

Draft

# 1300 OLD BAYSHORE HIGHWAY SFO@TECHNOLOGY CENTER

Initial Study / Mitigated Negative Declaration

Prepared for  
City of Burlingame

February 2020







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Prepared for  
City of Burlingame

February 2020

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# ENVIRONMENTAL CHECKLIST

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## Initial Study

- 1. Project Title:** 1300 Old Bayshore Highway  
SFO@Technology Center
- 2. Lead Agency Name and Address:** City of Burlingame  
501 Primrose Road  
Burlingame, CA 94010
- 3. Contact Person and Phone Number:** Sheldon Ah Sing, AICP, Contract Planner  
City of Burlingame  
Community Development Department  
Planning Division  
Telephone: (408) 340-5642  
E-Mail: sahsing@m-group.us  
  
Catherine Keylon, Senior Planner  
City of Burlingame  
Community Development Department  
Planning Division  
Telephone: (650) 558-7252  
E-Mail: ckeylon@burlingame.org
- 4. Project Location:** 1300 Old Bayshore Highway  
Burlingame, CA 94010
- 5. Project Sponsor's Name and Address:** Steve Porter  
Fox Bayshore Investments, LLC  
1528 South El Camino Road  
Suite 110  
San Mateo, CA 94402
- 6. General Plan Designation(s):** Shoreline Waterfront Commercial – Bayfront  
Specific Plan (Shoreline Area)
- 7. Zoning Designation(s):** Shoreline (SL)
- 8. Description of Project.**

The project applicant and landowner, Fox Bayshore Investments, LLC, proposes to develop an office campus on a 6.2-acre site at 1300 Old Bayshore Highway in the City of Burlingame. The project would include development of two buildings comprising approximately 260,346 square feet (sf) of building development, along with site transportation, infrastructure, recreational and

landscaping improvements. The project would remove five buildings on the project site totaling approximately 127,200 sf, including several one- to two- story commercial buildings and a former movie theater. Under the project, the six existing parcels that comprise the project site would be merged. See the *Project Description* section, for additional project details.

**9. Surrounding Land Uses and Setting.**

The project site is located along the Burlingame bayfront between Old Bayshore Highway to the west and the San Francisco Bay to the east. A commercial office building (One Bay Plaza, 1350 Bayshore Highway) is located to the northwest, a Holiday Inn Express is located to the southeast, and the Hyatt Regency Hotel (1333 Bayshore Highway) is located across Old Bayshore Highway to the west. The project site is located approximately 0.3-mile south of the San Francisco International Airport (SFO) south property boundary, and just under one mile from the nearest SFO runway. The project site is located approximately 250 feet east of U.S. Highway 101. Easton Creek channel partially bisects the project site.

**10. Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement. Indicate whether another agency is a responsible or trustee agency.)

- City of Burlingame
- City/County Association of Governments (C/CAG)
- C/CAG Airport Land Use Committee (ALUC)
- Association of Bay Area Governments (ABAG)
- Bay Area Air Quality Management District
- Federal Aviation Administration (FAA)
- San Francisco Bay Conservation and Development Commission (BCDC)
- Regional Water Quality Control Board (RWQCB)
- California Department of Fish and Wildlife (CDFW)
- U.S. Army Corps of Engineers (USCOE)

# 1.0 Project Description

## Introduction

The project applicant and landowner, Fox Bayshore Investments, LLC, proposes to develop an office campus on a 6.2-acre site at 1300 Old Bayshore Highway in the City of Burlingame. The project would include development of two buildings comprising approximately 260,350 square feet (sf) of building development,<sup>1</sup> along with site transportation, infrastructure, recreational and landscaping improvements. The project would remove five buildings on the project site totaling approximately 127,200 sf, including several one- to two- story commercial buildings and a former movie theater. Under the project, the six existing parcels that comprise the project site would be merged.

The City of Burlingame (City), serving as Lead Agency under the California Environmental Quality Act (CEQA), is completing the required environmental review for the project pursuant to CEQA, prior to approval of the project. In accordance with CEQA Guidelines Section 15071, the City has prepared an Initial Study to determine the potential environmental consequences of approval and implementation of the project. This Initial Study provides the necessary information to inform the City decision-makers, other responsible agencies and the public of the nature of the project and its potential effect on the environment.

## Report Organization

This report is organized as follows:

**Section 1, Project Description**, provides an introduction to the proposed project with project background and discusses the proposed improvements.

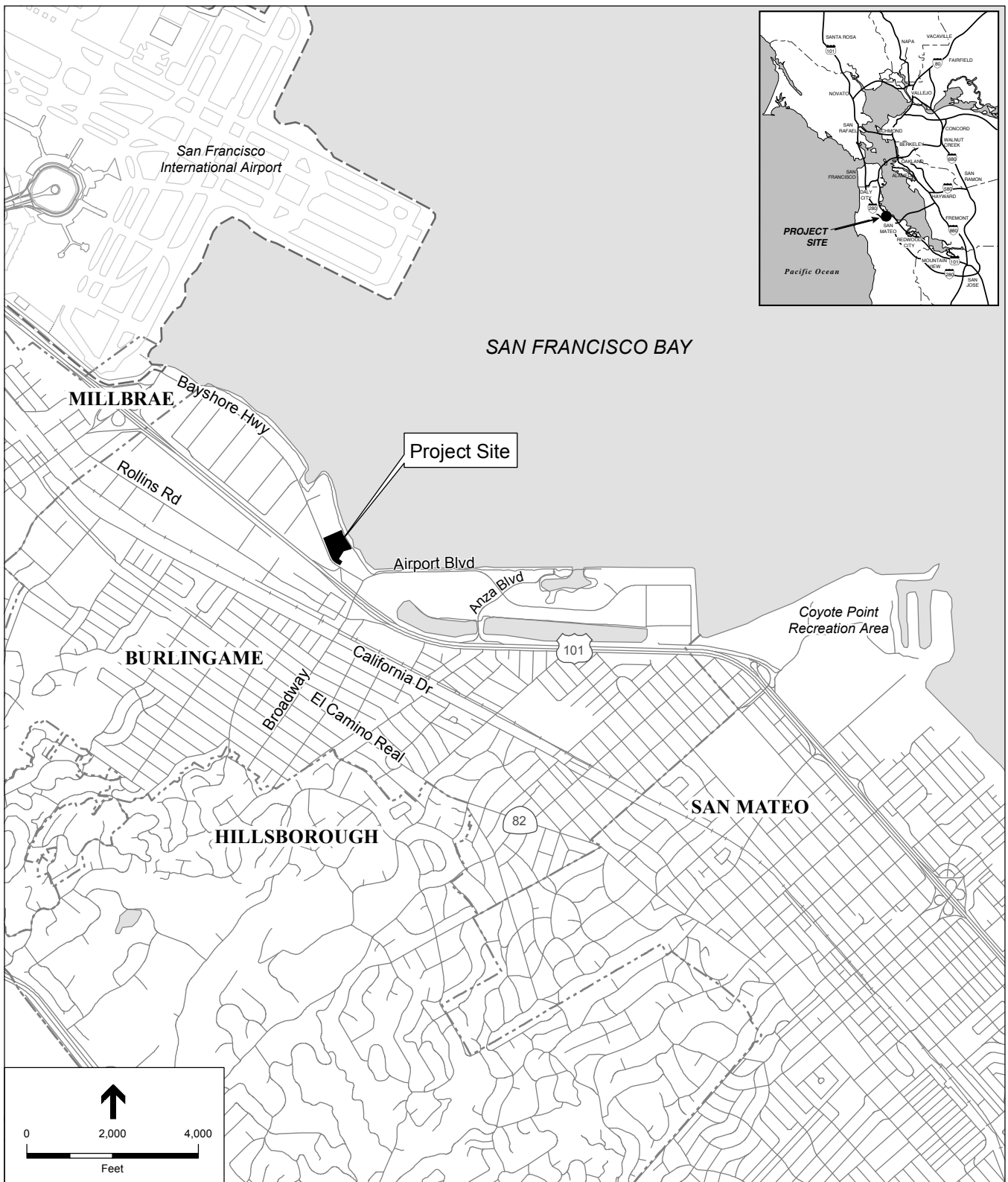
**Section 2, Environmental Checklist Form**, presents the CEQA Initial Study Environmental Checklist, and analyzes environmental impacts resulting from the project and describes the mitigation measures that would be incorporated into the proposed project to avoid or reduce impacts to less-than-significant levels.

## Project Site and Vicinity Description

The project site, commonly known as 1300 Old Bayshore Highway,<sup>2</sup> is located along the bayfront in the City of Burlingame (see **Figure 1-1** for project location) between Old Bayshore Highway and the San Francisco Bay (Bay). Regional access to the project site is provided by U.S. Highway 101 (U.S. 101). The 6.2-acre project site consists of six contiguous parcels [Assessor's Parcel Numbers (APNs) 026-142-070 and -110, and 026-113-330, -450, -470, and -480], owned by Fox Bayshore Investments, LLC.

<sup>1</sup> Excludes building enclosed parking square footage. Total building construction including parking would be approximately 569,000 sf.

<sup>2</sup> The property actually includes several even-numbered addresses ranging between 1288 and 1340 Old Bayshore Highway.



SOURCE: ESA

1300 Old Bayshore Highway . 160011

**Figure 1-1**  
Project Location



**Figure 1-2** presents an aerial photograph of the project site and vicinity. The project site is relatively level, with ground surface elevation generally ranging between approximately 10 and 12 feet NAVD 88.<sup>3</sup> Easton Creek bisects the project site, comprised partially of an open channel and partially culverted within the project site. There are presently five buildings on the project site, totaling approximately 127,200 sf. These buildings were constructed between the late 1950s through early 1970s, and include several one- to two- story commercial buildings and a former movie theater. These buildings are presently occupied by several businesses, including a variety of professional offices, an auto rental agency, and restaurants. The existing buildings are surrounded by asphalt paved driveways and parking areas, concrete sidewalks, and areas of landscaping.

Local access in the vicinity is provided by Old Bayshore Highway, Broadway and Airport Boulevard. The recently completed U.S. 101/Broadway interchange, with on- and off-ramp access at Old Bayshore Highway located near the southeast corner of the project site. Nine driveways along Old Bayshore Highway currently serve the project site. Existing paved off-street segments of the San Francisco Bay Trail (Bay Trail) currently terminate at the north corner of the project site, and approximately 650 feet southeast of the project site near Airport Boulevard.

A commercial office building (One Bay Plaza, 1350 Bayshore Highway) is located to the northwest, a Holiday Inn Express is located to the southeast, and the Hyatt Regency Hotel (1333 Bayshore Highway) is located across Old Bayshore Highway to the west. The project site is located approximately 0.3-mile southeast of the San Francisco International Airport (SFO) south property boundary, and just under one mile from the nearest SFO runway. The project site is located approximately 250 feet northeast of U.S. 101.

The project site is located within the “Shoreline” area of the Burlingame Bayfront Specific Plan and designated “Shoreline Waterfront Commercial.” The San Francisco Bay Conservation Development Commission (BCDC) maintains jurisdiction over the 100-foot band of the Bay shoreline and Easton Creek channel portions of the project site.

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<sup>3</sup> North American Vertical Datum of 1988.



SOURCE: Google Earth; ESA

1300 Old Bayshore Highway . 160011

**Figure 1-2**  
Aerial Photograph of Project Site and Vicinity



## Project Characteristics

**Figure 1-3** presents the proposed project site plan. The project applicant proposes an office campus consisting of two buildings comprising approximately 260,350 sf of building development<sup>4</sup>, along with site transportation, infrastructure, recreational and landscaping improvements.

### Proposed Buildings

A summary of the proposed project building area and uses are presented in **Table 1-1**. Floor plans of the proposed buildings are presented in **Figure 1-4** through **Figure 1-8**. The two eight-story buildings (Buildings A and B) would include a total of approximately 239,800 sf of office space, 11,900 sf of restaurant space, and 8,630 sf of retail space. Buildings A and B would be located northwest and southeast of Easton Creek, respectively. As summarized in **Table 1-1**, Building A would contain ground-level retail and office uses, parking on the first through third floors, and office uses on the fourth through eighth floors. Building B would contain primarily retail use on the ground level, and parking on second through eighth floors. The proposed building envelope would have a lot coverage of 91,766 sf., utilizing 34.2 percent of the project site.

A summary of proposed building heights, by level, is presented in **Table 1-2**. Elevations of the two buildings are illustrated in **Figure 1-9** through **Figure 1-11**. Each building would measure 99 feet from finished floor grade to top of roof [an elevation of 108 feet above sea level (asl)].

