CEQA Guidelines* apply to the identification and evaluation of alternatives:

Section 15126.6(a) sets forth the intent and extent of the alternatives analysis to be provided in an EIR:

*An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but*



would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparable merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Section 15126.6(b) states:

*Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.*

#### County's Selection of Alternatives

The County selected four alternatives to the proposed project for analysis in the DEIR that constitute a range of potentially feasible alternatives. As described and analyzed in Section III (Corrections and Additions to the Draft EIR), Alternative C in the DEIR has been revised (referred to as Modified Alternative C) to further reduce the aesthetic, biological, hydrological, and traffic impacts of this alternative. The final alternatives are listed below:

Table II-2 Final Alternatives for the Big Wave Wellness Center and Office Park Project				
Alternative	Total Sq. Ft.	Stories	Number of Buildings	Total Building Footprint Compared to Project
<b>Alternative A:</b> No Project Alternative	N/A	N/A	N/A	N/A
<b>Alternative B:</b> Reduced Density/Height for Office Park	186,000	2	4	20% increase
<b>Modified Alternative C in the FEIR:</b> Smaller, Staggered Height Office Park Buildings and Reduced Size for Wellness Center	225,000	Front Row (4 Bldgs): 2 Back Row (4 Bldgs): 3	8	15% increase (originally, 41% increase)
<b>Alternative D:</b> Modified Office Park Site Plan Alternative 2	200,000	3	3	16% decrease
<b>Project</b> (provided for reference)	225,000	3	4	N/A (approx. 80,000 sq. ft.)

As shown in the table above, notable differences among the alternatives involve changes to the Office Park proposal, including changes to the total building square footage, number of buildings, number of stories, and building footprint. Thorough descriptions of Alternatives A, B, C and D are provided in

Section VI (Alternatives to the Proposed Project) of the DEIR. Section VI of the DEIR also includes a detailed analysis of the potential environmental impacts of these alternatives. As stated previously, Modified Alternative C is described in Section III (Corrections and Additions to the Draft EIR) of this FEIR, which also includes a detailed analysis of the potential environmental impacts of this alternative.

#### Alternatives Considered to be Infeasible

The following sections of the State *CEQA Guidelines* apply to the identification of alternatives that were rejected as infeasible:

Section 15126.6(f)(1) states:

*Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.*

Section 15126.6(c) states:

*The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also 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. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.*

Many of the commenters expressed support for a specific alternative involving development of the Wellness Center and Office Park on the northern parcel and restoration of wetlands on the southern parcel. As noted on page VI-5 of Section VI (Alternatives to the Proposed Project) of the DEIR, this reduced development alternative was rejected as being economically infeasible. Specifically, Big Wave, LLC is donating the Wellness Center site to the Big Wave non-profit organization, which allows for the non-profit organization to keep housing costs low by providing the Wellness Center with secure ownership of the Wellness Center site. As Big Wave, LLC, a separate owner from the Big Wave non-profit organization, owns the Office Park site and has not offered to donate a portion of the Office Park site to the Big Wave non-profit organization, the Big Wave non-profit organization would have to purchase one-half of the developable portion of the Office Park site, which would ultimately result in the units at the Wellness Center being unaffordable for lower income developmentally disabled residents. It should also be noted that, as no restoration would occur on the southern parcel under this alternative, this alternative reduces the area of restored wetlands and the corresponding benefits of restoration. Per the Sections of the CEQA Guidelines cited above, an EIR is not required to consider alternatives which are not economically viable.

Also, many commenters suggested segregating the development of one of the project components, either the Wellness Center or the Office Park, with one project component to be constructed on the Coastsides and the other on the Bayside area of San Mateo County. Variations of this alternative were rejected as infeasible as these alternatives would have required the spatial separation of the two project components, resulting in a conflict with an important project objective. As stated under “Organization, Programs, Employment Options” on page III-39 of the DEIR, the Wellness Center and Office Park are connected spatially in order to provide the developmentally disabled residents with employment opportunities, as well as to provide additional income flow from the Office Park to the Wellness Center through the provision of utilities based on the Wellness Center property: “The Wellness Center would offer its residents a variety of services, including job opportunities due to a number of business operations that would employ residents, and, in some cases, generate revenue to maintain the economic sustainability of the Wellness Center. This includes the proposed: BW Catering/Food Services; BW Energy; BW Farming; BW Water; BW Transportation; BW Recycling; BW Communications (Fiberlink); and BW Maintenance.”

As discussed in detail in Section VI of the DEIR, other alternative locations were analyzed and rejected as infeasible, including six alternate sites for the Wellness Center: 1) Moss Beach Highlands Site (located on Etheldore Street; APN 037-320-270); 2) Etheldore Site (located between Highway 1 and Etheldore Street; APN 037-291-010); 3) Hospital Site No. 1 (South) (located on Etheldore Street; APN 037-160-110); 4) Hospital Site No. 2 (North) (located on Etheldore Street; APN 037-160-100); 5) Farallone Vista Site (located 400 feet east of Highway 1 with access from Carlos Street); and 6) North El Granada Site (located on Sevilla Avenue). These potential affordable housing sites have various environmental constraints and thus development of the Wellness Center at such sites would not reduce all of the significant impacts associated with the project and would create new significant impacts. Also, this type of alternative would not meet some of the project objectives, particularly the objective to locate the Wellness Center within walking/ wheelchair distance to the Office Park.

## **TOPICAL RESPONSE 6: RECIRCULATION OF THE DEIR**

Section 15088.5(a) of the *CEQA Guidelines* provides direction for EIR recirculation prior to certification:

- (a) *A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:*
- (1) *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*

- (2) *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
- (3) *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.*
- (4) *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).*
- (b) *Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.*

Clarifying information has been provided in Section III (Corrections and Additions to the Draft EIR) of the FEIR in order to 1) clarify or refine (provide additional detail) to the information in the DEIR, 2) to include additional mitigations proposed by the County, and 3) to provide a description on how the mitigations of the DEIR and additional mitigation from the County would be incorporated into the project. The following is a summary of key changes to the DEIR:

<b>Table II-3</b> <b>Summary of Key Changes to the DEIR and Analysis of Whether the Change Represents "New Significant Information"</b>	
<b>What Changed:</b>	<b>Is this Considered "New Significant Information"?</b>
<b>Wellness Center Site</b>	
The Wellness Center Project was reduced in size from 70 units to 57 units.	NO – Site plan was revised to reduce the size of the Wellness Center to avoid the archeological site in compliance with Mitigation Measure Cult-2 of the DEIR. This reduces, rather than increases, the severity of potential environmental impact.
The public storage use at the Wellness Center site has been relocated and reduced from 20,000 sq. ft. to 10,000 sq. ft.	NO – Change reduces traffic impacts and would not result in a significant aesthetic impact. This reduces, rather than increases, the severity of potential environmental impact.
The Community Center aspect has been removed.	NO – Change reduces traffic impacts.
First floor elevations of Wellness Center Buildings were raised from 18 feet to 20 feet NGVD.	NO – Change reduces impacts related to tsunami, flood and sea level rise hazards impacts and would not result in a significant aesthetic impact, as proposed building heights from natural grade would remain the same.
Modified landscaping plan to include a vegetative buffer of wetlands trees will be installed around the perimeter of the property and to provide additional habitat and visual and noise buffering.	NO – Change provides biological function to landscaping and does not result in new aesthetic or noise impacts.
The project will incorporate a foundation of drilled pier supported interlocking grade beams.	NO – Information provided to comply with Mitigation Measures GEO 1 through 8.

<b>Table II-3</b> <b>Summary of Key Changes to the DEIR and Analysis of Whether the Change Represents “New Significant Information”</b>	
<b>What Changed:</b>	<b>Is this Considered “New Significant Information”?</b>
<b>Office Park Site</b>	
Applicant proposes an off-site parking agreement and shuttle services to the Office Park (to accommodate a minimum of 50 cars and their drivers) for the purpose of reducing project traffic.	NO – Use of an off-site area for parking would not result in additional significant environmental impacts as parking would already be an allowed use at the site.
Alternative C of the DEIR was modified.	NO – The alternative was further refined. The total square footage of Alternative C was retained, while aesthetic and biological/ hydrological impacts were reduced.
<b>Utilities</b>	
<u>Clarification of Water System options:</u> The FEIR clarifies that the water storage system for fire protection will rely one or the combination of the following sources: (1) the public water supply, (2) below building storage tank, and/or (3) Wellness Center swimming pool.	NO – In the DEIR, the proposed options for water systems were: (1) domestic hookups and one fire system hookup, and (2) use of well water/treatment systems. The FEIR maintains the option of fire system hookup and use of the swimming pool and adds the use of a below building storage tank. While an additional 500 c.y. of excavation would be required, overall grading has been reduced and would continue to be balanced <sup>1</sup> . Also, the tank would be located within a building footing on the Wellness Center parcel and would not increase the footprint or impermeability of the project. These details do not substantially increase the severity of identified environmental impacts.
<u>Clarification of Wastewater System options:</u> The FEIR clarifies that a total of 8 EDUs will be purchased for emergency and excess discharge into the Granada Sanitary District (GSD) system. The drainfields have been removed.	NO – In the DEIR, the proposed options for wastewater systems were: (1) use of an on-site wastewater treatment plant with disposal through irrigation and infiltration through three drainfields, and/or (2) municipal hookups. The FEIR refines the proposed options in the DEIR. The GSD connections would not increase impacts to the existing systems as the applicant would provide 24-hour on-site storage of influent and effluent for flow equalization to insure that the GSD system capacity will not be exceeded during normal operation and peak wet weather flows. Removal of the drainfields would reduce water quality and groundwater impacts.
Development of separate, small MBR plants (formally one plant on Wellness Center site).	NO – MBR plants were designed and relocated due to the requirements of Mitigation Measure CULT-2a. Capacity and function of MBR plant remains as described in the DEIR. MBR plants would be located within the proposed building footprints. As MBR Plants would be subject to RWQCB and CDPH regulations, redesigned MBR plants would not result in additional impacts.
<b>Corrections</b>	

<sup>1</sup> See revised Grading Estimates in Revisions to the Project Description.

<b>Table II-3</b> <b>Summary of Key Changes to the DEIR and Analysis of Whether the Change Represents “New Significant Information”</b>	
<b>What Changed:</b>	<b>Is this Considered “New Significant Information”?</b>
<u>Coastal Development Permit from California Coastal Commission (CCC):</u> A Coastal Development Permit (in addition to the CDP required from the County of San Mateo) would be required for those portions of the site that are within the jurisdiction of the CCC.	The DEIR stated that a CDP would be required from the County. For development within portions of the parcel that are within the jurisdiction of the CCC, a separate CDP would be required. The correction is described in the FEIR and a new recommended mitigation measure has been added. As the applicant would be subject to this requirement regardless of whether or not the permit requirement is contained in a mitigation measure in the DEIR, a <i>recommended</i> Mitigation Measure LU-2 has been added in the FEIR.
<u>Correction to Zoning:</u> Portions of the wetland and wetland buffer zones on the project sites are zoned Resource Management/Coastal Zone (RM-CZ), as shown in Figure II.D.a of the FEIR.	The DEIR stated that the zoning districts are applicable to the project sites. As the applicant would be subject to this requirement regardless of whether or not the RM zoning was identified in the DEIR, this information does not constitute new significant information.

An analysis of potential environmental impacts resulting from changes to the project description, including but not limited to those described above, are described in Section III.C (environmental Analysis) of the FEIR. It should be noted that edits have been made to mitigation measures in the DEIR, as shown in Section III.B (revisions to the Draft EIR) to enhance the intent, purpose and function of the original mitigation measure. As described above, none of the changes would result in the addition of significant new information to the EIR. The changes would not result in any new significant environmental impact, would not substantially increase the severity of an environmental impact that requires additional mitigation, does not include a feasible project alternative or mitigation measure that would clearly lessen the environmental impacts of the project that the project’s proponents decline to adopt. As the FEIR merely clarifies or amplifies or makes insignificant modifications to an adequate Draft EIR, recirculation of the Draft EIR is not required.

## **TOPICAL RESPONSE 7: VISUAL SIMULATIONS OF THE PROPOSED PROJECT**

Generally, public comments regarding the visual simulations of the proposed project provided in the DEIR questioned the methodology and accuracy of the simulations.

The visual simulations presented in Section IV.A (Aesthetics) of the DEIR, Figures IV.A-4 through IV.A-8 on pages IV.A-22 through IV.A-36, were prepared by Christopher A. Joseph and Associates (the environmental consultant retained by the County to prepare the DEIR for this project). The visual simulations show five representative views of the project as proposed. Viewpoint photographs were collected during the months of May and June of 2009 using two different cameras. Viewpoints 1 and 2 were photographed with a Panasonic DMC-FZ30 and Viewpoints 3 through 5 were photographed with a

Hewlett-Packard Photosmart M627. San Mateo County Planning staff helped choose representative viewpoints that would show the proposed project from a variety of viewpoints and distances.

Once the viewpoints were photographed, computer-generated models were created using design, landscaping, and site information from the project architect, and surrounding land data from various public agencies, including San Mateo County and the United States Geological Survey. Surveyed topographic data and proposed grading data of the site were used to create a very accurate model of the landform features within the site. USGS Digital-Elevation-Model (DEM) data was used to create landform features of the surrounding area, and County parcel data was projected onto the landform to finish the base upon which the proposed project model could be built. Other potential sources of topographic data, such as Google Earth, were determined to be too inaccurate for use in analysis. 3-D models and Computer-Aided-Design (CAD) drawings of the proposed project were combined, textured, and placed on the landform base. Parking lots, curbs, lights, and landscaping (trees, shrubs, etc.) were placed in according to the landscaping plan. With the model of the site, project and surrounding area complete, computer-generated (CG) cameras were created to match the ‘real-world’ cameras both in placement and imaging parameters such as field-of-view, aspect ratio, focal length, f-stop, etc. Placement of the CG cameras was determined by using a combination of field notes and photogrammetry (utilizing field of view and line of sight triangulation on existing elements in each image). Height of each CG camera was placed 5’6” above the local landform base. The CG cameras were used to recreate the views from the ‘real-world’ cameras and allow the two images to be blended in Photoshop to provide a realistic, representative view of the proposed project sitting in the existing landscape. This method provided greater accuracy than that which could be obtained through the use of Google Earth, as necessary to assess the aesthetic impacts described in Section IV.A-5.

## **TOPICAL RESPONSE 8: TRAFFIC AND PARKING IMPACTS**

Generally, public comments regarding traffic and parking impacts of the proposed project include statements that: 1) the capacity of the existing road network and levels of service cannot accommodate the amount of traffic that would result from the project at full occupancy (particularly traffic associated with the Office Park), 2) Mitigation Measure TRANS-1 of the DEIR should be revised to require the signal at Cypress Avenue and Highway 1 to be installed prior to occupancy of the Office Park, 3) project traffic will negatively impact traffic conditions on Highways 1 and 92, and 4) granting of a Parking Exception will impact parking along Airport Street and public access to the coast.

### Concerns Regarding Congestion of the Existing Road Network from Project Traffic and Concerns Regarding the Timing of the Installation of a Traffic Signal at Cypress Avenue and Highway 1

As stated in Impact TRANS-1 of the DEIR on page IV.M-27 and 28, with the project, the peak-hour signal warrant would be met at the intersection of Highway 1 at Cypress Avenue and impacts to intersection LOS and capacity would be significant (the signal warrant analysis sheets are included in Appendix J of this DEIR).<sup>2</sup> With signalization, this intersection would operate at LOS A under the AM

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<sup>2</sup> According to the County of San Mateo Level Of Service (LOS) guidelines, a development is said to create a significant adverse impact on traffic conditions at an intersection if, for either peak hour, the LOS at the intersection degrades from an

and PM peak-hours for both (average and worst-case) project scenarios. Under signalized conditions, the existing roadway geometry would be adequate to handle the anticipated traffic demand.

The DEIR adds Mitigation Measure TRANS-1 to require, following project occupancy, a bi-annual report prepared by a Professional Transportation Engineer in the State of California, reporting on the level of service at the intersection of Cypress Avenue and Highway (SR) 1 and stating whether or not this location warrants a signal. If it meets warrants, then the applicant shall coordinate with CalTrans to pay a fair share for the installation of a signal, as necessary to ensure that the signal will be installed within 5 years of the date of that report. Implementation of the mitigation measure would reduce the impact related to project peak-hour traffic volumes and intersection LOS to a less than significant level.

**Mitigation Measure TRANS-1 (Intersection Level of Service and Capacity) of the DEIR (Superseded):**

Following project occupancy, the applicant shall submit a bi-annual report, signed and stamped by a Professional Transportation Engineer in the State of California, to the Director of Planning and Building on the level of service at the intersection of Cypress Avenue and SR 1 stating whether or not this location warrants a signal. If it meets warrants, then the applicant shall coordinate with CalTrans to pay a fair share for the installation of a signal within 5 years of the date of that report.

Mitigation Measure TRANS-1 has been revised in the FEIR to address concerns expressed by the public regarding the congestion of the existing road network from project traffic and concerns regarding the timing of the installation of a traffic signal at Cypress Avenue and Highway 1. Mitigation Measure TRANS-1 has been revised, as shown below, to require a new traffic report to be submitted upon occupancy of every 60,000 sq. ft. of office space, until full project occupancy, and to require traffic reports to be submitted bi-annually after full project occupancy. Also, the revised mitigation measure addresses traffic conditions at the Highway 1 and Cypress Avenue intersection, along with the following additional intersections to evaluate if they maintain a LOS level “C” or better: Airport Street and Stanford/Cornell (Study Intersection 3 of DEIR), Broadway and Prospect Way (Study Intersection 2), Prospect Way and Capistrano (Study Intersection 1), and State Route 1 and Capistrano (Study Intersection 8). The revised mitigation measure shortens the timeframe for the implementation of the recommendations of the traffic report, including signal installation, from 5 years to 1 year of the date of the report.

**Revised Mitigation Measure TRANS-1 of the FEIR:** The property owner shall submit a traffic report to the Community Development Director, at full occupancy of every 60,000 sq. ft. of office space, until full project occupancy, and submit traffic reports bi-annually after full project occupancy. The report shall be signed and stamped by a Professional Transportation Engineer in the State of California and identify the Level of Service (LOS) at the intersection of Cypress Avenue and SR 1, Airport Street & Stanford/Cornell (Study Intersection 3 of DEIR), Broadway & Prospect Way (Study Intersection 2), Prospect Way & Capistrano (Study Intersection 1) and State Route 1 & Capistrano (Study Intersection 8) to evaluate if they maintain a LOS C or better. If Levels of Service fall below existing worst-case levels for this intersection (LOS C in the AM and LOS D in the PM), the applicant shall coordinate with Caltrans to pay a fair share for the installation of a signal as necessary to ensure that the signal will be

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*acceptable LOS D or better under baseline conditions to an unacceptable LOS E or F under project conditions. The eastbound left-turn movement at this intersection is shown to operate at LOS F with a delay of 59.8 seconds under Project Conditions, where under Background Conditions the intersection is shown to operate at LOS D.*



installed within 1 year of the date of that report. If traffic reports reveal that the LOS of any of the other intersections listed above fall below LOS C, it shall identify methods for reducing vehicle trips to and from the project site, as well as other roadway or intersection improvements that would result in LOS C or better. The applicant shall implement the measures required by the Department of Public Works and the Planning and Building Department, subject to all necessary permitting and environmental review requirements, within 1 year of the date of that report. In the event that permits required for roadway or intersection improvements are not obtained, the methods for maintaining LOS C or better shall be achieved by reducing vehicle trips to and from the project site.

Also, as discussed in Section III (Corrections and Additions to the Draft EIR) of the FEIR, the applicant has made the following modifications to the project in order to further reduce traffic impacts to the area:

- The Community Center aspect has been removed, thereby restricting pool, fitness center, and locker facilities for use by Wellness Center residents, staff and their guests only. Initially, these facilities were available to the Coastsides public.
- The public storage use at the Wellness Center site has been reduced from 20,000 sq. ft. to 10,000 sq. ft.
- Prior to occupancy of any Office Park building, the applicant proposes to implement Traffic Demand Management (TDM) measures, including an off-site parking agreement and shuttle services to the Office Park (to accommodate a minimum of 50 cars and their drivers) for the purpose of reducing project traffic on Cypress Avenue, Prospect Way, Broadway to Cornell Avenue, Harvard Avenue, and Yale Avenue.