The two buildings would form a C-shaped design from a plan perspective, with the outer arc of the buildings facing Old Bayshore Highway, and the inner arc of the buildings facing the Bay. The two buildings would contain exterior glass curtain wall façades on the ground floor retail/restaurant uses and the upper floors; whereas the parking levels on the second and third floors would contain HardiePanel fiber cement veneer façades. Exposed steel column structural supports would be visible on the lower levels. The two buildings' facades would be connected by a perforated façade screen wall that would extend over the culverted segment of Easton Creek; the Easton Creek open channel segment would remain open to the sky between the buildings.

There would be an open notch in the first two floors of the east portion of Building A, beneath which a proposed ground level oval-shaped driveway and plaza would be located; and an open notch in the first two floors of the west portion of Building B. These building notches would be approximately 26.5 feet high. There would also be an opening at the bottom of the façade screen wall between Buildings A and B; this opening would be 47.5 feet high at its maximum height. The buildings notches and the opening at the bottom of the façade screen wall between Buildings A and B are intended to provide views from Old Bayshore Highway to the Bay.

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<sup>4</sup> Excludes building enclosed parking square footage. Total building construction including parking would be approximately 569,000 sf.



**TABLE 1-1  
SUMMARY OF PROPOSED BUILDING USES, BY LEVEL**

| Floor Level   | Building A     |                  |                |                      | Building B   |              |                |                      | Total          |                  |              |                |
|---------------|----------------|------------------|----------------|----------------------|--------------|--------------|----------------|----------------------|----------------|------------------|--------------|----------------|
|               | Office (gsf)   | Restaurant (gsf) | Subtotal (gsf) | Parking <sup>a</sup> | Office (gsf) | Retail (gsf) | Subtotal (gsf) | Parking <sup>b</sup> | Office (gsf)   | Restaurant (gsf) | Retail (gsf) | Total (gsf)    |
| Eighth Floor  | 35,191         | 0                | 35,191         |                      | 0            | 0            | 0              | Yes                  | 35,191         | 0                | 0            | 35,191         |
| Seventh Floor | 40,032         | 0                | 40,032         |                      | 0            | 0            | 0              | Yes                  | 40,032         | 0                | 0            | 40,032         |
| Sixth Floor   | 46,977         | 0                | 46,977         |                      | 0            | 0            | 0              | Yes                  | 46,977         | 0                | 0            | 46,977         |
| Fifth Floor   | 48,678         | 0                | 48,678         |                      | 0            | 0            | 0              | Yes                  | 48,678         | 0                | 0            | 48,678         |
| Fourth Floor  | 55,344         | 0                | 55,344         |                      | 0            | 0            | 0              | Yes                  | 55,344         | 0                | 0            | 55,344         |
| Third Floor   | 0              | 0                | 0              | Yes                  | 0            | 0            | 0              | Yes                  | 0              | 0                | 0            | 0              |
| Second Floor  | 0              | 0                | 0              | Yes                  | 0            | 0            | 0              | Yes                  | 0              | 0                | 0            | 0              |
| First Floor   | 13,608         | 11,887           | 25,495         | Yes                  | 0            | 8,629        | 8,629          |                      | 13,608         | 11,887           | 8,629        | 34,124         |
| <b>Total</b>  | <b>239,830</b> | <b>11,887</b>    | <b>251,717</b> | <b>--</b>            | <b>0</b>     | <b>8,629</b> | <b>8,629</b>   | <b>--</b>            | <b>239,830</b> | <b>11,887</b>    | <b>8,629</b> | <b>260,346</b> |

## NOTES:

<sup>a</sup> In addition to the building square footages presented in this table, Building A would also have a total of 108,914 sf in enclosed parking.

<sup>b</sup> In addition to the building square footages presented in this table, Building B would also have a total of 115,193 sf in enclosed parking.

SOURCE: Nardi Associates, LLP, ESA

**TABLE 1-2  
BUILDING HEIGHT, BY LEVEL**

| Floor Level   | Building A          |                             | Building B          |         |
|---------------|---------------------|-----------------------------|---------------------|---------|
|               | Height <sup>a</sup> | Uses                        | Height <sup>a</sup> | Uses    |
| Top of roof   | 99'                 |                             | 99'                 |         |
| Eighth Floor  | 87'                 | Office                      | 87'                 | Parking |
| Seventh Floor | 75'                 | Office                      | 75'                 | Parking |
| Sixth Floor   | 63'                 | Office                      | 63'                 | Parking |
| Fifth Floor   | 51'                 | Office                      | 51'                 | Parking |
| Fourth Floor  | 39'                 | Office                      | 39'                 | Parking |
| Third Floor   | 29.5'               | Parking                     | 29.5'               | Parking |
| Second Floor  | 16.5'               | Parking                     | 16.5'               | Parking |
| First Floor   | 0                   | Office, Restaurant, Parking | 0                   | Retail  |

NOTE:

<sup>a</sup> As measured from finished floor grade.

SOURCE: Nardi Associates, LLP; ESA

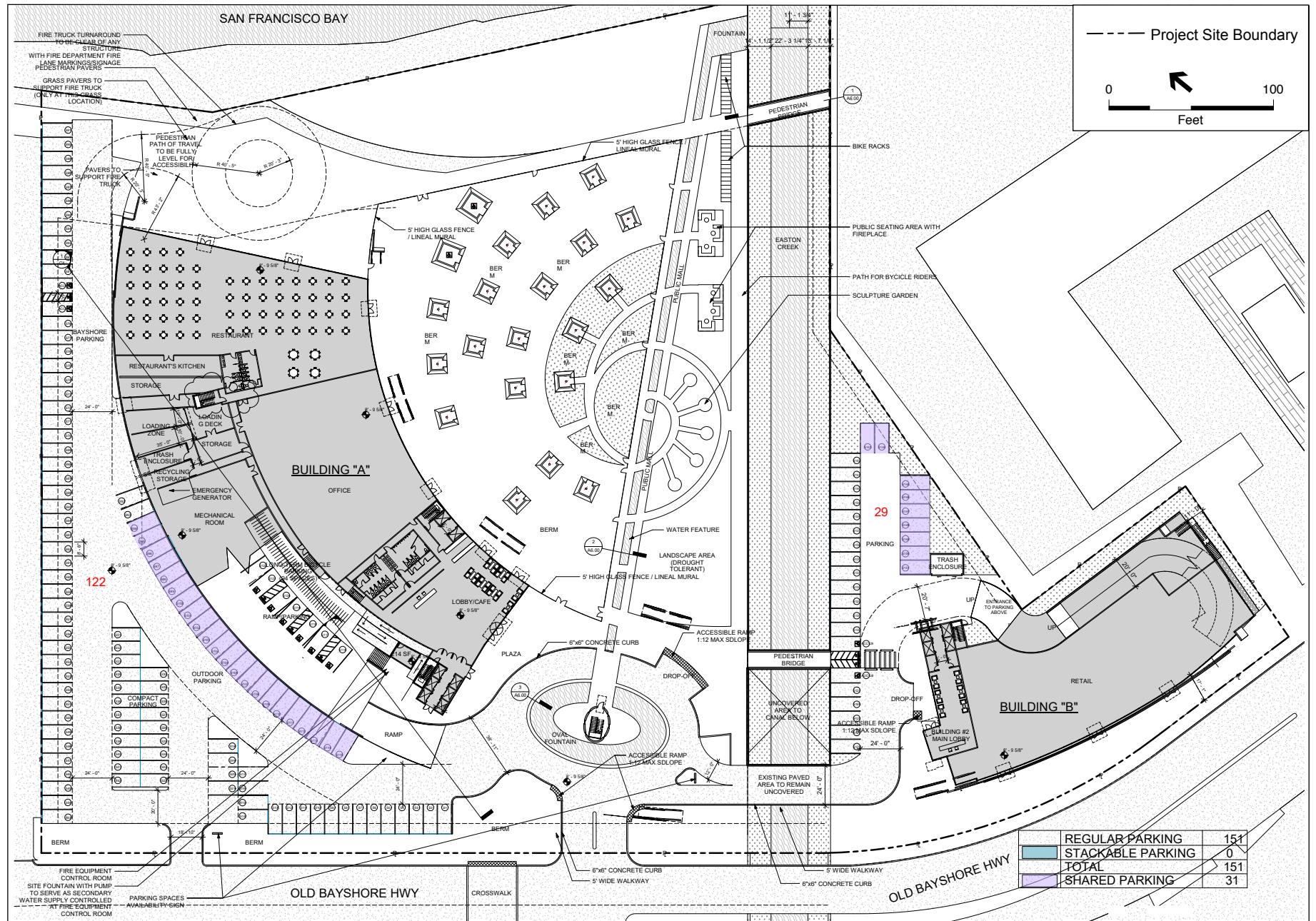
Certain upper floors of Building A and Building B would contain exterior terraces, which would step back with ascending floors. Certain building mechanical equipment, including cooling towers, would be located on the eighth floor exterior terraces of Buildings A and B. Only minor equipment (e.g., restroom exhaust fans and fresh air intake hoods) would be located on the building rooftops. Other building equipment, including a 300 kilowatt emergency generator would be located within the ground level mechanical room in Building A.

Building A would contain loading docks, and trash enclosure and recycling storage facilities, that would serve both Buildings A and B. These facilities would be fully enclosed on the ground level of the north side of Building A. Lastly, a separate trash enclosure is also proposed within just east of Building A.

## Vehicular Access

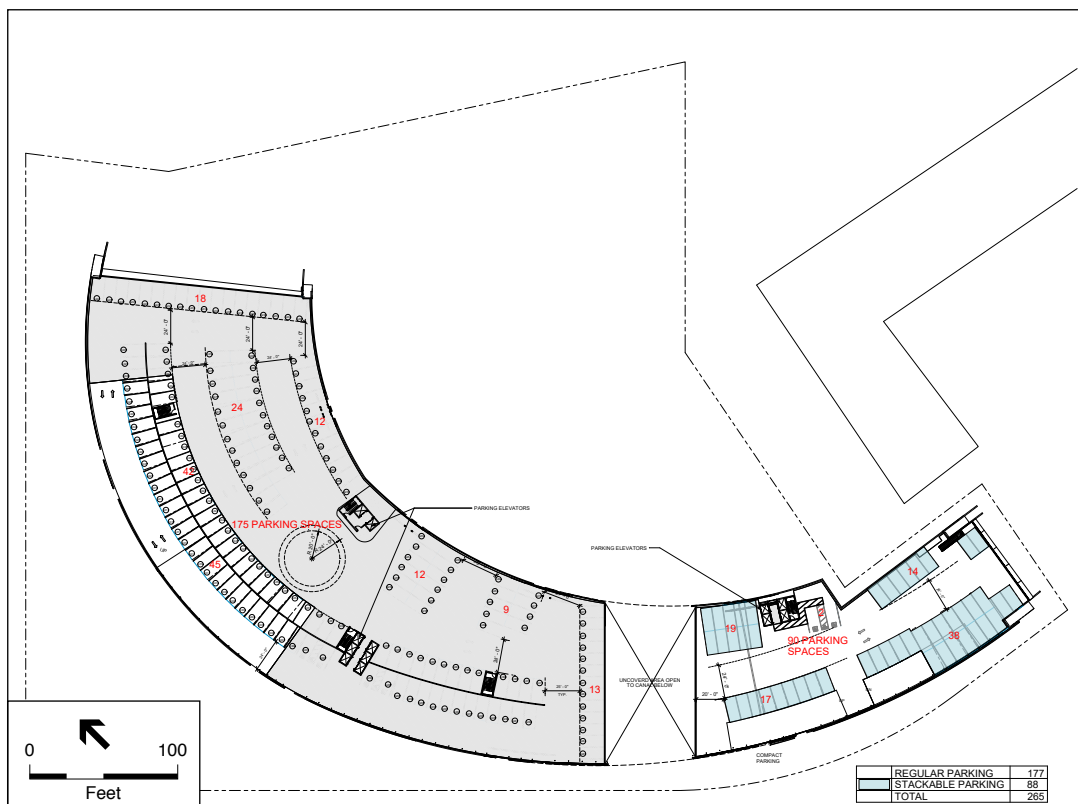
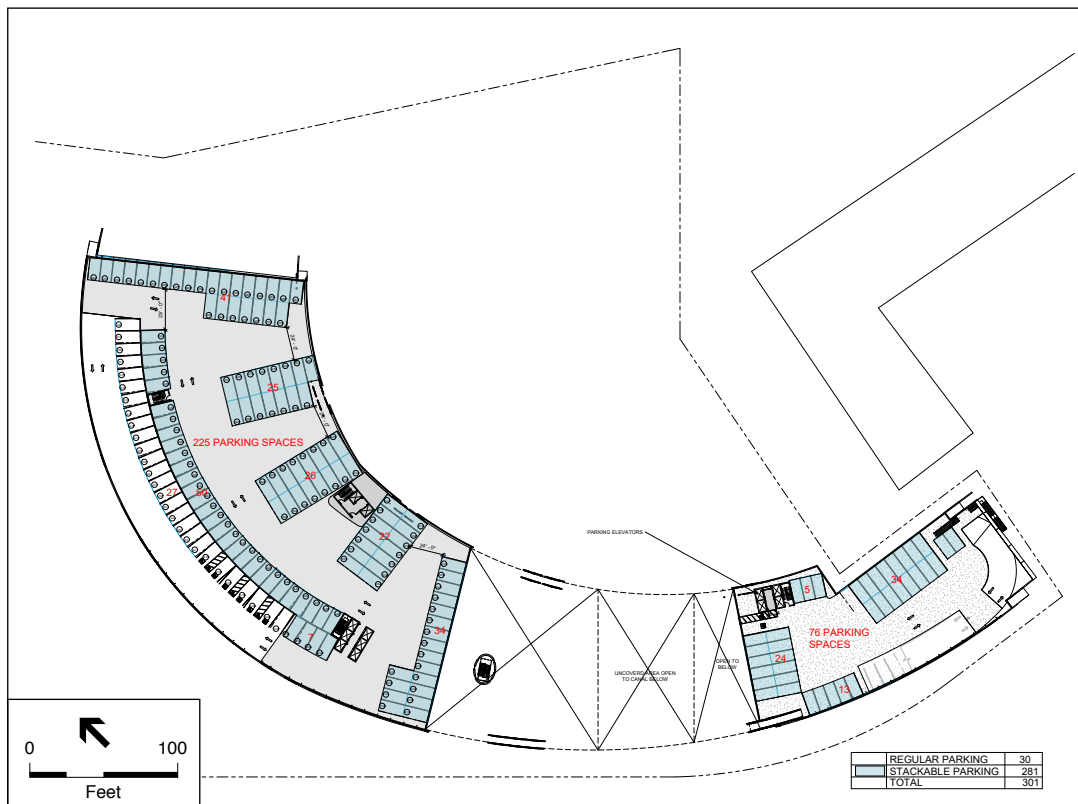
Two proposed driveways (central driveway and north driveway) on Old Bayshore Highway would provide vehicular access to/from the project site. The proposed 38-foot wide central driveway to the project site would be located opposite the southern driveway serving the Hyatt Regency Hotel. This driveway would provide vehicular access to the oval-shaped driveway and passenger drop-off area beneath Building A. One internal driveway would provide access to the vehicular entrance to parking in Building A, and one internal driveway would branch south to a second passenger drop-off, and the vehicular entrance to parking in Building B. The proposed 18-foot wide northern driveway on Old Bayshore Highway would provide access to the surface parking area on the northwest side of the site.