#### Concerns Regarding Negative Impacts to Traffic Conditions on Highways 1 and 92

Please refer to “Impact TRANS-11 Additional Intersection Analysis” on page IV.M-43 of the DEIR for an analysis of project traffic impacts on Highway 92 at Highway 1 and Highway 92 at Main Street. The section concludes with the following statement: “The proposed project would, in fact, reduce traffic traveling over the hill on Highway 92 for employment by 60 eastbound trips in the AM peak hour and 53 westbound trips in the PM peak hour. Impacts would be less than significant and no mitigation measures are required.”<sup>3</sup>

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<sup>3</sup> Analysis and conclusions of Impact TRANS-1 are based on a memorandum prepared by Hexagon Transportation Consultants, dated September 23, 2009, included in Appendix J of the DEIR.

### Potential Impacts of Requested Parking Exception

Table IV.M-9 on page IV.M-39 of the DEIR represents a conservative interpretation of the County parking requirements for the mixed-use Office Park. The table below shows that, based on County parking requirements for office use (1 parking space for every 200 sq. ft.), a total of 737 parking spaces would be required. This represents the “upper limit” of the parking required by the County for the mixed-use Office Park. The DEIR states that the provision of 640 spaces where 737 are required would not result in a significant impact to parking in the area. Based on this calculation, the applicant requests a parking exception for 97 parking spaces.

County Parking Regulations do set different parking space requirements for “office” uses and “other uses permitted in the ‘M’ Zoning Districts,” which requires the “lower limit” of the parking required by the County for the mixed-use Office Park, as shown in the table below.

<b>Table II-4</b> <b>Parking Requirements for Office Park</b>				
Proposed Use	Sq. Ft.	County Parking Regulations		Parking Spaces Required (using Total sq. ft. of “equivalent Office Space” from DEIR) <sup>2</sup>
		Parking Space Ratio	Parking Spaces Required under M-1 District	
General Office (40%)	90,000	1 sp/200 sq. ft.	450.00	450.00
Research and Development (25%)	56,250	1 sp/2,000 sq. ft. <sup>1</sup>	28.13	208.00
Light Manufacturing (20%)	45,000	1 sp/2,000 sq. ft.	22.50	79
Storage uses (15%)	33,750	1 sp/2,000 sq. ft.	16.88	0
	225,000		517.51	<b>737</b>
Lower Limit of Required Parking Spaces (County):				<b>518</b>
Upper Limit of Required Parking Spaces (DEIR)				<b>737</b>
Average of Above:				<b>628</b>
Total Proposed Parking Spaces				<b>640</b>
<sup>1</sup> The Parking Regulations require “1 space for each 2 employees on largest shift; in no case less than 1 space for each 2,000 sq. ft. of floor area” for all uses which are permitted in “M” Districts, but not specifically enumerated in the regulations.				

Staff has concluded that the demand for parking at the site is likely to be in between 737 and 518 parking spaces, which averages at 628 parking spaces. As the applicant proposes 640 spaces, the on-site parking is not anticipated to impact street parking or public access. Based on the foregoing, including the proposed shuttle service that reduces the need for parking spaces, granting of a parking exception to allow 640 spaces where 737 would otherwise be called for under the regulations, the granting of a parking exception would not result in a significant impact to parking in the area.

### Percentages of Approved Uses for the Office Park

Commenters stated that it will be difficult for the County to enforce the proposed percentages of mixed office use and that it is likely that office uses, the most parking intensive of the proposed uses, will exceed 40%.

The County's approval of this project or a project alternative would require that the project remain as approved, including retaining the percentages or total square footages of each proposed use. The approval will require regular review and monitoring of the project by the County, at the owner's expense, to ensure that the project is operated in a manner that is consistent with the County's approval. Office Park building construction will rely on economic demand for each particular use (i.e., office, research and development, light manufacturing, and/or storage use). However, in the event that less than the full approved square footage of the Office Park is built, the total square footages of each use cannot exceed the total area approved for that use. Each building constructed would be required to meet the parking requirements of the proposed use under that permit. Therefore, although a partially constructed Office Park would not retain the exact percentages as set forth in the DEIR, the extent of approved uses in the Office Park would remain consistent with the analysis in the DEIR.

## **TOPICAL RESPONSE 9: TSUNAMI HAZARDS**

Generally, public comments regarding potential tsunami hazard at the project site include statements that the applicant should consider an alternative location for the Wellness Center, on the basis that it is inappropriate to provide housing for the developmentally disabled in a tsunami hazard area. Other comments offered informational resources regarding the design of structures within tsunami areas and evacuation methods and training.

### a. Analysis of Tsunami and Seiche Hazards in the DEIR

As stated in Section IV.H (Hydrology and Water Quality) of the DEIR, the project would place residential and commercial structures within a mapped tsunami area. The potential for tsunami events could expose people to inundation by seiche, which represents a potentially significant impact. Mitigation Measure HYDRO-9 of the DEIR requires that, in areas subject to tsunami and seiche effects, structures would either be placed at elevations above those likely to be adversely affected during a tsunami or seiche event or be designed to allow swift water to flow around, through, or underneath the structures without causing collapse.

**Mitigation Measure HYDRO-9 Exposure to Tsunami and Seiche:** In areas subject to tsunami and seiche effects, implementing agencies shall, where appropriate, ensure that the project incorporates features designed to minimize damage from a tsunami or seiche. Structures should either be placed at elevations above those likely to be adversely affected during a tsunami or seiche event or be designed to allow swift water to flow around, through, or underneath without causing collapse. Other features to be considered in designing projects within areas subject to tsunami or seiche may include using structures as buffer zones, providing front-line defenses, and securing foundations of expendable structures so as not to add to debris in the flowing waters.

As stated in the DEIR, implementation of Mitigation Measure HYDRO-9 would reduce the impacts related to exposure to tsunami and seiche to a level that is less than significant.

In addition to the implementation of Mitigation measure HYDRO-9, the applicant provides the following additional details to address the tsunami risk, as stated in Section III (Corrections and Additions to the Draft EIR) of the FEIR:

1. First floor elevations of Wellness Center Buildings were raised from 18 feet to 20 feet NGVD, which is above the estimated maximum elevations of a 100-year flood event, sea level rise and the peak tsunami inundation level.<sup>4</sup> First Floor elevations for the Office Park are proposed at 21 and 22 feet NGVD.
  2. All structures will have first floor elevations approximately 6 feet above the maximum recorded tsunami wave run-up elevation of 14.35 feet NGVD in 273 years.
  3. Structures, as necessary, will be surrounded by a 4-foot tall foundation wall designed to resist and direct flow away from the buildings.
  4. A vegetative buffer of wetlands trees will be installed around the perimeter of the property and will be designed to resist hydraulic flow and resist the transport of debris that may impact the Big Wave property.<sup>5</sup>
- b. Tsunami Warning and Evacuation Processes Recommended by the County Sheriff's Office of Emergency Services and Homeland Security (OES)

According to the Tsunami Inundation Map for Emergency Planning – County of San Mateo, the site is within the tsunami inundation area, where the edge of the inundation zone is approximately 2,000 feet north on Airport Street to the north of the mobile home park.

Lt. Ed Barberini of the County Sheriff's Office of Emergency Services and Homeland Security (OES) has provided information on tsunami warning and evacuation processes in a comment letter dated December 21, 2009 (Comment Letter 162) and should be referenced for additional information regarding this issue. A summary of the main points of the letter is provided below:

Tsunami Inundation Map: The inundation map included in the DEIR shows the potential tsunami inundation area in Princeton. This map was produced in the mid-1990s by the University of Southern

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<sup>4</sup> Project elevations are based on a Base Flood Elevation (BFE) of 8.5 feet NGVD (refer to pages IV.H-17 and 18 and Figure IV.H-6 of the DEIR), a maximum recorded wave run-up elevation of 14.35 feet NGVD in 273 years, and a highest projected sea level rise over the next century of 5 feet from the current mean high tide. (Currently, mean high tide is at 3.49 feet NGVD.) Project elevations are over 5 feet above the highest of these levels (tsunami at 14.35 feet NGVD).

<sup>5</sup> "When development is to be sited within a tsunami hazard area, the physical configuration of structures and uses on a site can reduce potential loss of life and property damage. This includes the strategic location of structures and open space areas, interaction of uses and landforms, design of landscaping, and the erection of barriers" (Designing for Tsunamis: Seven Principles for Planning and Designing for Tsunami Hazards, March 2001, National Tsunami Hazard Mitigation Program, pg.21).

California and was updated in June of 2009. As with the old maps, the updated maps were produced by the University of Southern California Tsunami Research Center, the California Geological Survey, and the California Emergency Management Agency. While the potential inundation area on the new maps is slightly less extensive, the Big Wave project remains in the hazard zone. The maps do not indicate potential inundation from a single tsunami, but instead include the potential run-up from an ensemble of seismic events including the possible impact of three local source and 12 distance source tsunamis. Any single event would not likely inundate all areas shown on the map.

*Tsunami Warnings:* The National Ocean and Atmospheric Administration (NOAA) staffs the West Coast Alaska Tsunami Warning Center (WCATWC) in Palmer, Alaska, where all potential tsunami-generating seismic events are analyzed. Should an event occur that could affect the west coast, an alert would be transmitted to the state and our county through a variety of channels. Depending upon the level of threat, the warning center will issue a Tsunami Warning (most urgent message), Watch (tsunami activity is expected elsewhere along the coast), or Advisory (warns of the possibility of tidal surges along beaches or in harbors with no widespread inundation expected). When a tsunami message is received in the county it is disseminated to public officials and the general public in several ways, including commercial radio and television broadcasts, landline telephones, and text messages to cell phones and email accounts. Also, a number of warning sirens are located on the San Mateo coast, including a siren at 203 Cornell Avenue which is in close proximity to the project and should be easily heard by anyone at the facility who is outdoors. If an evacuation is called for, law enforcement and fire personnel will also drive through the evacuation areas using vehicle sirens and public address systems to make sure that all people were aware of the evacuation order.

*Evacuation Options:*

- As a response to a possible local source tsunami following a powerful local earthquake, staff and residents of the center should walk up Airport Street towards Cypress Avenue immediately following the earthquake, as a tsunami could arrive in a matter of just a few minutes. According to the latest inundation maps, the area north of the mobile home park and will be safe ground.
- In the event of a distance source tsunami the evacuation order could last for hours. Considering that the evacuation notice could occur at night or in inclement weather, it is highly recommended that the center population move temporarily to an alternate facility. Plans call for several public schools on the coast to be used as public evacuation shelters.
- Another option would be to build a tsunami evacuation area into the Big Wave facility. Vertical evacuation is an accepted tsunami evacuation alternative in many coastal communities. A recent publication by FEMA, “Guidelines for Design of Structures for Vertical Evacuation from Tsunamis” FEMA P646/June 2008, is available for review from our office or may be downloaded at [www.fema.gov/library](http://www.fema.gov/library).

In reviewing OES’s comment letter, several recommendations can be identified<sup>6</sup>, as listed below.

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<sup>6</sup> Phrasing is revised for presentation as a recommendation (i.e., “should” is used rather than “could”).

- Big Wave Wellness Center should maintain one or more all-hazard weather radios at the site to provide the Center timely notifications of tsunami alerts, severe weather and other regional emergencies.
- The Big Wave Wellness Center should be added to the Telephone Emergency Notification System (TENS) list to receive direct telephone notification of tsunami alerts.
- Staff and residents of the Big Wave project should have a pre-identified evacuation location and a means to get there as part of the Center's emergency plan. The plan should address both local source and distance source tsunami scenarios. Big Wave staff should make arrangements in advance with an evacuation shelter (i.e., public school) to ensure that it will be open and have room for the Big Wave population.
- Applicant should reference "Designing for Tsunamis – Seven Principles for Planning and Designing for Tsunami Hazards," National Tsunami Hazard Mitigation Program, March 2001.

To address the comments from County OES, the applicant has incorporated the following details in their project description, as stated in Section III (Corrections and Additions to the Draft EIR) of the FEIR:

Big Wave will coordinate evacuation with the County Sheriff's Office of Emergency Services and Homeland Security (OES). Big Wave will connect to the TENS system and SMC Alert. Big Wave will purchase EAS radio(s) and provide automatic broadcasting. Big Wave will integrate its PA and fire alarm system into the SMC alert system.

The Tsunami Evacuation Plan will be submitted to County OES for review and approval and will include a planned and organized evacuation by foot to a zone located approximately 2,500 feet to the north that is outside of the current evacuation zone. The applicant will conduct biannual evacuation training exercises. During these exercises, supplies will be brought to enable a comfortable and safe place within the evacuation zone until the return order is given. All equipment will be preloaded in hand carts. Longer-term evacuation will be staged in an orderly manner from this zone. The same type of evacuation will be exercised for fire and major earthquakes.

All project structures will be designed for vertical evacuation. All buildings are pier-supported steel structures with wave-energy dissipation. The second floor of the structures would exceed the height of the inundation zone. The office buildings will be designed to comply with FEMA P646/June 2008 and all evacuations will be vertical. The Wellness Center will also be designed to this standard but will evacuate by foot to the designated zone to plan for a combined fire or tsunami evacuation.

The Office Park will evacuate vertically for tsunami and to the parking lot for earthquake and fire. The buildings will store 30,000 gallons of drinking water and one week's worth of food. Since all evacuation is by foot, there would be no traffic impacts associated with the evacuation.

With some exceptions (i.e., vertical evacuation), the evacuation plan described for tsunamis will be utilized as a baseline for earthquake and fire evacuation.

The applicant's proposal to address comments from OES was forwarded to OES. In a letter to County staff dated August 17, 2010, Jim Asche, OES District Coordinator, states that the applicant has addressed all suggestions that OES originally provided in regards to evacuation procedures.

c. History of Tsunami's with Wave Run-Up in Princeton, California

According to the NOAA's National Geophysical Data Center database<sup>7</sup>, there are only 2 tsunamis from 1806 to 2010 with recorded wave run-ups in Princeton, Ca., the 1946 tsunami and the 1960 tsunami (both are described in the DEIR on page IV.H-20). The 1946 tsunami in the Aleutian Islands had a maximum wave height of 3.96 meters, or almost 13 feet above sea level. The 1960 tsunami had a maximum wave height of 2.21 meters, or 7.25 feet above sea level. Also, refer to Response to Comment 213-35. It should be noted that, after the two Pillar Point breakwaters were constructed (in 1961 and 1980s), no wave run-ups from subsequent tsunamis were recorded in Princeton.

Pillar Point Breakwaters

There are two Pillar Point breakwaters, an inner breakwater and an outer breakwater. According to Peter Grenell<sup>8</sup>, General Manager of the San Mateo County Harbor District, breakwaters help to protect against tsunamis, particularly the outer breakwater. The dual breakwater system provides two lines of defense against storm, wind or tsunami waves.

The inner breakwater was built in the 1980s by the Harbor District and is currently maintained by the Harbor District. The Harbor District is an independent special district funded by County property taxes. The inner breakwater is in generally good condition and does not need any major repairs. Mr. Grenell states that it can accommodate the estimated 1.4 meter sea level rise that may occur by the end of the century.<sup>9</sup> There is no impact fee charged to support maintenance of the breakwater.

The outer breakwater was built in 1961 by the U.S. Army Corps of Engineers (ACOE) and is currently maintained by ACOE. According to Craig Conner at ACOE<sup>10</sup>, the outer breakwater is in generally good condition and does not need any major repairs. While the outer breakwater was not designed to accommodate tsunami or sea level rise associated with global warming, Mr. Conner indicates that the breakwater would withstand a tsunami and may be over-topped but not breached with the anticipated sea level rise associated with global warming. ACOE is undergoing planning to study the impacts of sea level rise associated with global warming.

d. Local Regulations for Development within Tsunami Hazard Areas

The following requirements of the County Zoning Regulations, followed by the applicant's response, apply to development within Tsunami Inundation Hazard Areas:

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<sup>7</sup> <http://www.ngdc.noaa.gov/nndc/struts/form?t=101650&s=167&d=166>

<sup>8</sup> Phone conversation on January 8, 2010.

<sup>9</sup> Source: Pacific Institute.

<sup>10</sup> Phone conversation on January 14, 2010.

**SECTION 6326.2. TSUNAMI INUNDATION AREA CRITERIA.** *The following criteria shall apply within all areas defined as Tsunami Inundation Hazard Areas:*

- (a) *The following uses, structures, and development shall not be permitted: publicly owned buildings intended for human occupancy other than park and recreational facilities; schools, hospitals, nursing homes, or other buildings or development used primarily by children or physically or mentally infirm persons.*

As determined by County Counsel, there may be legal limitations on the restrictions, as described in Section 6326.2(a), of such structures. The applicant would be required to comply with subsection (b) through the submittal of a report to the Planning Commission, prior to the approval of this project.

- (b) *Residential structures and resort developments designed for transient or other residential use may be permitted under the following circumstances:*

1. *The applicant submits a report prepared by a competent and recognized authority estimating the probable maximum wave height, wave force, run-up angle, and level of inundation in connection with the parcel or lot upon which the proposed development is to be located.*
2. *No structure covered by this section shall be allowed within that portion of the lot or parcel where the projected wave height and force is fifty (50) percent or more of the projected maximum, unless: (a) the highest projected wave height above ground level at the location of the structure is less than six (6) feet, (b) no residential floor level is less than two (2) feet above that wave height, and (c) the structural support is sufficient to withstand the projected wave force.*
3. *No structure covered by this section shall be allowed within that portion of the lot or parcel where the projected wave height and force is less than fifty (50) percent of the projected maximum unless the requirements of subsection b, 2), (a), and (c) are satisfied and the residential flood level is at least one (1) foot above the highest projected level of inundation.*
4. *Permission under this subsection shall not be granted if the Planning Commission determines that sufficient data, upon which the report required by subsection 1) must be based, is unavailable and cannot feasibly be developed by the applicant.*

The report required by Section 6326.2.b.1 must be submitted to the Planning Commission and reviewed by applicable County agencies. Project compliance with Section 6326.2.b, in its entirety, must be demonstrated prior to project approval.

#### Design of Water and Wastewater Systems

In compliance with the Subdivision requirements for the protection of water and wastewater facilities, the Big Wave project has incorporated the following features:



1. All water recycling systems will be buried and capable of continuous operation in a submerged state. The minimum elevation of the water recycling system manholes will be 18 feet (3.5 feet above the maximum recorded tsunami inundation). All pumps will be submersible and powered from electrical systems that are located at a minimum elevation of 30 feet (approximate elevation of the tsunami evacuation zone). Electrical connections to the submersible pumps will be waterproof and explosion proof. The system will be designed to continue to operate after inundation if a tsunami of greater than the 200-year tsunami event occurs.
2. The well is located at elevation 26 feet (11.5 feet above the maximum tsunami elevation). The well utilizes a submersible pump capable of continuous operation in a submerged state. The well pump will be submersible and powered from electrical systems that are located at a minimum elevation of 30 feet (approximate elevation of the tsunami evacuation zone). Electrical connections to the submersible pumps will be waterproof and explosion proof. The system will be designed to continue to operate after inundation if a tsunami of greater than the 200-year tsunami event occurs.
3. The project backup system includes 2 days of water and wastewater storage to provide water and prevent wastewater spillage until after the tsunami event has subsided.

The County's Local Coastal Program Policy 9.3 (*Regulation of Geologic Hazard Areas*) calls for application of the following regulations of the Resource Management (RM) Zoning Ordinance to designated hazard areas. Section 6324.6 (*Hazards to Public Safety Criteria*) prohibits domestic water pumping facilities, sewage treatment, pumping, or disposal facilities to be located in these areas unless the County Engineer certifies that direct damage or indirect threat to public health and safety would be unlikely in the event of occurrence of the designated hazard(s). Approval by the County Engineer of the location of domestic water pumping facilities and wastewater treatment/recycling facilities at the project sites would be required prior to project review by the Planning Commission.

## **TOPICAL RESPONSE 10: FINAL GEOTECHNICAL REPORT**

Generally, public comments regarding the final geotechnical report required by Mitigation Measures in Section IV.F (Geology and Soils) of the DEIR include statements that these mitigation measures defer studies required for the formulation of actual mitigation measures into the future. Also, commenters stated that that Final Geotechnical Report should be included in the EIR, so that the feasibility and potential impacts from mitigation measures can be evaluated.