A proposed emergency access road around the north side of Building A to the rear portion of the project site would be available for emergency access by fire trucks.



SOURCE: Nardi Associates, LLP; ESA

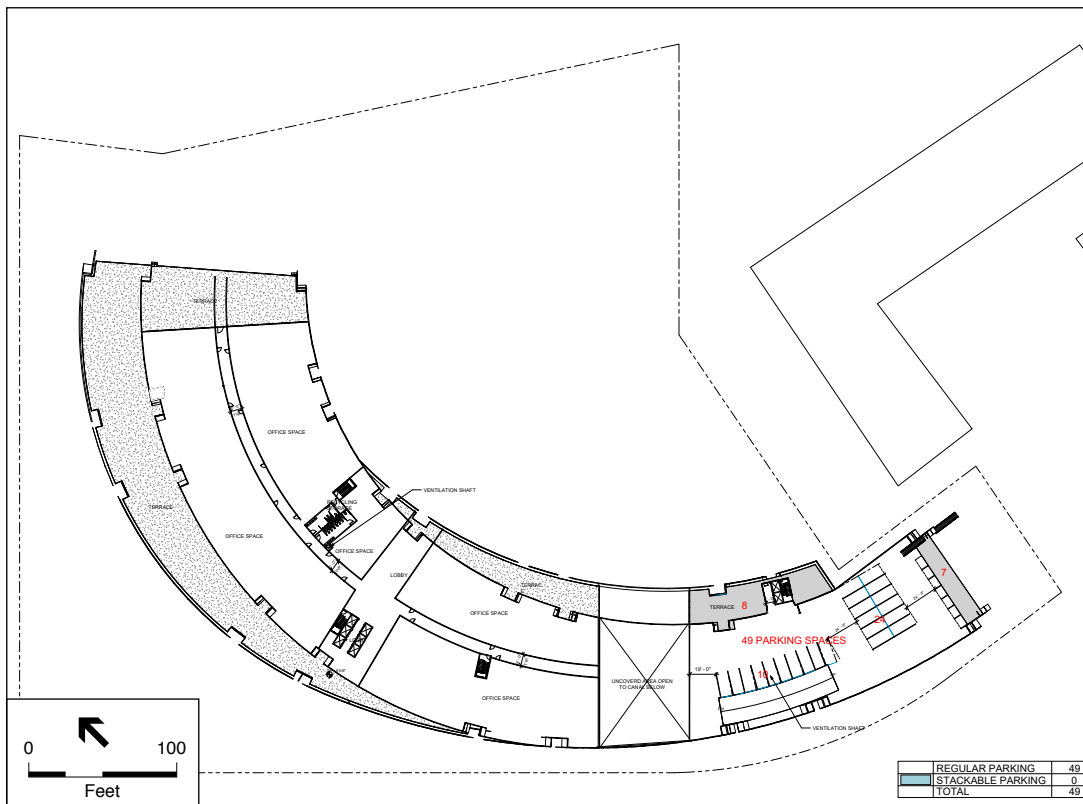
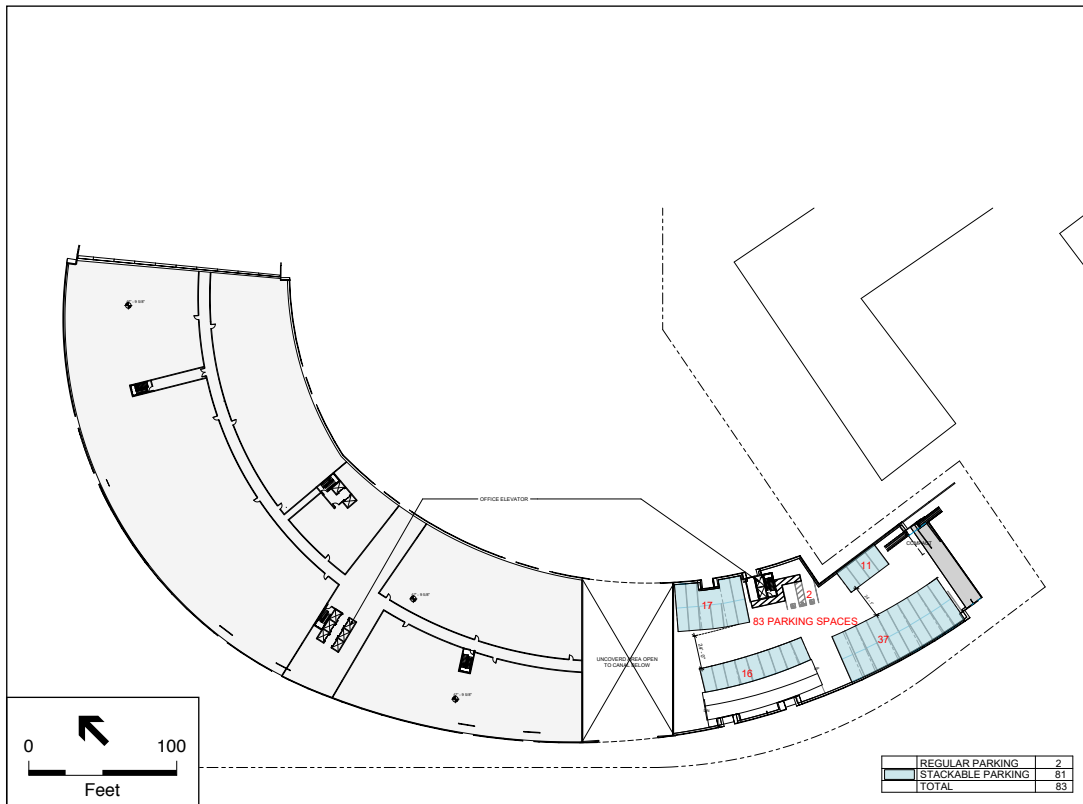
1300 Old Bayshore Highway . 160011



SOURCE: Nardi Associates, LLP; ESA

1300 Old Bayshore Highway . 160011  
**Figure 1-5**  
 Second and Third Floor Parking Plans

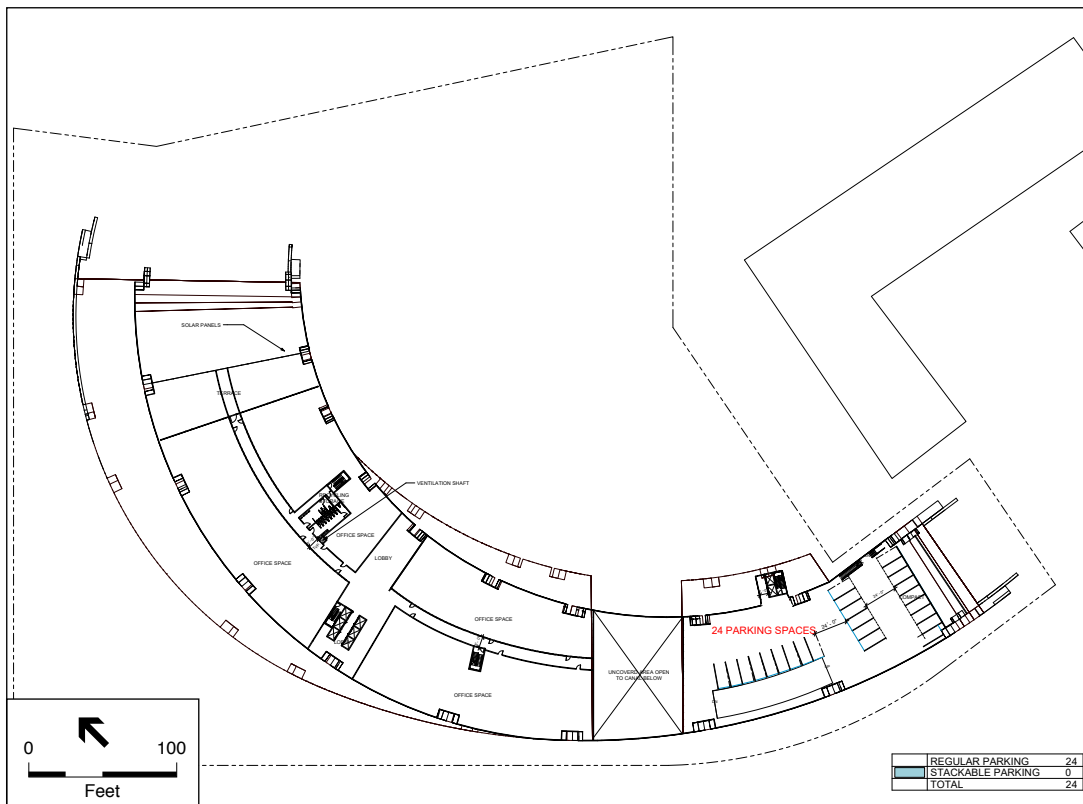
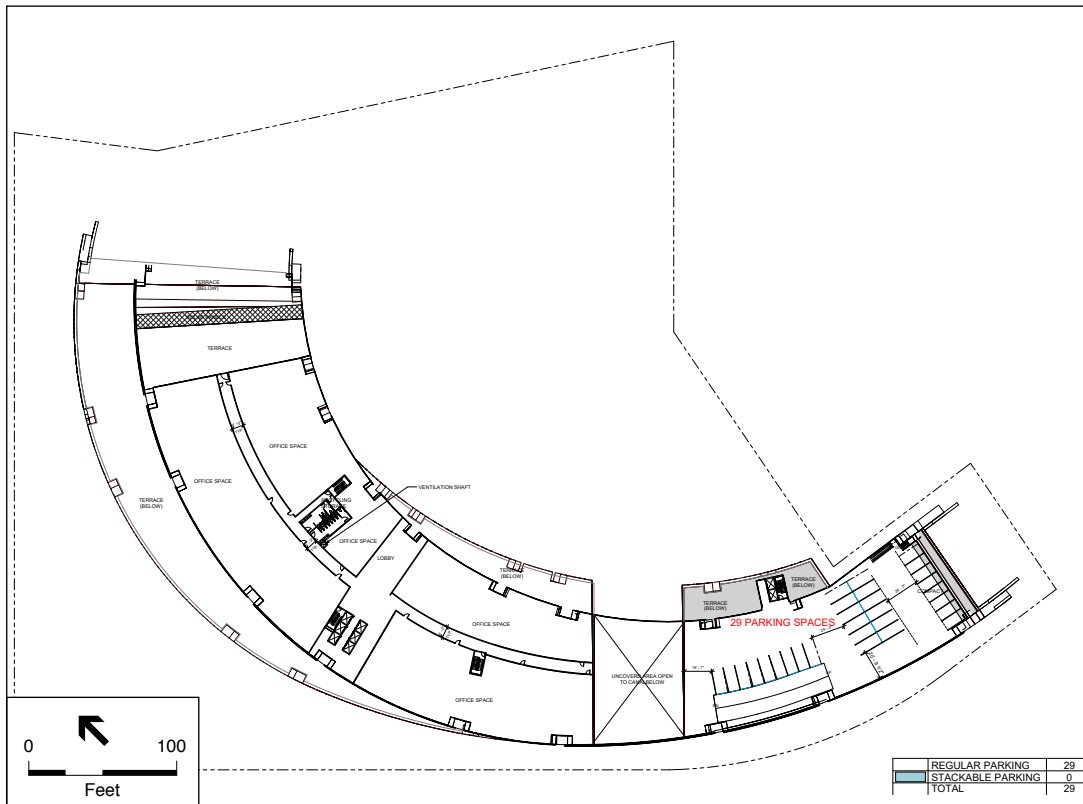