### Evaluation of Geological Hazard in The DEIR

As stated in Section IV.F (Geology and Soils) of the DEIR, Treadwell and Rollo reviewed available subsurface data and concluded that the proposed project, as proposed and mitigated, is feasible from a geotechnical standpoint. The DEIR contains two geotechnical reports prepared by the applicant's consultants that analyze 23 borings. Both reports were peer reviewed in the DEIR and those reviews form the basis for the impact and mitigation analyses in the DEIR. All reports can be found in Appendix F of

the DEIR. The following is a summary of the analysis pertaining to geological hazards, as discussed in the DEIR:

- Page IV.F-24 of the DEIR states under Cumulative Impacts: ... “that geotechnical hazards are site specific and there is little if any cumulative relationship between development of the proposed project and related projects.... Therefore the project’s contribution to significant cumulative impacts related to geology and soils would be less than significant and no mitigation measure would be required.”
- Page IV.F-24 of the DEIR states under Level of Significance after Mitigation: Implementation of listed mitigations measures and compliance with applicable regulations would reduce project impacts related to geology and soils to a less than significant level.

- Impact GEO-1: Fault Rupture

As discussed on page IV.F-18 of the DEIR, the impacts of Fault Rupture are determined to be less than significant because all proposed structures are located outside of the Earthquake Fault Zone.

- Impact GEO-2: Strong Seismic Ground Shaking

Page IV.F-19 of the DEIR concludes that the impacts of strong ground shaking are addressed in the requirements of the 2007 California Building Code, impacts are less than significant, and no further study or mitigations are required to address the impacts of seismic ground shaking.

- Impact GEO-3: Seismic-Related Ground Failure

The impacts of seismic-related ground failure are discussed on pages IV.F-19 and 20 of the DEIR and can be summarized as follows: Cyclic Densification is estimated to cause a differential settlement 0.5 inches to 3.5 inches on the northern parcel and 0.25 inches on the southern parcel. Liquefaction is estimated to cause up to 6 inches in settlement and differential settlement of 3 inches in 50 feet on the northern parcel and up to 2.5 inches of settlement with differential settlement of about 1.5 inches in 50 feet in the southern parcel. As described on Page IV.F-20 of the DEIR, based on the thickness and relative density of the potential liquefiable soil, the potential for lateral spreading is low. The potential for surface manifestations (e.g., sand boils or lurch cracking) is high. Mitigation Measure GEO-3b identifies the industry standard methods to address seismic-related ground failure as follows:

1. Improving the soil with deep compaction techniques such as DDC and RIC.
2. Supporting the buildings on stiffened shallow foundations bearing on a layer of well-compacted fill.
3. Supporting the buildings on deep foundations such as drilled piers.

4. Construction of a structural slab that spans support between columns.

Landslides and slope instability affecting the project site is considered to be remote, due to the relatively flat nature of the site and surrounding area.

- Impact GEO-4: Total and Differential Settlement

Page IV.F-14 of the DEIR identifies the presence of 1 to 2.5 feet of expansive clayey surface soils and the impacts of soil erosion are none to slight based on the flat topography on-site. The total seismic settlement and the total differential seismic settlement are identified as potentially significant if not mitigated. Mitigation GEO-4 identifies the industry standard methods to address total and differential settlement (identical to methods described under Mitigation Measure GEO-3b, above). The proposed foundation system utilizing pier-supported interlocking grade beams is described in Section III of the FEIR and was selected in order to address hazards identified in this section. As discussed on Page IV.F-21 of the DEIR, this option reduces the potential impacts of total and differential settlement to a level that is less than significant.

- Impact GEO-5: Soil Erosion or Loss of Topsoil

As discussed on Page IV.F-22 of the DEIR, with the implementation of Mitigation Measure HYDRO-3, which requires a Stormwater Pollution Prevention Plan (SWPPP) meeting the San Francisco Bay RWQCB requirements, runoff related to erosion impacts during grading and construction phases should be reduced to a less than significant level. Also, with the installation of landscaping described in the proposed landscaping plan (refer to Figures III-23 and 24 of the DEIR) and proposed pervious surface walkways, trails, and parking lots, soil erosion on newly graded sites would represent a less than significant impact.

- Impact GEO-6: Expansive Soils

The potentially significant impacts of expansive soil are mitigated by the same standard engineering techniques as present in Mitigation Measure GEO-3b and Mitigation GEO-4, with one additional method described below:

1. A deepened spread footing system where the proposed footings gain support at or below the depth of significant seasonal moisture fluctuation and the slab-on-grade floor will be supported on a layer non-expansive fill.

As discussed in Section III of the FEIR, the project will utilize item 4, a deep pier foundation. This option as discussed on Page IV.F-23 of the DEIR reduces the potential impacts of expansive soil to less than significant.

- Impact GEO-7: Pervious Pavement and other Water and Wastewater Infiltration Systems

The design of pervious pavement and infiltration systems are impacted by the impervious surface soils. The mitigations for the impacts of impervious soils for these systems is described in Mitigation GEO-7 as follows:

1. Collecting and redirecting surface and subsurface water away from the proposed building foundations.
2. Using permeable base material within pavement areas.
3. Installing subdrains to collect and redirect water from areas that could adversely impact building foundations and vehicular pavement to a suitable outlet.

The project utilizes all three of these recommendations including relocation of impermeable material (as calculated in the grading plan illustrated in Figures III-25 and 27) and the use of concrete pavers for the parking lots and walkways. As discussed on page IV.F-24 of the DEIR, implementation of these mitigation measures reduces the potential impacts of impermeable soil to a less than significant level.

Mitigation Measure GEO-8 of the DEIR requires participation by the applicant's geotechnical consultant in the final project geotechnical design and construction. This is a standard practice.

With potential geologic hazards identified and the feasibility of mitigation determined, the role of the Final Geotechnical Report is to determine the specific design of the mitigation features. The Final Geotechnical Report will be prepared during the building permit process, as it requires specific information based on the precise locations of the building footings. The precise locations of the building footings will not be available until the project has received all required discretionary approvals during the planning phase. Once the necessary planning permits are obtained, the actual size and locations of the buildings can be established.

Specifically, the Final Geotechnical Report will determine the size, depth and number of piers. Variation in the number, depth and size of piers may result in local, temporary effects to groundwater and soils conditions (within and immediately adjacent to the footprint of the foundation), but would not impact the wetlands or other areas not proposed for development. Impacts to groundwater and soil conditions are as discussed in the DEIR. Although the size, depth and number of piers may vary depending on the Final Geotechnical Report, grading limited to the footprint of development shown in the DEIR should not result in any new significant environmental impacts.

Implementation of the recommendations of the Final Geotechnical Report and compliance with applicable regulations would reduce project impacts related to geology and soils to a less than significant level.

**TOPICAL RESPONSE 11: SANITARIUM USE PERMIT**

Several of the commenters stated that the Wellness Center is not a permitted use in the Waterfront (W) Zoning District and/or that the project does not meet the definition of a “sanitarium”, as that term is used in the County Zoning Regulations.

The southern parcel of the project site is located within the Waterfront (W) Zoning District. The primary use of the Wellness Center is proposed to be housing for disabled adults, as allowed per Chapter 24 (Use Permits) of the Zoning Regulations. This chapter lists “sanitarium,” along with similar uses such as rest homes and hospitals, as a permitted use with issuance of a Use Permit in any district within the urban areas of the Coastal Zone.

The term “sanitarium” (or sanitorium) is a term of varying definition which is not specifically defined in the Zoning Regulations. Some existing definitions and their sources are the following:

- An institution for the promotion of health (Dorland’s Medical Dictionary for Health Consumers, 2007).
- A facility for the treatment of patients suffering from chronic mental or physical diseases, or the recuperation of convalescent patients (Mosby’s Medical Dictionary, 8th edition, 2009).

While the Wellness Center would not provide medical treatment on-site for its intellectually or developmentally disabled (DD) adult residents, it promotes their long-term health in a holistic manner. The Wellness Center will offer DD adults social and employment opportunities, an opportunity for semi-independent living apart from their parents, and connections to support and medical services.

In light of the fact that the term is not specifically defined in the Zoning Regulations, and that it is defined in other sources in a manner that reasonably encompasses the Wellness Center concept, the County may conclude that the Wellness Center proposal falls within the meaning of “sanitarium”, as defined in Section 6500.d of the Zoning Regulations.

In order to approve the Use Permit for the sanitarium use, the decision making body must make a finding that the use is “found to be necessary for the public health, safety, convenience or welfare.” There appears to be a basis to allow such a finding. As described in Response to Comment 213-3 regarding project compliance with LCP Policy 3.5 (Regional Fair Share), the project helps to meet the need within the unincorporated areas of the County for affordable housing, as allocated by the Association of Bay Area Governments (ABAG). For 2007 to 2014, ABAG allocates a need for 881 affordable housing units in the area, where 523 units exist. Affordable housing for the disabled in San Mateo County is even more limited. Based on a review of County Housing Department data<sup>11</sup>, only 356 units are available for the disabled of which only 194 units (or 54%) are affordable. As proposed and conditioned, the project would provide 57 units of affordable housing, thereby helping to bridge the gap between the need for affordable housing and the supply of affordable housing in the County unincorporated area.

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<sup>11</sup> *San Mateo County Affordable Rental Housing for Low and Moderate Income Households, San Mateo County Department of Housing, May 1, 2008.*

### Wellness Center's Accessory Uses

As stated in Section III of the FEIR, the fitness center use and auditorium proposals have been revised since the publication of the DEIR to make these facilities available only to Wellness Center residents, staff and their guests and Office Park employees. The facilities were originally available to the Coastsides public, as described in the DEIR. Therefore, these uses are considered accessory uses to the sanitarium. Similarly, on-site businesses, such as catering and dog grooming, are not open to the public and would only serve employees of the Office Park. The uses would utilize office spaces and kitchen areas of the Wellness Center and would also be considered accessory uses to on-site uses. Regarding the 10,000 sq. ft. public storage facility, Section 6287 (Uses Permitted) of the Waterfront "W" Zoning District Regulations states that the "Indoor Storage of Goods, Excluding Extremely Hazardous Materials" is a permitted use in the inland area of this district and does not require a use permit. Therefore, the Wellness Center and its accessory uses are permitted, or conditionally permitted, under the current County regulations.

Parking and traffic for the originally proposed Community Center were analyzed and impacts are identified Tables IV.M-6 and IV.M-10 of the DEIR. The parking and traffic impacts were determined to be less than significant as mitigated. Under the current proposal, which is non-public, the parking and traffic impacts would be reduced further.

## **TOPICAL RESPONSE 12: CONSTRUCTION PHASING FOR WELLNESS CENTER AND OFFICE PARK**

Generally, commenters stated that the 30-36 month time estimate provided in the DEIR for construction of the Office Park is unrealistic, due to the demand-based phasing of the Office Park buildings. Some commenters assert that construction is likely to take place over a longer time frame and result in a longer exposure to noise for people residing or working in the area.

For the purpose of noise analysis, County staff illustrates three potential scenarios for the construction of the Office Park buildings, each resulting in somewhat different noise impacts. County staff realizes that, in reality, there may be 20 potential scenarios, but in order to simplify the range of possible construction scenarios for noise impact analysis, three scenarios are described. The following three scenarios turn on variations in the demand for mixed office space and vary in the following factors: 1) number of buildings being constructed at any given time, 2) continuous or non-continuous construction (gaps or no gaps in time between buildings), and 3) the total duration for the completion of construction. The three possible construction scenarios are summarized below, with further detail provided after:

- 3-Year Office Park Completion Timeframe: Assumes high demand for mixed office space, and thereby concurrent construction of all four buildings. Buildings are completed within a 3-year timeframe, with high noise levels but over a shorter duration.
- 20-Year Office Park Completion Timeframe: Assumes low demand for mixed office space, and thereby non-concurrent, non-continuous construction of all four buildings, in which each

building is constructed separately with gaps of months or years in between. Buildings are completed within a 20-year timeframe, with lower noise levels during construction, no noise during gaps in construction, over a much longer duration.

- 7.4 Year Wellness Center and Office Park Completion Timeframe: Assumes lower demand for mixed office space, but enough demand to warrant non-concurrent, continuous construction, in which each building is constructed separately with no gaps in between. Buildings are completed within a 7.4-year timeframe, with lower noise levels in the short-term, but extended over a longer duration.

### 3-Year Office Park Completion Timeframe

As stated in revisions to the project description in Section III (Corrections and Additions to the Draft EIR), under a scenario with high demand for office space and concurrent construction, the project construction time schedule would be between approximately 30 and 36 months to fully complete the Wellness Center and Office Park property development. Over the short-term, people residing or working in the area would be exposed to higher noise levels. However, in the long-term, the people residing or working in the area would be exposed to no construction-related noise once construction is completed. Based on current conditions, this scenario appears less likely than others.

### 20-Year Office Park Completion Timeframe

This scenario, which appears the most likely based on current conditions, includes non-continuous construction with gaps of months or years between the construction of each of the four buildings, where building construction would be non-concurrent. In this scenario, it could take up to 20 years for the mixed office space to be completely constructed. However, this would not be considered the most impactful scenario, with regard to noise. In the short-term, this scenario would involve a shorter period of noise levels compared to the 3-Year construction scenario, where all the buildings are built within 30-36 months. However, in the long term, people residing or working in the area would be exposed to construction-related noise over 20 years, with gaps of months or years between the construction of each building. Therefore, the 20-year build out scenario would not be considered the most impactful scenario with regard to noise.

### 7.4-Year Wellness Center and Office Park Completion Timeframe

Under a low demand for office space, a scenario which would present the greatest noise impacts would involve an approximately 7.4-year construction timeframe, in which building construction for all the Wellness Center and Office Park buildings are non-concurrent and continuous. Under this scenario, Office Park buildings would be individually constructed over a period of four years.

<b>Table II-5</b> <b>Revised Table IV.J-11 of DEIR</b> <b>Construction Schedule and Equipment</b>		
<b>Activity</b>	<b>3-year Scenario* (Schedule in Months)</b>	<b>7.4-Year Scenario (Schedule in Months)</b>
<i>Initial Grading/Material Sorting</i>	<i>0.75 months (3 weeks)</i>	<i>0.75 months (3 weeks)</i>
<i>Utilities Installation</i>	<i>1 month</i>	<i>1 month</i>
<i>Foundation Construction</i>	<i>2 months</i>	<i>8 months</i>
<i>Wellness Center</i>	<i>30 months</i>	<i>30 months</i>
Office Park: Building A		12 months
Office Park: Building B		12 months
Office Park: Building C		12 months
Office Park: Building D		12 months
Permeable Parking Lot/Trails	0.75 months (3 weeks)	0.75 months (3 weeks)
<b>Total Time Frame: Office Park Buildings Only</b>	<b>N/A</b>	<b>48 (4 years)</b>
<b>Total Time Frame: Office Park and Wellness Center</b>	<b>34.5 months (2.9 years)</b>	<b>88.5 (7.4 years)</b>
*From Table IV.J-11 of DEIR. Note: For more information regarding phased construction, refer to Appendix G, Additional Applicant-Provided Information Regarding Construction Phasing and Schedule.		

#### Environmental Impact Analysis of 7.4-Year Wellness Center and Office Park Completion Scenario

Instead of the non-concurrent, continuous construction assumed under this scenario, Office Park construction is more likely to be demand-based and subject to fluctuations in the economy, with gaps of months or years between the construction of each of the four buildings. This 7.4-Year scenario would only occur in the event of continuous low demand, in which the developer could not anticipate demand for the next building. In this scenario, the developer builds the Wellness Center and each Office Park Building individually instead of benefiting from the economies of scale inherent in building 2 or more buildings at a time. Therefore, as this scenario would also result in the inefficient use of construction materials and labor, it would not be preferred by the developer. However, for the purposes of environmental analysis, a scenario of 7.4 years is considered.

The DEIR evaluated the impacts of project construction based on a high-demand scenario. An analysis of the environmental impacts associated with the 7.4-year construction schedule is provided in Section III.C (Environmental Analysis) of this FEIR. In general, the analysis assumes that construction will be less concentrated (fewer vehicles and construction workers) and spread out over a longer time frame. Also, as construction-related impacts are temporary, the 7.4-year construction schedule may have some temporary positive or negative impacts compared to the 3-year construction schedule; but, after project construction and during full project operation, impacts would be identical. Therefore, the 7.4-year construction schedule would not change impact analyses related to project operation (i.e., utilities, land use and planning, operational traffic, etc.).



Specifically, the following assumptions inform the analysis:

- Initial Grading/Material Sorting: No change. Work for all Office Buildings will be done concurrently during Phase 1.
- Utilities Installation: No change. Work for all Office Buildings will be done concurrently during Phase 1.
- Foundation Construction: The number of excavators, earth boring equipment, dump trucks and other vehicles associated with concurrent foundation construction for 4 buildings would be reduced by one-quarter. The duration of foundation work for one building would be shorter than for four buildings, but would occur four times within 7.4 years.
- Wellness Center/Office Park Construction: The number of cranes and other vehicles associated with concurrent construction for 4 buildings would be reduced by one-quarter. The duration of building construction work for one building would be shorter than for four buildings, but would occur four times within 7.4 years.
- Permeable Parking Lot/Trails: The parking lots would be built in phases to meet the parking requirements of each individual building. The number of concrete trucks and other vehicles associated with concurrent parking lot construction for 4 buildings would be reduced by one-quarter. The duration of parking lot construction for one building would be shorter than for four buildings, but would occur four times within 7.4 years. It is assumed under this scenario that parking lot construction for each building would occur within the 1-year timeframe of construction for each building (e.g., parking lot construction would occur during the interior finish phase of each building).

As described in Section III.C (Environmental Analysis) of this FEIR, the 7.4-year construction schedule would not result in any significant new impacts requiring mitigation and, in some cases, would result in temporary positive impacts.

### **TOPICAL RESPONSE 13: COUNTY PERMIT HISTORY**

Generally, public comments regarding violations at the project site make assertions involving one or both of the following: 1) that the property owner destroyed wetlands on the southern project parcel through recent, illegal grading and filling, specifically referring to the disappearance of a “finger” of wetlands shown on a 1994 map prepared by the US Army Corps of Engineers; and/or 2) that the existing agricultural well on the Office Park site never received a Coastal Development Permit or Exemption and is not legal.

The following table shows all violation cases associated with both project parcels:

<b>Table II-7</b> <b>Violation Cases by Site as of August 2, 2010</b>				
	<b>Description</b>	<b>Date of Case Creation</b>	<b>Applicant</b>	<b>Official Case Status</b>
<b>Wellness Center Site (Southern Parcel)</b>				
VIO 95-0174	Outdoor storage without a use permit.	11/10/1995	Prior owner	Closed on 3/15/1996: Items were cleared.
VIO 2005-00190	Portable water tanks and other equipment (including portable generator) installed without the required CDP.	10/4/2005	Big Wave, LLC	Remains open to address well that does not have an approved CDX or CDP.
<b>Office Park Site (Northern Parcel)</b>				
VIO 2002-00155	Grading and fill without permit and accumulation of debris on property.	8/21/2002	Steve Barber	Closed on 7/30/2003: Inspector could not confirm grading or fill activities. Debris removed.
VIO 2003-00164	Grading and fill work started before permit issued.	10/30/2003	Steve Barber	Closed on 11/17/2003: Inspector could not confirm grading or fill activities, only vegetation removal outside of wetland areas.
VIO 2005-00049	Clearing of riparian vegetation.	3/7/2005	Big Wave, LLC	Closed on 8/30/2005: Area outside of riparian area was cleared for fire control.
VIO 2005-00190 (same as above)	Portable water tanks and other equipment (including portable generator) installed without the required CDP.	10/4/2005	Big Wave, LLC	Remains open to address well that does not have an approved CDX or CDP.

- 1) Assertion that the property owner destroyed wetlands on the southern project parcel through recent, illegal grading and filling, specifically referring to the disappearance of a “finger” of wetlands shown on a 1994 map prepared by the U.S. Army Corps of Engineers.