SOURCE: Nardi Associates, LLP; ESA

1300 Old Bayshore Highway . 160011

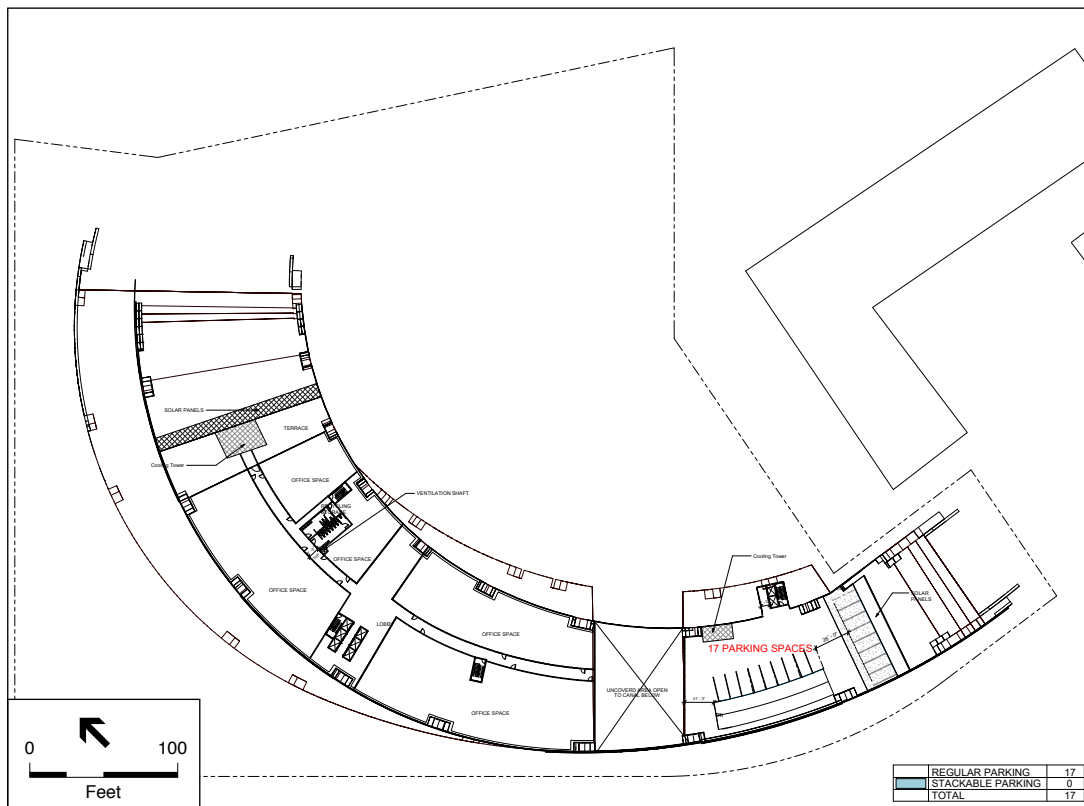
**Figure 1-6**  
Fourth Floor and Fifth Floor Office/Parking Plans



SOURCE: Nardi Associates, LLP; ESA

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**Figure 1-7**  
Sixth and Seventh Floor Office/Parking Plans

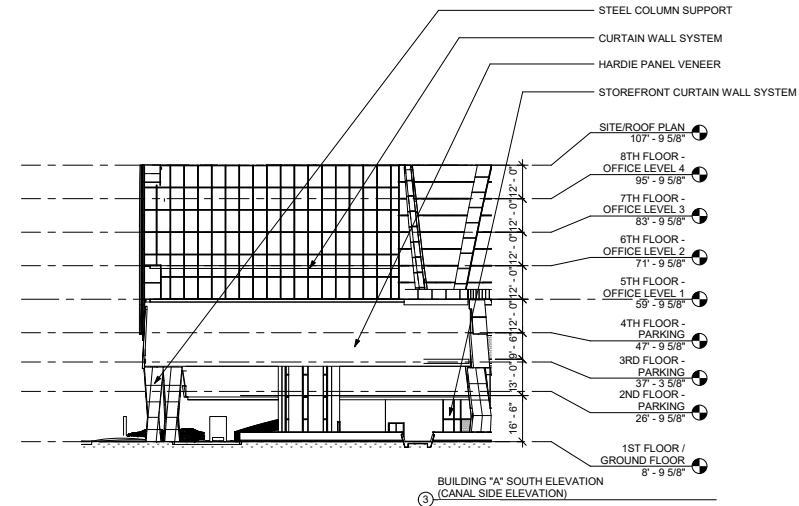
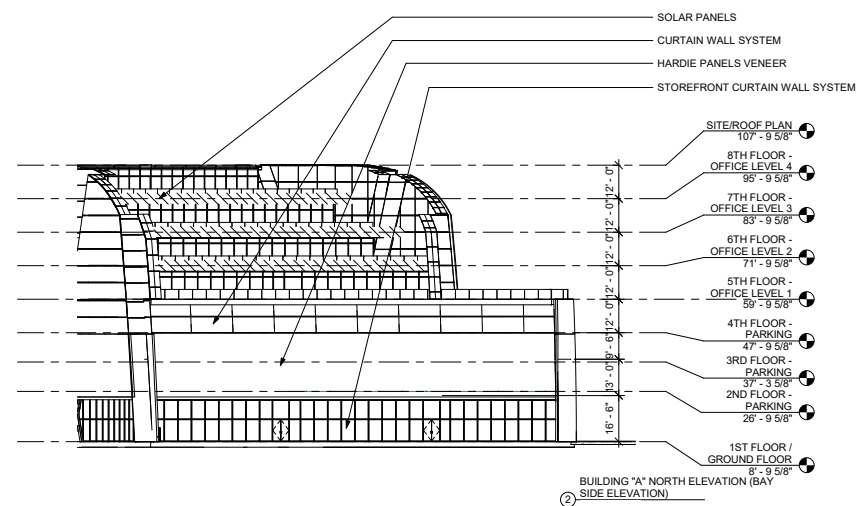
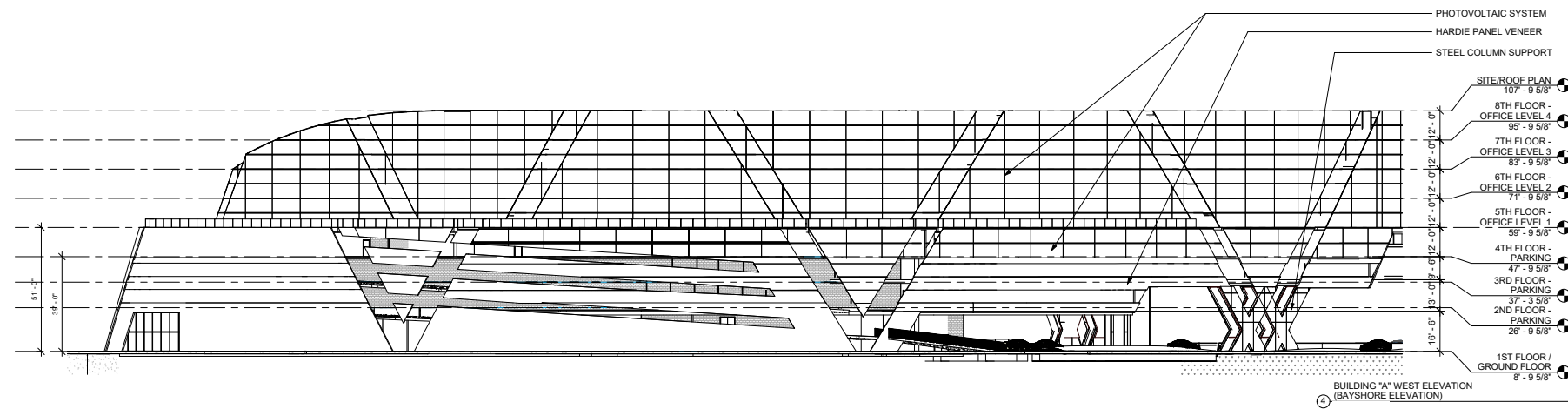
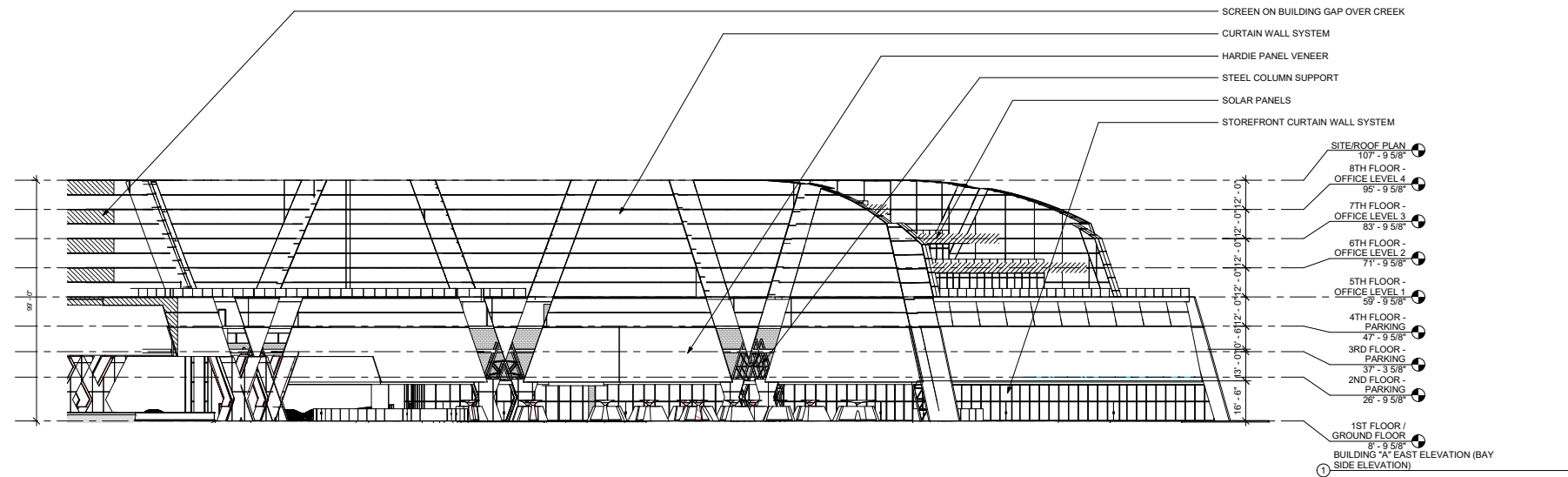