The 1994 map was prepared by the Army Corps of Engineers (ACOE) at the request of San Mateo County as part of the County’s acquisition of the Pillar Point Marsh area. The map is titled “Pillar Point Marsh, Half Moon Bay, CA., San Mateo County, Request for Sec. 404 Jurisdictional (File No. 20375S20),” dated June 20, 1994. The map (Attached as Figure C of the FEIR) shows the extent and location of Corps of Engineers jurisdiction on this date, which indicates wetland areas over a large portion of the southern parcel (covering the west, north and center of the parcel with a finger extending to Airport Street). A letter from ACOE, dated July 19, 1994, accompanies the map and states that this jurisdictional delineation will expire in three years from the date of the letter.

The assertion that the property owner destroyed wetlands through recent, illegal grading and filling relates to County violations cases, VIO 2002-00155 and VIO 2003-0164 and MNA 2006-00012. While VIO 2002-00155 and VIO 2003-0164 were resolved for reasons outlined in the table above, the file for MNA 2006-00012 contains greater specificity regarding the role of agricultural activities in the disappearance of the “finger” of wetland on the southern parcel. In response to public inquiries to the County Planning and Building Department regarding the deposition of a large amount of soil at the property, the County Current Planning Section initiated inspections and research under file MNA 2006-00012 to determine the purpose and impact of the earth moving activities to Pillar Point Marsh. In correspondence dated June 23, 2006, Jim Eggemeyer, Deputy Director at that time, determined that the “new soil that has been brought into the site is for spreading, soil blending and enrichment purposes for the upcoming pea/bean planting” and that the activity is “exempt under Section 8603.12 of the County Ordinance Code regarding routine agricultural activities.”

In separate correspondence dated October 26, 2006, Dave Holbrook, Senior Planner, records his observations during a follow-up inspection of the site performed with Sam Herzberg of the County Department of Parks and Recreation. He confirms that “the ‘finger’ of delineated wetland previously stretching from the main marsh edge to Airport Street is gone,” adding that during a prior inspection of the site with Mr. Herzberg on June 22, 2006, “the ‘finger’ portion of wetland had already been removed.” He states that after having reviewed 2003 Google aerial maps as well as 1996 County aerial maps, “both appear to show that the subject wetland “finger” portion was already gone and had been cultivated over.” Mr. Holbrook states that “this suggests that at least this portion of the wetland area was already gone (cultivated over) long before the [agricultural] activity [he and Mr. Herzberg] saw in June.”

Correspondence from Mr. Eggemeyer and Mr. Holbrook identifies neither illegal grading nor filling activities at the site nor the destruction of the wetlands. Instead, soil application activities during this time have been determined to be a part of routine agricultural activities and, through a review of aerial photographs, County staff has confirmed that the “finger” of wetland on the southern parcel had disappeared by 1996. In addition, the 1994 wetland delineation prepared by ACOE expired in 1997. The ACOE’s approval on June 5, 2008 of the November 20, 2007 wetland delineation by WSP, shown on Figures III-2A and 2b of the DEIR, confirms the current delineation and supersedes the 1994 wetland delineation.

### More Information on Wetland Delineations for the Project Sites

On-site wetlands were delineated in the report titled, “An Analysis of the Geographic Extent of Waters of the United States, Including Wetlands on the Big Wave Property” prepared by WSP Ecosystem Science and Natural Resources Management (March 2008), provided in Appendix E of the DEIR. The delineation was based on both the Federal definition and the Local Coastal Program definition of wetlands. The WSP report and delineation, based on field surveys conducted in 2007 and revised in March 2009, has been certified by ACOE and is the basis for the DEIR evaluation. Appendix E of the DEIR also includes a Biological Impact Report prepared by Wetlands Research Associates in 2001 for a different project and the subsequent Wetlands Delineation Report prepared by CAJA (not certified by ACOE).

- 2) Assertion that the existing agricultural well on the northern parcel never received a Coastal Development Permit or Exemption and is not legal.

This assertion relates to open County violation case VIO 2005-00190. While the County is unable to find documentation of the issuance of a Coastal Development Permit or Exemption for the agricultural well on the northern parcel, the County has confirmed that the well was approved by the San Mateo County Public Health Division. In a letter dated February 25, 1987, the San Mateo County Public Health Division approved the well at the property for potable use for agricultural, single family residential and commercial/industrial uses (letter is included in Attachment K of the DEIR). The letter states that additional chemical analysis may be required as deemed necessary by the Public Health Division for well use as a public non-community water supply or public community water supply as defined by the California Safe Drinking Water Act.

In connection with the instant review of this project, the applicant has applied for a Coastal Development Permit, pursuant to Section 6328.4 of the County Zoning Regulations, for use of an existing agricultural well for domestic purposes. Therefore, the review and approval of a Coastal Development Permit for the proposed domestic well use will also resolve the coastal permit status of the well.

### **TOPICAL RESPONSE 14: LOCATION OF PROJECT NEAR HALF MOON BAY AIRPORT**

Generally, public comments regarding Half Moon Bay Airport focus on the concerns of placing residential units in close proximity to the airport. Concerns expressed focus on potential impacts related to safety, noise, electromagnetic fields, and dust. Comments also focused on the County’s responsibility to maintain compatible land uses adjacent to the airport due to the County’s acceptance of grants from the Federal Aviation Administration (FAA).

Safety Hazards: Impact HAZ-3 (Hazards Associated with Airport Operations) on page IV.G-24 of Section IV.G (Hazards and Hazardous Materials) of the DEIR states that, although the project does propose structures within the Airport Overlay (AO) Zoning District, the structures do not include

residential uses or uses with three or more persons occupying the use at one time, as consistent with AO setback requirements.

In Comment Letter 169, a representative of the California Department of Transportation, Division of Aeronautics, states that the project site appears to be within the Inner Approach and Departure Zone 2 of the Half Moon Bay Airport, as designated in the California Airport Land Use Planning Handbook (Handbook). According to the Handbook, Zone 2 extends beyond and (if the Runway Protection Zone (RPZ) is narrow) along side the RPZ, and, together with the RPZ, 30% to 50% of near-airport aircraft accident sites lie within the RPZ and Zone 2. Within Zone 2, Table 9B of the Handbook recommends the basic compatibility qualities, including prohibiting residential uses except on large, agricultural parcels and limiting nonresidential uses to activities which attract few people.

Regarding Zone 2, neither the Airport Land Use Commission nor the County has mapped this zone for Half Moon Bay Airport. The California Airport Land Use Planning Handbook (Handbook) provides guidance in determining the dimensions of Zone 2. The Handbook provides safety compatibility zone examples for general aviation airports, but acknowledges that there are many variables which affect accident distribution patterns and attendant risks to land uses near airports, variables which are dependent upon the configuration, usage and operational variables of each airport. The Table 9A of the Handbook lists key airport operational variables which warrant consideration during the development of safety compatibility zones for an individual airport. Displaced landing thresholds such as those at Half Moon Bay Airport, are among such variables. These factors must be considered in determining the shapes and sizes of the zones.

As stated by the commenter and in Table 9B of the Handbook, the location of Zone 2 is directly linked to the location of Zone 1, in that Zone 2 extends beyond and, if the Runway Protection Zone (RPZ) is narrow, along side the RPZ. The location of Zone 1 for this airport has been established. As shown in the *Half Moon Bay Airport: Airport Layout Drawing*, approved by the Federal Aviation Administration (FAA) on October 3, 2006, the RPZ (Zone 1) for this airport is located entirely on airport property and is defined by the following dimensions: 250' x 1000' x 450'.

For the purpose of responding to the comment regarding Zone 2 for this EIR, the County used Example 4 of Figure 9K of the Handbook and the FAA-approved map of Zone 1 as a starting point. Figure 9K illustrates that Zone 2 extends beyond Zone 1 and tracks the width of Zone 1. The combined length of Zones 1 and 2 are 4,000' as shown in Example 4. Therefore, applying the methodology of Example 4, Zone 2 could be approximately 3,000' in length and 450' wide. With this understanding, it appears that Zone 2 would not extend over the project parcels.

The County believes that the above analysis with respect to the comment is adequate for the purpose of CEQA. It also acknowledges that any final determination of the dimensions of Zone 2 would involve assessment and consideration by the County Airport Land use Commission.

Airport NoiseNoise Measurement Methodology:

As stated on page IV.J-12 of the DEIR, based on the Appendix G of the State *CEQA Guidelines*, a project could have a significant noise impact if it would cause any of the following conditions to occur:

- (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- (b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;
- (c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- (d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- (e) 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 airstrip, expose people residing or working in the project area to excessive noise levels; or
- (f) For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

As shown above, for noise level measurement for noise thresholds for CEQA thresholds (c) and (d), ambient noise levels are specified, not single-event noise levels. The difference between decibels (dBA) and Community Noise Equivalent Levels (CNEL) units of noise level measurement is that dBA reflects how humans experience noise, while CNEL reflects noise averaged over 24-hours. Noise levels measured by the noise specialist retained by Christopher A. Joseph and Associates were measured in dBA but recorded ambient noises (e.g., aircraft and other environmental noises, such as cars, birds, dogs, tractors, etc.). Ambient noise levels accurately reflect how noise is experienced within the context of a complex environment. Based on the foregoing, single-event noise analysis (i.e., aircraft noise only) is not required by CEQA.

Office Park: The San Mateo County Airports Noise Abatement Procedures handout identifies a portion of the Office Park site as one of several “extremely noise sensitive areas.” No residential units are proposed on this parcel. Page IV.N-10 of Section IV.J (Noise) of the DEIR provides Land Use Compatibility Guidelines for Office Buildings, Business and Professional Commercial uses, as well as for Industrial and Manufacturing uses in Table IV.J-5. Specifically, normally acceptable noise levels are 50 to 70 dBA CNEL for Office Buildings, Business and Professional Commercial uses and 50 - 75 dBA CNEL for Industrial and Manufacturing uses.

Regarding exterior noise levels, analysis contained in Impact NOISE-3 (Operational Noise Levels at the Project Site) presents a future average daily exterior noise level of 58.5 dBA.<sup>12</sup> As the noise standards allow for noise levels of up to 70 or 75 dBA CNEL within the exterior activity areas of the proposed commercial/industrial use, exterior noise levels at the Office Park site would be in compliance with these standards.