SOURCE: Nardi Associates, LLP; ESA

1300 Old Bayshore Highway . 160011

**Figure 1-8**  
Eighth Floor Office/Parking Plan and Site/Roof Plan

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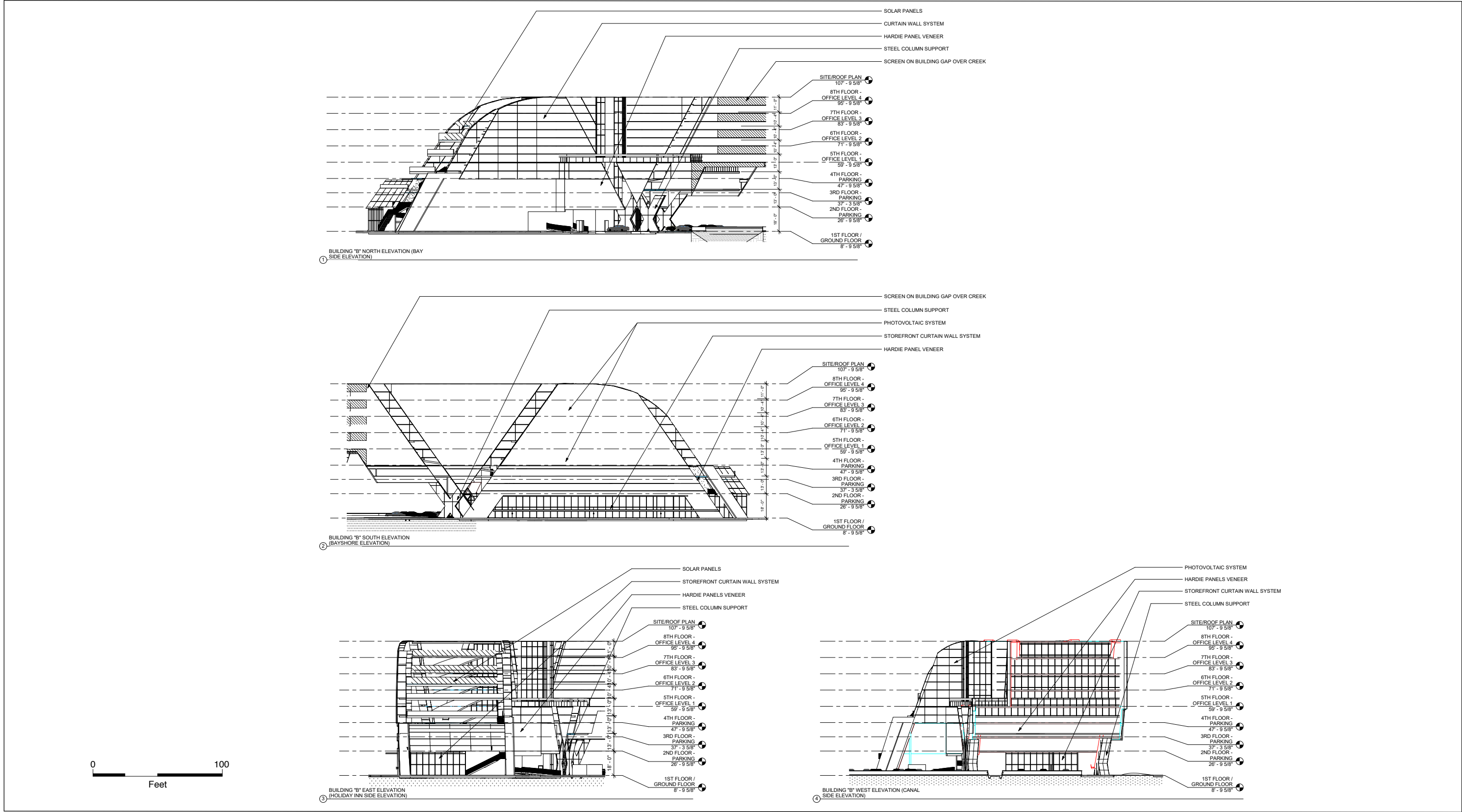
0 100  
Feet

NOTE: Building elevations measured relative to mean sea level.

SOURCE: Nardi Associates, LLP; ESA

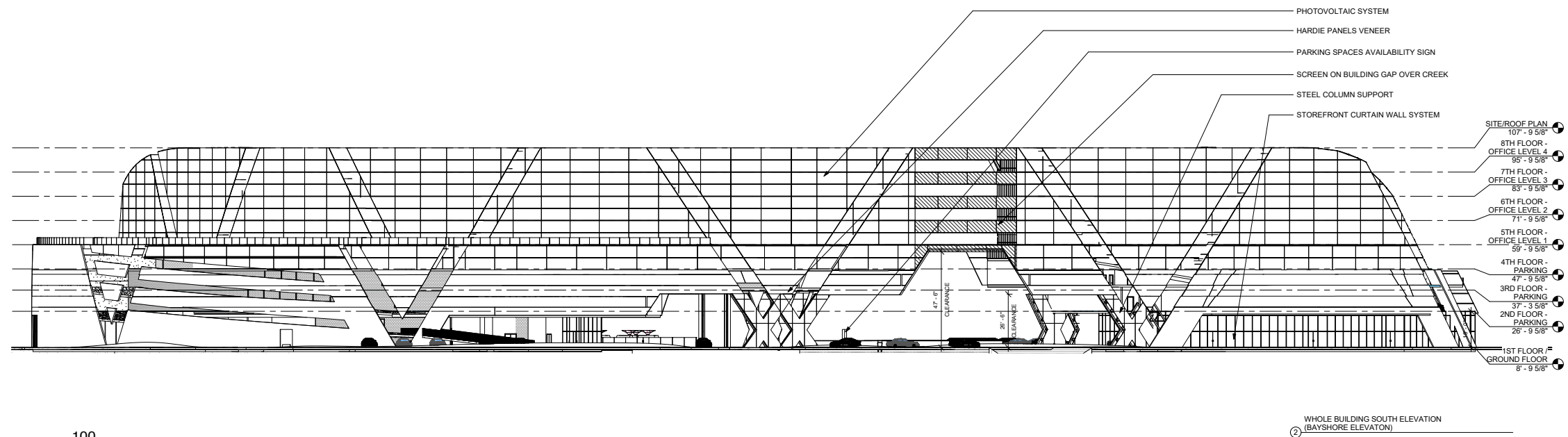
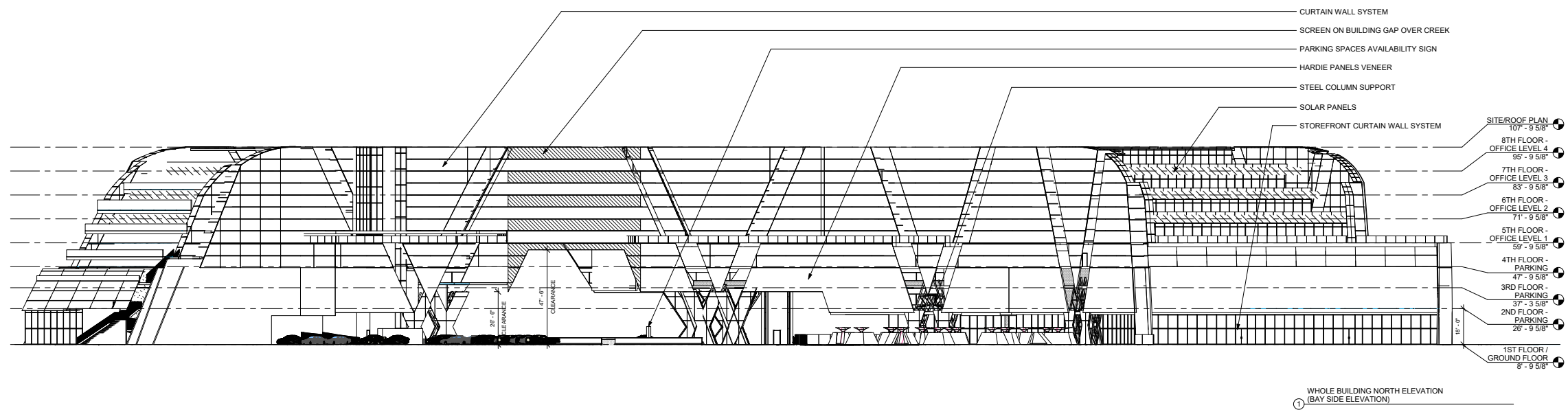
1300 Old Bayshore Highway . 160011

**Figure 1-9**  
Building A Elevations



NOTE: Building elevations measured relative to mean sea level.

SOURCE: Nardi Associates, LLP; ESA



NOTE: Building elevations measured relative to mean sea level.

SOURCE: Nardi Associates, LLP; ESA

1300 Old Bayshore Highway . 160011

**Figure 1-11**  
Whole Building Elevations

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## Vehicle and Bicycle Parking

In total, the project proposes 919 parking spaces plus 31 shared spaces within outdoor surface lots and enclosed parking in Buildings A and B. A total of 144 surface parking spaces are proposed within surface lots. The primary surface parking area would be located on the northwest side of the site adjacent to Building A; a smaller surface parking area would be located south of Easton Creek in a plaza adjacent to Building B. A total of 775 parking spaces are proposed within Buildings A and B. Building A would contain 407 spaces on three levels, and Building B would contain 368 parking spaces on seven levels.

Of the total parking spaces, 450 are proposed to be tandem (stackable) spaces, and 31 are proposed to be shared parking spaces (e.g., daytime parking demand is greatest for office and retail uses; evening demand is greater for restaurant uses). The surface parking area would provide 7 spaces designated and signed for parking for Bay Trail use.

The proposed project would provide 125 bicycle parking spaces, including 94 covered long-term bicycle parking spaces within Building A, and 31 uncovered bicycle parking spaces.

## Open Space, and Pedestrian and Bicycle Circulation

**Figure 1-12** presents the proposed site landscaping plan. Open space would include ground level public and private open space throughout the project site, as well as elevated private open space via the proposed building exterior terraces.

Public space would be provided by a continuous on-site public access area that would extend along the north side of the project site adjacent to the Bay, and the south bisecting the project site along the Easton Creek corridor between the Bay and Old Bayshore Highway. This public space would be located largely within the BCDC shoreline band that extends along the Bay shoreline and Easton Creek. The Bay Trail is proposed to be extended within this public access area of the project site along the shoreline and the west side of Easton Creek, terminating at Old Bayshore Highway. In addition, up to two pedestrian bridges across the Easton Creek open channel segment within the project site would be constructed, in which case the Bay Trail would extend east across the northern crossing of the creek channel.

Public amenities within the public access areas would include several public paths, including a “Bayshore walkway,” a “public mall” with water feature; a bicycle path along the west side of Easton Creek; public seating areas with fireplaces; bike racks; a fountain; a sculpture garden and other landscaping features.

Ground level private open space on the project site would include a proposed outdoor conference space area located east of and adjacent to Building A. These would consist of 21 individual outdoor conference units partially enclosed with acrylic paneling and metal framed canopies, containing tables and seating. The conference units would be arrayed in a pattern within a ground contoured and landscaped area. A five-foot high glass wall with lineal mural is proposed to separate this private open space area from the public access area.

A total of approximately 126,710 sf, or 2.9 acres, of site landscaping is proposed. A variety of vegetative landscaping is proposed throughout the open space areas as discussed previously, as well as along the project site frontage on Old Bayshore Highway, including, but not limited to, evergreen and deciduous trees, shrubs and grasses and other groundcover. Proposed hardscaping throughout the project site would include the use of both pervious and non-pervious pavers along walkways and in the plaza areas, and of decomposed granite.

Building A (floors five through eight) and Building B (floors four through eight) would contain exterior terraces providing elevated areas of private open space. Approximately 34,200 sf of outdoor patio area would be provided in the Building A terraces, and approximately 9,900 sf of patio area would be provided in the Building B terraces.

## **Lighting**

Exterior lighting would consist of wall- and surface-mounted lighting and recessed lighting (e.g., at building pedestrian and vehicular entrances), pole-mounted pedestrian scale lights (e.g., in the proposed plazas, surface parking areas, and other pedestrian circulation areas), and one-side output wall lighting (for accent and sign lighting). Lighting would be designed to meet the requirements of Code Section 18.16.030 to prevent light spillage offsite and would comply with the City of Burlingame Exterior Illumination Ordinance.

## **Utilities**

On-site utilities would include potable and emergency water; storm drainage; sanitary sewer, gas and electrical service; heating, ventilation, and air-conditioning (HVAC); CATV communications; and solid and hazardous waste disposal units.

Stormwater collected in the parking areas on the project site would be directed to stormceptor units along the project frontage that would screen, separate and trap debris, sediment and other pollutants from the stormwater runoff prior to being directed off-site to the City storm sewer collection system in Old Bayshore Highway. The proposed landscaping areas along the project frontage would also serve as stormwater runoff retention. Stormwater collected on building roofs would be directed via storm drains to on-site bio-retention basins, prior to discharge via storm drains to outfalls in Easton Creek.

A new domestic water line would be installed on the project site to provide potable water to serve the project development. A separate emergency water line would be installed on the project site to provide emergency water for building sprinkler systems and fire hydrants. A new sanitary sewer line would be installed on the project site to provide wastewater collection for the project development. These lines would connect to existing City infrastructure in Old Bayshore Highway.



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## Sustainability Features

The sponsor proposes to design project the project buildings to meet the LEED Gold standard. Photovoltaic panels would be incorporated into the exterior design of the buildings (between two glass layers). The project sponsor indicates the photovoltaic panels are intended to power electric consumption in public areas, including corridors, parking areas and outdoor gardens. Proposed building glazing would be tinted electronically to control interior heat and light transmission for energy efficiency. As discussed previously, stormwater runoff from the certain areas of the project site would be directed to natural stormwater treatment systems, including bioretention areas.

## Construction

Project construction is expected to commence in the first quarter of 2021 and with completion in the third quarter of 2023. Construction contractors would be required to limit standard construction activities to the requirements of the City of Burlingame. The Burlingame Municipal Code restricts construction activities to between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, 9:00 a.m. and 6:00 p.m. on Saturdays with no work allowed on Sundays and holidays.

The number of construction workers on site would average approximately 150 workers per day, and reach a maximum of approximately 250 workers per day during peak construction. Temporary on-site parking for up to 140 construction worker vehicles would be provided on the north side of the project site during construction. Demolition of existing features on the property would include the removal of the five existing buildings, concrete sidewalk, asphalt parking area, fencing and onsite vegetation.

The proposed project would require 4,940 cubic yards of soil excavation to accommodate the proposed foundation and elevator pits, and 60 cubic yards of fill. The volume of demolished materials from existing features on the project site would be approximately 13,000 cubic yards. During the demolition and grading phase, the anticipated construction vehicles and equipment would include loaders, dump trucks, bulldozers, backhoes, scrapers and water trucks. During building construction, the major construction vehicles and equipment would include excavators, cranes, drilling rigs, forklifts and concrete trucks and temporary generators. The proposed building foundations would require piles; to minimize potential noise and vibration effects, the project sponsor proposes to install piles using a drilled, cast-in-place method, such as augercast or torque-down piles, as opposed to impact pile driving. During the paving, landscaping and infrastructure installation phase, the principal construction vehicles and equipment would include pavers, dump trucks, and backhoes.

The City anticipates that during construction, dredging of accumulated sediment within Easton Creek channel on the project site - along the section between the culvert and the shoreline - would be required to improve flow within the channel.

## Approvals

The project site is located within the City of Burlingame. For the purpose of the Initial Study, the City is the Lead Agency responsible for approval of the Initial Study as well as conducting design review

and other discretionary planning approvals. The project would require a number of approvals from the City, including:

- Environmental review under the California Environmental Quality Act;
- Commercial Design Review;
- Lot Merger;
- Conditional Use Permit for Height;
- Conditional Use Permit for Building Width;
- Conditional Use Permit for Retail Use;
- Variance required to allow greater building setback in the front;
- Variance to allow parking within the front setback area.

The project may require approvals from other regional, state, and federal entities, including, but not limited to, the County Association of Governments of San Mateo County, Association of Bay Area Governments, San Francisco Bay Conservation and Development Commission, San Francisco Bay Regional Water Quality Control Board, Bay Area Air Quality Management District, U.S. Army Corps of Engineers (Corps), California Department of Fish & Wildlife, the County Association of Governments of San Mateo County and/or Federal Aviation Administration.

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## References

Project plans and descriptions.

## Environmental Factors Potentially Affected

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture and Forestry Resources              | <input checked="" type="checkbox"/> Air Quality        |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources, including Tribal | <input type="checkbox"/> Energy                        |
| <input type="checkbox"/> Geology/Soils                   | <input type="checkbox"/> Greenhouse Gas Emissions                        | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality     | <input type="checkbox"/> Land Use/Planning                               | <input type="checkbox"/> Mineral Resources             |
| <input checked="" type="checkbox"/> Noise                | <input type="checkbox"/> Population and Housing                          | <input type="checkbox"/> Public Services               |
| <input type="checkbox"/> Recreation                      | <input checked="" type="checkbox"/> Transportation and Traffic           | <input type="checkbox"/> Utilities/Service Systems     |
| <input type="checkbox"/> Wildfire                        | <input checked="" type="checkbox"/> Mandatory Findings of Significance   |  |

### DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Signature

KEVIN GARDINER

Printed Name

2/21/2020

Date

CITY OF BURLINGAME

For

## 2.0 Environmental Checklist

### Aesthetics

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>1. AESTHETICS</b> — Except as provided in Public Resources Code Section 21099, would the project:  |                                       |   |                                     |                          |
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

#### Setting

##### Regional and Community Visual Context

The City of Burlingame is bounded by the City of Millbrae to the northwest, San Francisco Bay to the east, the City of San Mateo to the southeast, and Town of Hillsborough to the southwest. U.S. 101 traverses Burlingame primarily in a northwest-southeast direction, in proximity to the project site. Interstate 280 (I-280) is located in the hills to the west of the project site. Beyond I-280 to the west, the Santa Cruz Mountains provide a visual backdrop to the City.

##### Project Site Setting

Visual and urban design character within the relatively flat Burlingame Bayfront Specific Plan area is influenced by the landscape setting along the San Francisco Bay and by the mix of uses in the area. The Burlingame Bayfront Specific Plan area generally comprises range of hotel, office, warehouse, light industrial/ manufacturing, restaurant, and open spaces uses. The San Francisco International Airport (SFO) is located approximately one-mile north of the project site.

The project site, located in the Shoreline Area of the Burlingame Bayfront Specific Plan, is bounded by Old Bayshore Highway to the west, the Bay to the east (buffered by a shoreline), and is divided by Easton Creek (refer to **Figure 2.1-1**, Images 1 through 4). The project site is relatively flat (ranging between approximately seven (7) and nine (9) feet above sea level [asl]).

The visual character of the immediate project site surroundings is influenced by the bayside setting, and mix of manmade elements in the area. The project site contains five one- and two-story commercial structures surrounded by asphalt driveways and parking areas, sidewalks and landscaped





1. View east of the Bay and Bay Trail at Easton Creek



2. View southwest of Easton Creek from the shoreline



3. View north of the project site from Easton Creek



4. View north of the project site and neighboring building from Old Bayshore Highway at Easton Creek

SOURCE: ESA, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-1**  
Views of the Project Site 1-4

areas. As discussed in more detail under Section 5, *Cultural Resources*, the buildings on the project site were constructed between 1954 and 1968, and several of the buildings were associated with the former Hyatt House Hotel previously located across Old Bayshore Highway (including the former Hyatt Music Theater at 1300-1308 Old Bayshore Highway, and two-story office buildings at 1310 and 1338-1340 Old Bayshore Highway). The former Hyatt Music Theater is the most visually prominent of the project site buildings, representing a Midcentury Modern-style theater with distinctive “Googie” (i.e., futuristic, inspired by the Space Age) design elements.

Easton Creek bisects and provides a distinctive visual demarcation on the project site. Within the project site, Easton Creek is primarily an open channel, but enters a culvert as it approaches Old Bayshore Highway. There is a variety of native biological habitat located on-site in Easton Creek (see Section 4, *Biological Resources*, for additional detail).

Existing nighttime lighting in the vicinity primarily consists of security lighting on the project site and within the adjacent parking lots, along with street lighting and vehicular lights mainly from Old Bayshore Highway.

### **Surrounding Characteristics**

Within a 0.25-mile radius of the project site, there are a number of existing buildings of varying heights. The nine-story One Bay Plaza commercial office building (1350 Old Bayshore Highway) is located immediately to the northwest; the three-story Holiday Inn Express (1250 Old Bayshore Highway) is located immediately to the southeast; and the nine-story Hyatt Regency Hotel (1333 Old Bayshore Highway) is located immediately across Old Bayshore Highway west of the project site. Other nearby buildings include the seven-story Kahala Tower office building (851 Burlway Road) located to the northwest, the three-story ECC International Constructors building (1240 Old Bayshore Highway) located southeast, and a two-story office building at 1299 Old Bayshore Highway located to the southwest.

As discussed in greater detail under Section 16, *Recreation*, within the project vicinity, Bayside Park is located approximately 0.2 miles southeast of the project site on Airport Boulevard. There are other locations along the waterfront nearby where the City also maintains small pocket park areas along with portions of the regional Bay Trail system. Existing paved off-street segments of the Bay Trail currently terminate at the northwest corner of the project site, and approximately 650 feet southeast of the project site near Airport Boulevard (refer to **Figure 2.1-2**, Image 6).

As discussed in greater detail under Section 4, *Biological Resources*, there are native biological habitats located along the Bay in the vicinity of the project site, including, but not limited to, tidal flats and coastal salt marsh.

### **Site Visibility and Public View Corridors**

Although there are no designated view corridors within the City, both the Burlingame Bayfront Specific Plan (2012) and Burlingame General Plan (1969, as amended) include policies to protect views of the Bay and the coastal hills (refer to the *Regulatory* section description). Other public view corridors in the area include views from adjacent roadways and highways, such as Airport Boulevard, which is designated by the Burlingame General Plan as a Local Scenic Connector. U.S. 101 is not designated as a State Scenic Highway (DOT, 2018).





5. View northeast of the SFO Airport runway from the project site near the Bay Trail



6. View north of Bay Trail from the project site



7. View south of the project site at Bay Trail



8. View west of the project site and nearby buildings from shoreline near Bay Trail

SOURCE: ESA, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-2**  
Views of the Project Site 5-8

It should be noted that the City of Burlingame adopted a new General Plan in January 2019.<sup>5</sup> Under the newly adopted General Plan, U.S. 101 is designated as a local Scenic Roadway. Descriptions of these key viewpoints and images from them are included in this section.

Due to the relatively flat topography and existing development on the project site and in the immediate vicinity, there are limited existing views through the project site. Based on the Burlingame Bayfront Specific Plan and General Plan, views that are considered to have a high aesthetic value include San Bruno Mountain to the north; the Bay (and further, East Bay Hills) to the east; and the Santa Cruz Mountains (coastal range mountains) to the west. In addition, since the project site is situated between the U.S. 101 corridor to the west and the Bay to the east, it can be seen from local and regional public view corridors (refer to **Figure 2.1-3**, Images 9-11 for view corridors to the Bay, and nearby views). Given the lack of vertical development along the Easton Creek channel on the project site, the creek corridor affords existing views from Old Bayshore Highway through the site to the Bay.

Foreground views include the Bay to the east; the Holiday Inn Express with parking and portions of Easton Creek, which border the site to the south; the low-rise commercial buildings, Old Bayshore Highway, and Hyatt Regency Hotel to the west; and commercial office buildings and the Bay Trail to the north. Mid-range views are of electric towers that run parallel to U.S. 101, and of commercial buildings beyond U.S. 101 to the west; the Bay and Bay Trail along Airport Boulevard to the southeast; and SFO Airport runways to the north. Looking west, the buildings in the office complex and the Hyatt Regency Hotel block panoramic views of the coastal mountains.

To support the analysis of visual impacts, visual simulations were prepared considering a number of key project viewpoints. **Figure 2.1-4** depicts a photo location map of various viewpoints in the vicinity of the project site; these include views from the Bay Trail along Airport Boulevard, east of Bayside Park; views from the newly reconstructed Broadway Overpass; and views from southbound U.S. 101 near the Hyatt Regency Hotel. **Figure 2.1-5** shows the existing views of the project site from these vantage points, and the visual character of the project site vicinity. Brief descriptions of the key viewpoints are provided in this section.

1. *The Bay Trail along Airport Boulevard east of the Bayside Park* (see **Figure 2.1-5**, top image) – From this location heading north, the shoreline of the project site, along with the surrounding buildings are visible. The Bay Trail at this location is a paved path, with nearby parking and access to the adjacent parks. The Bay Trail does not have a complete connector between Broadway at Airport Boulevard, and its continuation north of the project site.
2. *Broadway Overpass* (see **Figure 2.1-5**, center image) – Broadway along the overpass provides an elevated view of the project site and Old Bayshore Highway.
3. *Southbound U.S. 101 near the Hyatt Regency Hotel* (see **Figure 2.1-5**, bottom image) – Considered due to the newly adopted General Plan's sensitivity to U.S. 101 as a scenic roadway, southbound U.S. 101 passes the project site, with current views of the project vicinity orient around the Hyatt Regency Hotel, adjacent to the highway.

<sup>5</sup> The proposed project is being considered under the prior General Plan, consistent with when the project application was submitted. However, information from the newly adopted General Plan is also presented herein for informational purposes.