Regarding interior noise levels, analysis contained in Impact NOISE-3 presents a future average daily interior noise level of <45 dBA for the proposed office use, which reflects an exterior-to-interior noise reduction of more than 30 dBA from the future average daily exterior noise level of 58.5 dBA. As stated in the DEIR, the exterior-to-interior reduction of newer homes in California is generally more than 30 dBA. As the noise standards allow for interior noise levels within the proposed residential uses of up to 45 dBA CNEL, interior noise levels at the Office Park site would be in compliance with these standards. As stated in the DEIR, this is a less than significant impact and no mitigation measures are required.

Wellness Center: As stated on page IV.N-10 of Section IV.J (Noise) of the DEIR, noise provisions are outlined in Chapter 4.88 (Noise Control) in the San Mateo County Ordinance Code. Exterior and interior noise standards for any single or multiple family residence, school, hospital, church, or public library properties are presented in Tables IV.J-6 and J-7. Specifically, noise levels within the exterior activity areas of the proposed residential uses may not exceed 70 dBA CNEL and interior noise levels within the proposed residential uses may not exceed 45 dBA CNEL.

Regarding exterior noise levels, analysis contained in Impact NOISE-3 (Operational Noise Levels at the Project Site) presents a future average daily exterior noise level of 58.8 dBA. As the noise standards allow for noise levels of up to 70 dBA CNEL within the exterior activity areas of the proposed residential uses, exterior noise levels at the Wellness Center site would be in compliance with these standards.

Regarding interior noise levels, analysis contained in Impact NOISE-3 presents a future average daily interior noise level of <45 dBA for Building 1, which reflects an exterior-to-interior noise reduction of more than 30 dBA from the future average daily exterior noise level of 58.8 dBA. As stated in the DEIR, the exterior-to-interior reduction of newer homes in California is generally more than 30 dBA. As the noise standards allow for interior noise levels within the proposed residential uses of up to 45 dBA CNEL, interior noise levels at the Wellness Center site would be in compliance with these standards. As stated in the DEIR, this is a less than significant impact and no mitigation measures are required.

#### *Current Noise Abatement Procedures at Half Moon Bay Airport*

It should be noted that the Half Moon Bay Airport currently implements the following Noise Abatement Procedures to reduce noise impacts to neighbors<sup>13</sup>:

- No intersection take-offs.

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<sup>12</sup> According to the San Mateo County Comprehensive Airport Plan (1981) and the Noise Element of the San Mateo County General Plan, noise levels associated with operations at Half Moon Bay Airport are less than 60 dBA CNEL at the project site.

<sup>13</sup> Half Moon Bay Noise Abatement Procedures, San Mateo County Airports.

- No turns until reaching 500' MSL.
- Reduce power/rpm as soon as safe and practical.
- Pattern work, especially touch-and-goes, is discouraged at night and on weekend and holiday mornings.
- No stop-and-goes.
- Fly Right Traffic for Runway 30, and Left Traffic for Runway 12.
- Avoid flying over St. Catherine Hospital, located just north of the airport.
- Main pattern altitude (1000' MSL) until necessary to descend for landing.
- Avoid flying over homes whenever possible.
- No straight-in arrivals.
- Arrivals from the west fly overhead the airport at or above 1,500' MSL; continue outbound until clear of the traffic pattern and make a normal 45-degree entry into the downwind leg at 1,000' MSL.
- Aircraft over 12,500 lbs. prohibited without prior approval of the airport manager.
- Use common sense and be considerate to airport neighbors.

#### *County Responsibility to Maintain Compatible Land Uses Adjacent to the Airport*

Mitigation Measure HAZ-3 requires, prior to approval of final development plans, an avigation easement to be executed and recorded for the project site, in a form satisfactory to the County Director of Public Works. The mitigation measure requires the avigation easement to be recorded and shown on the vesting tentative map. Even without implementation Mitigation Measure HAZ-3, Impact HAZ-3 on page IV.G-25 states that the project would result in a less than significant impact associated with airport safety hazards to people residing or working in the area of a public airport. The mitigation measure does not reduce potential hazard impact, but is a disclosure tool that preserves the County's ability to continue airport operations in that, through the recordation of the easement, the property owner grants a right to subject the property to noise, vibration, fumes, dust, and fuel particle emissions associated with normal airport activity.

The grant conditions imposed by the Federal Aviation Administration (FAA) with respect to Half Moon Bay Airport require that the County limit land uses around airports to those that are compatible with airport use. In a letter dated July 8, 2010, a representative of the FAA reiterated that, based on grant conditions (Assurance 21, Compatible Land Use), airport sponsors are required to take appropriate action to restrict use of land adjacent to the airport to activities that are compatible with normal airport operations (refer to Appendix I of the FEIR). The letter further states that, generally, while planning and environmental documents proffer that there will not be any negative environmental impacts related to the proximity of the Wellness Center to the airport (e.g., noise impacts), based on past cases, the FAA



representative believes that the Wellness Center residents will complain about noise associated with the airport. Also based on past experience, the FAA representative states that the public policy reaction to the complaints will be proposals to impose additional restrictions on normal airport operations.

In response to the FAA's letter, Mitigation Measure HAZ-3 (Hazards Associated with Airport Operations) has been revised, as described in Section III of the FEIR, to further clarify and disclose the potential airport noise to the Wellness Center owner(s), staff, and residents:

Prior to approval of final development plans, an avigation easement shall be prepared for the project site, the County Director of Public Works. The avigation easement shall be recorded and shown on the vesting tentative map. With approval of the Wellness Center, it is understood that the Wellness Center property owner(s) and tenants, and their successor's in interest in perpetuity, acknowledge the project's location adjacent to an airport and the noise level inherent in the use. The following statement shall be included in the details of the avigation easement on the recorded Final Map, prior to the issuance of the Certificate of Occupancy for any residential unit at the subject property:

"This parcel is adjacent to the Half Moon Bay Airport. Residents on this parcel may be subject to inconvenience or discomfort arising from airport operations, including but not limited to aircraft landings, take-offs, in air maneuvers and fly-overs, and on-the-ground engine start-ups and taxing. San Mateo County recognizes the value of the Half Moon Bay Airport to the residents of this County and intends to preserve airport operations, existing and future, from significant interference and disruption. With approval of the Wellness Center, it is understood by both the Wellness Center property owner(s) and the Half Moon Bay Airport that airport operations shall continue, notwithstanding noise complaints received from property owners, residents, staff, guests, and others from the Wellness Center. In the event that the Wellness Center resident(s) or property owner(s) are unwilling to live under such noise conditions and/or remain unsatisfied with the noise reduction measures being implemented by the airport, the affected resident(s) shall be relocated, with assistance provided by the property owner, to the satisfaction of the Planning and Building Department and/or the Department of Housing.

As proposed, the Wellness Center buildings incorporate sound insulation and sound deflection and are shielded with landscaping designed to provide further noise buffering. In response to the FAA's letter, the applicant has offered to make interior modifications to the Wellness Center floor plan to further reduce noise levels to Wellness Center residents. The applicant proposes the following interior changes:

1. Relocate the residential units so that they are as far as possible from the airport.
2. Construct the storage units and athletic facilities along the length of Building A of the Wellness Center, such that the non-residential areas are used to separate and buffer the residential units from the airport, further insulating the units from airport related noise.
3. Construct the residential units such that all face to the west and away from the airport, whereby no residential windows will face the airport and the residents.

As the local land use authority, the County has the authority to determine whether the sanitarium use is a compatible land use. Impact LU-2 of Section IV.I (Land Use and Planning) of the DEIR analyzes the project's consistency with applicable land use plans, policies and regulations and concludes that the project complies with zoning requirements that address, among other things, the compatibility of the project with surrounding land uses. The section states that land use and planning impacts would be less than significant and no mitigation measures are required.

Electromagnetic Disturbance: Use of radio communications equipment at the Half Moon Bay Airport is a potential source of electromagnetic frequency. The ground-level use of radio communications equipment, if it were to occur to a significant enough extent, could impact the health of the residents at the Wellness Center. In-air, use of radio communications equipment, due to the proximity from the Wellness Center, is not anticipated to have any impact on Wellness Center residents. As there is no air traffic control tower at this airport, the primary source of ground-level use of radio communications equipment is aircraft to aircraft communication while taxiing or landing. However, given current operations at the airport, ground-level communication can be expected to be irregular, infrequent, and a low level source of electromagnetic frequency. The World Health Organization (WHO), based on a in-depth review of the scientific literature, concluded that current evidence does not confirm the existence of any health consequences from exposure to low-level electromagnetic fields. Therefore, health impacts related to the use of electromagnetic fields associated with airport operations are considered less than significant.

Dust: The types of dust (considered particulate matter or PM) generated by the airport is anticipated to be similar to dust generated from car traffic (e.g., brake pad particles and diesel soot). As stated in Table IV.C-7 of Section IV.C-5 (Air Quality) of the DEIR, the project, including mobile and area sources such as motor vehicle trips, would not generate average daily direct and indirect emissions of ROG, NOx, or PM<sub>10</sub> that would exceed BAAQMD-recommended thresholds. Air pollutant emissions from project-related ground traffic are anticipated to be greater than from the airport. Therefore, impacts related to operational emissions for the project would be less than significant.

## **TOPICAL RESPONSE 15: PROJECT POTABLE AND RECYCLED WATER DEMAND**

Generally, public comments regarding the DEIR's analysis of project water consumption assert the presence of inconsistencies and call for additional studies or information to adequately analyze the impacts of water consumption.

The applicant estimates project potable water demand at 10,000 gpd and recycled water demand at 16,000 gpd, for a total potable and recycled water demand of 26,000 gpd. However, page IV.N-36 of the DEIR states an estimate of 16,000 to 17,000 gpd of potable water demand is more realistic, because there are limited uses for recycled water, where the DEIR estimates a project recycled water demand of about 9,000 – 10,000 gpd for toilet flushing uses only. However, the DEIR does not consider other uses of recycled water, such as landscape irrigation and solar panel and other surface washing uses, as proposed by the applicant. Based on a demand of 10,000 gpd of recycled water, the DEIR estimates that the rest of the 26,000 gpd water demand will be met using potable water (16,000 gpd).

The following table illustrates how the total water demand for the project is calculated. The table reflects a revised water demand that accounts for uses of recycled water that were not considered by the DEIR.