9. View south of project site at Old Bayshore Highway



10. View south of the project site at Old Bayshore Highway



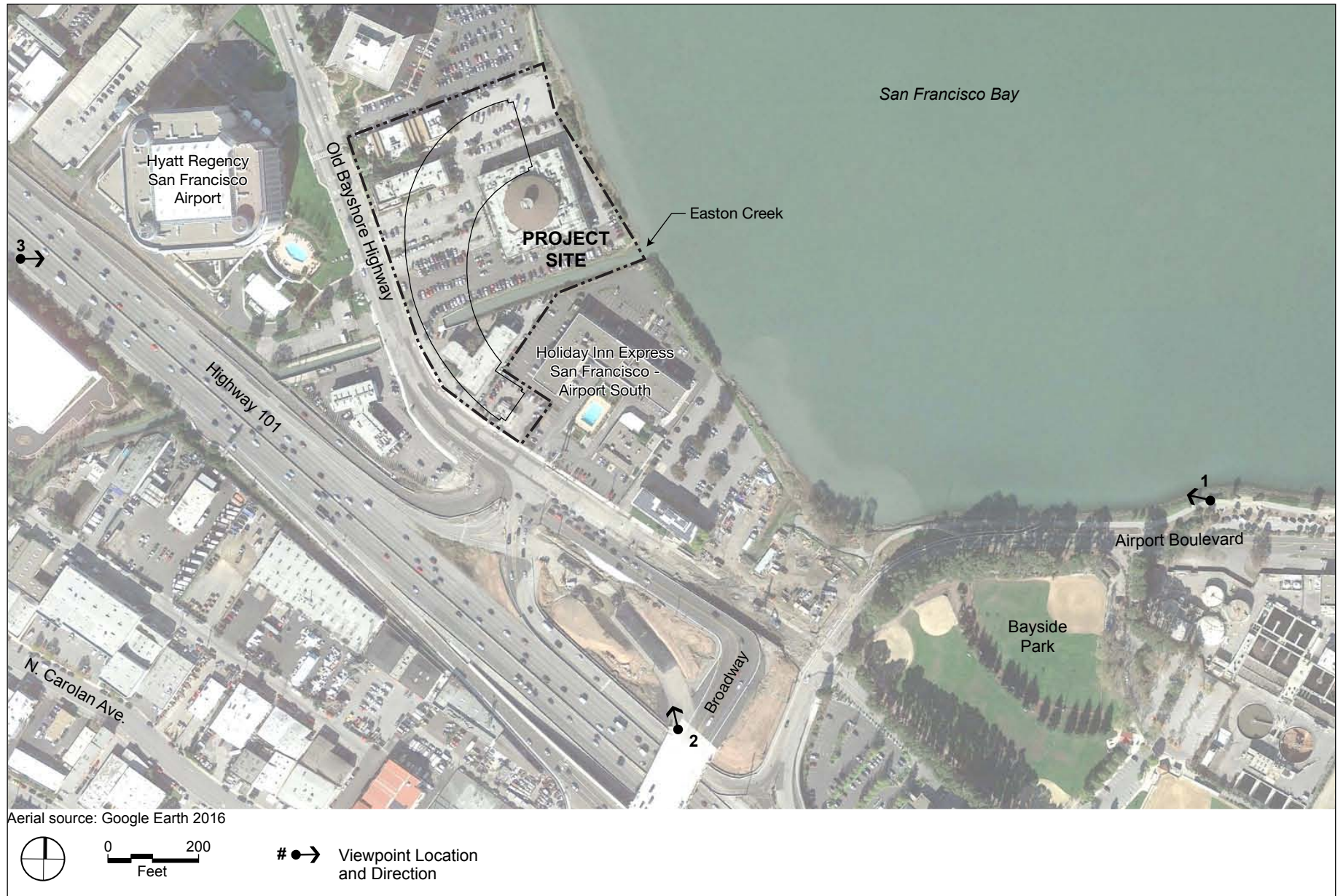
11. View west of the project site at Old Bayshore Highway

SOURCE: ESA, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-3**  
Views of the Project Site and View Corridors 9-11





SOURCE: Environmental Vision, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-4**  
Photograph Viewpoint Locations





Existing view from Bay Trail near Airport Boulevard and Bayside Park entry looking northwest



Existing view from Broadway overpass looking northwest



Existing view from Southbound Highway 101 looking east

SOURCE: ESA, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-5**  
Existing Viewpoint Photos Selected for Visual Simulations

## Regulatory Setting

### ***Burlingame General Plan***

The Burlingame General Plan includes policies that apply to the visual quality of the project; these are contained within the Open Space Element, Conservation Element, and Scenic Roads and Highways Element. The applicable General Plan policies that pertain to the project site include the following:

#### **Open Space Element**

**Policy OS(C):** Preserve the important vistas, such as the hillside leading to the Skyline Ridge as seen from the Bay plain, and the Bay as seen from the hillside.

#### **Scenic Roads and Highways Element**

**Policy SR(A):** To retain a system of arterials and local roads that are beautiful and useful to local residents.

**Policy SR(B):** To harmonize roads and highways with adjacent land use and roadside development.

**Policy SR(C):** To enhance the traveler's view from the road.

For informational purposes, the following proposed policies from the newly adopted General Plan are also presented.

#### **Community Character**

**Policy CC-6.1: View Preservation** Ensure that new development preserves public views to the waterfront. Consider sightlines and viewsheds from Bayfront open spaces when planning future projects.

#### **Healthy People and Healthy Places**

**Policy HP-7.7: Shoreline Views:** Protect views to the Bay shoreline by identifying viewsheds to the Bay from key locations and restricting the height of buildings within these viewsheds. Ensure that new Bayfront development does not detract from the scenic qualities of the area, and consider adopting commercial and hotel design guidelines specific to the Bayfront.

**Policy HP-7.2: State Scenic Highways:** Protect officially designated California State Scenic Interstate 280 by maintaining open space and low-density residential land uses along the highway corridor, ensuring roadway signage does not detract from scenic views, and screening unattractive structures with appropriate landscaping. Consider establishing tailored protection regulations for El Camino Real (State Route 82) and portions of the Bayshore Freeway (U.S. 101).

**Policy HP-7.3: City and County Scenic Roadways:** Protect local scenic roadways by preserving mature trees wherever possible, maintaining landscaping along roadways, and ensuring that development and land uses do not detract from the aesthetics of the corridor. Consider establishing specific design guidelines for residential development, commercial development, and roadway signage along scenic corridors.

Scenic roadways to be considered for such treatment are:



- Airport Boulevard
- California Drive between North Lane and Morrell Avenue
- Easton Drive between El Camino Real and Summit Drive
- Hillside Drive
- Skyline Boulevard from the City limit north of Kip Lane to Trousdale Drive
- Ralston Avenue
- Trousdale Drive

### ***Burlingame Bayfront Specific Plan***

The project site is located within the Shoreline Area of the Bayfront Specific Plan and is therefore subject to the regulations, goals, and policies implemented under this plan. Specifically related to aesthetics are the Design Guidelines, which identify the goal of the Shoreline Area to “better relate development to both the street and to the Bay, to provide view corridors from and across Bayshore Highway and create gateways at key locations.” Within the Design Guidelines are ten criteria related to building, parking and street design, building/street and /shoreline relationships, Bayshore Highway interface, landscaping and signage, as well as view corridors. The specific design criteria for the SL (Shoreline District) include the following guidelines relate to view corridors:

- View Corridors should be incorporated in the design of pedestrian plazas.
- Continuous public access improvements should be installed and maintained in accordance with BCDC guidelines.
- View Corridors may be framed by buildings.
- View Corridors may also terminate with attractive building elements such as tower features and entryways.
- Any new development should respect existing View Corridors.
- View corridors into the Bay with pedestrian access should be created to line up with the streets in the Inner Bayshore Area and to provide a visual connection across Bayshore Highway.
- To protect view corridors, buildings should not obstruct more than 40-60% of the Bayshore Highway frontage, and should cover no more than 35% of the site.

### ***Municipal Code***

The City of Burlingame Municipal Code outlines several regulations with regard to the preservation of the City’s visual character. Titles 11, 12, and 18 would apply to the landscaping of the project and address Trees and Vegetation and Streets, Sidewalks, and Building Construction, respectively.

### ***Design Review***

Design Review is required for new commercial buildings pursuant to Burlingame Municipal Code Section (C.S.) 25.57.010(c)(1). Design Review was instituted for commercial projects in 2001 with the adoption of the Commercial Design Guidebook. In addition, because, the project is located within the Shoreline Area of the Bayfront Specific Plan there are additional design guidelines provided in Chapter V of the Bayfront Specific Plan that apply to the proposed project. Project Design Review is conducted by the Planning Commission, which is appointed by the Burlingame City Council.

## **Urban Forest Management Plan**

The Urban Forest Master Plan is a compilation of information, statistics, policies, and procedures managed by the Burlingame Parks and Recreation Department. In order to avoid the visual impacts associated with tree removal, the project would be required to adhere to the plan and the Municipal Code requirements for tree removal and replacement.

## **Approach to Analyses**

- a, b) **Less than Significant.** For the purpose of this analysis, a scenic vista can be defined as a location that offers a high quality, harmonious, and visually interesting view of a significant landscape feature or of a significant historic or architecture feature.

As discussed in the Setting, the project site is located in a developed commercial area containing other multi-story buildings, including the nine-story One Bay Plaza and Hyatt Regency Hotel buildings, to the immediate northwest and west, respectively; and the seven-story Kahala Tower, further northwest. Consequently, in the project vicinity, views of the coastal mountains and San Bruno Mountain are limited as they are, and depending on location, are partially or fully obstructed by existing buildings on the project site and in neighboring developments. The two proposed buildings would be taller than the existing buildings on the project site, and would appear as one continuous mass with the proposed screen that would connect the buildings. As can be seen in visual simulations [presented under checklist item c)], from certain vantage points, the proposed buildings would result in additional blockage of the coastal mountains (see simulation in **Figure 2.1-6**) and San Bruno Mountain (see simulation in **Figure 2.1-7**).

Existing views from Old Bayshore Highway through the project site to the Bay are also largely obstructed by existing buildings on the site, with the exception of along the alignment of Easton Creek. The project would provide an opening between the proposed buildings and above Easton Creek, ranging from 26.5 to 47.5 in height, and would maintain existing views through the project site to the Bay along the Easton Creek channel alignment from Old Bayshore Highway. A second unobstructed (albeit narrower) view from Old Bayshore Highway through the project site to the Bay would be provided at the north end of project site where the project would demolish the existing buildings on the northern portion of the project site that currently obstruct Bay views, and where the project's Building A would be set back approximately 40 feet from the north property boundary. Here, the Bay and the East Bay hills beyond would be visible across the project's surface parking area. This view corridor would effectively merge with an existing narrow view corridor across the surface parking lot of the office building immediately north of the project site (One Bay Plaza).

The project proposes a continuous on-site public access area that would extend along the north side of the project site adjacent to the Bay, and the south bisecting the project site along the Easton Creek corridor between the Bay and Old Bayshore Highway. This would include an extension of the Bay Trail through the project site. This would allow for new opportunities for scenic viewing of the Bay from this proposed public access area.



Existing view from Bay Trail near Airport Boulevard and Bayside Park entry looking northwest



Visual simulation of proposed project

SOURCE: Environmental Vision, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-6**  
Visual Simulation 1





Existing view from Broadway overpass looking northwest



Visual simulation of proposed project

SOURCE: Environmental Vision, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-7**  
Visual Simulation 2

The closest designated state scenic highway to the project site is I-280, which is over two miles west of the project site. No portion of the project site can be seen from any portion of I-280. Consequently, the project would not result in impacts related to scenic vistas or scenic resources within a state scenic highway.

The project site is located about 300 feet east of U.S. 101. While U.S. 101 is not designated as a State Scenic Highway in San Mateo County, it is considered a local Scenic Roadway or Route in the newly adopted General Plan. Views of the project site from U.S. 101 are brief due to the angle and brevity of the view from the highway, and due to intervening vegetation and built features. The only existing view from U.S. 101 through the project site to the Bay is along the Easton Creek alignment. This location also allows a brief view of a narrow section of the East Bay hills, albeit for a distance of no more than about 200 feet. Moreover, this view is partially obstructed by existing vegetation and utility poles. While the proposed project would be prominently viewed from U.S. 101 as motorists travel past the project site (see simulation in **Figure 2.1-7**) and would therefore result in a substantial change in the view from the freeway, it would result in an almost imperceptible change in distant views of the Bay and beyond. Therefore, the proposed project would not adversely affect any scenic views from this highway.

As discussed in Section 5, *Cultural Resources*, none of the buildings on the project site were determined to qualify as historical resources as defined in CEQA Guidelines Section 15064.5. Consequently, removal of the buildings would have no significant impact on historical architectural resources. Furthermore, there are no unique trees, rock outcroppings or other natural features on the project site that would qualify as scenic resources.

Given the analysis, the proposed project would have a less than significant effect on a scenic vistas and scenic resources.

- c) **Less than Significant.** As described in more detail in the *Project Description*, the proposed buildings would be eight stories in height, with the top of the roof reaching 99 feet tall. The proposed buildings would create the form of a C-shape open to the Bay. Certain upper floors of the buildings would contain exterior terraces that would step back with ascending floors. The two buildings would contain exterior glass-curtain wall façades on the ground floor retail/restaurant uses and upper floors; the parking levels on the second and third floors would contain veneer façades. Exposed steel column structural supports would be visible on the lower levels. As described previously, the two buildings' facades would be connected by an elevated perforated façade screen wall that would extend over the culverted segment of Easton Creek; the Easton Creek open channel segment would remain open to the sky between the buildings.

In addition, substantial new public and private open space would be created throughout the project site that, among other things, would serve as a public visual amenity offsetting some of visual impacts of the project. Public space would be provided by a continuous on-site public access area that would extend along shoreline adjacent to the Bay, and along the Easton Creek corridor between the Bay and Old Bayshore Highway. This would include

an extension of the Bay Trail through the project site. Public amenities within the public access areas would include several public paths, a bicycle path along the west side of Easton Creek, public seating areas, bike racks, and other landscaping features. A total of 2.9 acres of site landscaping is proposed throughout the open space areas discussed previously, as well as along the project site frontage on Old Bayshore Highway.

**Figure 2.1-6** presents a photograph of existing conditions on the project site as viewed from the existing Bay Trail along Airport Boulevard (from southeast of the project site looking across the Bay to the northwest), and a visual simulation of the proposed project from the same viewpoint, including proposed buildings, landscaping and street improvements. As shown in existing photograph in **Figure 2.1-6**, the existing former theater on the project site with its central dome is visible, as is on-site parking and landscaping. Also visible are the adjacent three-story Holiday Inn Express to the left; the nine-story One Bay Plaza office building to the right; and the nine-story Hyatt Regency Hotel set behind the project site. As shown in the project visual simulation in **Figure 2.1-6**, the proposed buildings would be taller and have larger massing than the existing buildings. Proposed landscaping that would be visible from this viewpoint would include trees planted within the proposed open space areas, and within portions of the outdoor seating areas.

**Figure 2.1-7** presents a photograph of existing conditions on the project site as viewed from the newly-reconstructed Broadway overpass (from south of the project site looking across Old Bayshore Highway north), and a visual simulation of the proposed project from the same viewpoint, including proposed buildings, landscaping and street improvements. As shown in existing photograph in **Figure 2.1-7**, several of the existing buildings on the project site are visible, including the dome of the former theater. The Holiday Inn Express is visible in the foreground; the Hyatt Regency Hotel across Old Bayshore Highway is visible to the left of the project site, and the One Bay Plaza commercial office building can be seen behind the project site. As shown in the project visual simulation in **Figure 2.1-7**, the proposed buildings would be taller and have larger massing than the existing buildings. Proposed landscaping that would be visible from this viewpoint would include trees planted along property line.

**Figure 2.1-8** presents a photograph of existing conditions on the project site as viewed from the southbound U.S. 101 (from west of the of the project), and a visual simulation of the proposed project from the same viewpoint, including proposed buildings and landscaping improvements. As shown in existing photograph in **Figure 2.1-8**, from this vantage point, none of the existing buildings on the project site are visible. As shown in the project visual simulation in **Figure 2.1-8**, the proposed buildings would be visible. Proposed landscaping is not visible from this vantage point. Although the project would represent a substantial change in the view from this location, this change would not obstruct any scenic views or block any view corridors, and thus would not result in a substantial adverse effect on a scenic vista. Accordingly, this change would not be inconsistent with the Bayfront Specific Plan View Corridor guidelines noted previously. And because the project would not remove or change the view of any scenic resources, it would not substantially damage scenic resources. While aesthetic quality is subjective, the fact that the project would neither adversely affect scenic views or scenic resources supports a conclusion that the proposed project would not substantially degrade the existing scenic quality of the site and its surroundings.





Existing view from Southbound Highway 101 looking east



Visual simulation of proposed project

SOURCE: Environmental Vision, 2018

1300 Old Bayshore Highway . 160011

**Figure 2.1-8**  
Visual Simulation 3

The building design would be required to conform to the design guidelines specified in the Burlingame Bayfront Specific Plan Design Guidelines for the Shoreline Area, which calls for variety in durable materials and textures and architectural elements. The proposed building façade includes articulation with an entrance from the street. The majority of the project's parking would be located within the buildings. Some surface parking would also be provided between Old Bayshore Highway and the buildings; as noted previously, this surface parking would allow for a view corridor to the Bay at the northern end of the site. The proposed public access and open space improvements on the project site would be considered to have the overall effect of upgrading the scenic quality of the site.

The proposed architectural design of the building would adhere to the Specific Plan design guidelines and would not adversely impact existing view corridors. In addition to the *Land Use* analysis of the project, the Planning Commission will also review the project for consistency with the exterior building design guidelines in the Bayfront Specific Plan for the Shoreline Area. Through conformance with zoning and applicable design guidelines, and the consideration of approvals required by this process, the project would not conflict with applicable zoning and other regulations governing scenic quality.

d) **Less than Significant.**

**Exterior Lighting**

The ambient light generated by the proposed project would be of a scale and intensity typical of other structures in the project area. As discussed in the *Project Description*, exterior lighting would consist of wall- and surface-mounted fixtures and recessed fixtures, pole-mounted pedestrian scale fixtures, and one-side output wall fixtures. All lighting would be designed to meet the requirements of Code Section 18.16.030 to prevent light spillage offsite and would comply with the City of Burlingame Exterior Illumination Ordinance. Compliance with these performance standards would minimize the dispersion of light to acceptable and allowable levels. Therefore, the proposed project would not create a substantial new source of light or glare adversely affecting views in the area, and the project would have a less than significant impact.

**Glare from Buildings**

The proposed buildings would contain exterior glass-curtain wall façades on the ground floor retail/restaurant uses and upper floors; the parking levels on the second and third floors would contain HardiePanel fiber cement veneer façades. Photovoltaic panels would be incorporated into the exterior design of the buildings. Consistent with the Design Guidelines for the Shoreline Area, the project would not use reflective or dark-tinted glass, especially at ground level.

The west-facing building facades, which would be visible from U.S. 101, would have the potential to generate glare facing the freeway. The proposed glazing would be tinted electronically to control interior heat and light transmission. The glazing would have exterior reflectance of between 10 percent and 16 percent. While greater than the typical exterior reflectance of standard clear glass (approximately 8 percent), the proposed glazing



would be comparable in reflectance to many kinds of low-emissivity (“low-e”) glass that is frequently used in commercial applications for energy efficiency.<sup>6</sup> The proposed glazing would be well below the exterior reflectance of mirrored glass (more than 50 percent). Additionally, compliance with the Planning Commission design review process would ensure the project is compliant with all City light and glare requirements.

Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; the impact would be less than significant.

## References

California Department of Transportation (Cal DOT), California Scenic Highway Mapping System, San Mateo County, [www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/), accessed April 19, 2018.

City of Burlingame, *City of Burlingame General Plan*, 1969 as amended.

City of Burlingame, *Burlingame General Plan*, prepared by MIG, adopted January 7, 2019.

City of Burlingame, *Burlingame Bayfront Specific Plan*, [www.burlingame.org/document\\_center/Planning/General%20and%20Specific%20Plans/Bayfront%20Specific%20Plan.pdf](http://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/Bayfront%20Specific%20Plan.pdf), prepared by the City of Burlingame Planning Department, As Approved by the Burlingame City Council Resolution No. 26-2004 April 5, 2004; and as Amended by the City Council Resolution No. 58-2006 August 21, 2006; and Resolution No. 44-2012 June 18, 2012.

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<sup>6</sup> Patrick Murphy, SageGlass, e-mail to Norberto Nardi, project architect, July 9, 2018.

## Agriculture and Forestry Resources

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|---|---------------------------------------|---|-------------------------------------|-------------------------------------|
| <b>2. AGRICULTURE AND FORESTRY RESOURCES —</b>  |                                       |   |                                     |                                     |
| In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: |                                       |   |                                     |                                     |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <input checked="" type="checkbox"/>   | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## Discussion

- a–e) **No Impact.** The project site is located in an urbanized area in the City of Burlingame. The project site is not located on or near any agricultural or forest land, nor is the site zoned for agricultural uses. The project site is designated as Urban and Built-Up Land by the California Department of Conservation, Farmland Mapping and Monitoring Program, *San Mateo County Important Farmland Map* (DOC, 2019). Therefore, the proposed project would not convert farmland to non-agricultural use, would not conflict with existing zoning for forest land or convert forest land to non-forest use; and would have no effect on farmland or any property subject to a Williamson Act contract.

## References

California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, *San Mateo County Important Farmland Map 2018*, [www.conservation.ca.gov/dlrp/fmmp](http://www.conservation.ca.gov/dlrp/fmmp), September 2019.

## Air Quality

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>3. AIR QUALITY —</b>  |                                       |   |                                     |                          |
| Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project: |                                       |   |                                     |                          |
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?                      | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

### Setting

Under amendments to the Federal Clean Air Act (CAA), the U.S. Environmental Protection Agency (USEPA) has classified air basins or portions thereof as either “attainment” or “non-attainment” for each criteria air pollutant, based on whether or not the national standards have been achieved. The California CAA, which is patterned after the federal CAA, also requires areas to be designated as “attainment” or “non-attainment” for the state standards. Thus, areas in California have two sets of attainment/non-attainment designations: one set with respect to the national standards and one set with respect to the state standards. The San Francisco Bay Area Air Basin (Bay Area) is currently designated as a non-attainment area for state and national ozone standards, state particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) standards, and federal PM<sub>2.5</sub> (24-hour) standard.

The Bay Area Air Quality Management District (BAAQMD) is the regional air quality authority in the project area). In April 2017, the BAAQMD adopted the *2017 Clean Air Plan* (BAAQMD, 2017). The plan’s primary goals are to protect public health and protect the climate. The plan includes a wide range of proposed control measures, which consist of actions to reduce combustion-related activities, decrease fossil fuel combustion, improve energy efficiency, and decrease emissions of potent greenhouse gasses (GHGs).

The *2017 Clean Air Plan* contains 85 measures to address reduction of several pollutants: ozone precursors, particulate matter, air toxics, and/or GHGs. These control strategies can be grouped into the following categories:

- Stationary source measures;
- Transportation control measures;
- Energy Control Measures;
- Building Control Measures;
- Agricultural Control Measures;

- Natural and Working Lands Control Measures;
- Waste Management Control Measures;
- Water Control Measures; and
- Super GHG Control Measures

The BAAQMD updated its *CEQA Air Quality Guidelines (Guidelines)*, including new thresholds of significance, in 2010, and made minor revisions in 2011. The *Guidelines* advise lead agencies on how to evaluate potential air quality impacts. The 2010/2011 *Guidelines* updated several then-existing significance thresholds for operational emissions and odors; added new operational significance criteria for particulate matter 2.5 microns or less in diameter (PM<sub>2.5</sub>) and new construction-period criteria; and added new health (cancer risk) and hazard (PM<sub>2.5</sub> concentration) significance criteria.<sup>7</sup> These new risk and hazard criteria were to be evaluated both in terms of new sources (would a new source result in an exceedance of the criteria?) and new receptors, such as residences (would a new receptor be subject to an existing exceedance of the criteria); these latter thresholds are referred to as “receptor thresholds.” Following a legal challenge, the California Supreme Court in 2015 ruled that CEQA generally does not require lead agencies to analyze the impact of existing environmental conditions on a project’s future users or residents (*California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal 4th 369). However, the Court did acknowledge that when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. The Supreme Court’s decision means that, except where a project will exacerbate an existing condition, effects of existing air pollutants on new receptors generally need not be considered under CEQA, and thus use of the “receptor thresholds” is not normally required. The *Guidelines*’ other thresholds were validated, including risk and hazard thresholds for new sources.

In May 2017 the BAAQMD released its 2017 update to the *Guidelines*, which once again contain the thresholds of significance formally presented in the 2011 *Guidelines* for the consideration of lead agencies in assessing air quality impacts. The 2017 *Guidelines* specify that, under CEQA, the receptor thresholds (the analysis of exposing new receptors to existing sources of toxic air pollution and odors) should not be applied to “routinely assess the effect of existing environmental conditions on future users or occupants of a project.”

### ***Sensitive Receptors***

For the purposes of this air quality analysis, sensitive receptors are defined as facilities and land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these types of uses include schools, hospitals, and daycare centers. Residential areas are also considered sensitive to poor air quality because people usually stay home for extended periods of time, which results in greater exposure to ambient air quality.

The surrounding properties include office buildings, hotels and various other commercial uses. The nearest existing residential uses are located approximately 1,700 feet southwest of the project along California Drive, and approximately 1,700 feet to the south at the Northpark Apartment complex

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<sup>7</sup> In addition to these air quality significance criteria, the *Guidelines* included new criteria for greenhouse gas emissions.

along Rollins Road. The Bay Trail terminates on the north side of the project site. Bayside Park is located approximately 900 feet southeast of the project site.

### **Approach to Analysis**

To determine the potential impacts of the project, the air quality impact analysis uses thresholds of the BAAQMD 2017 *CEQA Air Quality Guidelines*.

- a) **Less than Significant.** The most recently adopted air quality plan in the Bay Area is the BAAQMD's 2017 *Clean Air Plan* (CAP) (BAAQMD, 2017). BAAQMD guidance states that "if approval of a project would not result in significant and unavoidable air quality impacts, after the application of all feasible mitigation, the project would be considered consistent with" the CAP. As indicated in the discussion of criteria "b" and "c," the project would not result in significant air quality impacts. This impact is less than significant.
- b) **Less than Significant with Mitigation.**

According to the BAAQMD, no single project is sufficient in size, by itself, to result in non-attainment of ambient air quality standards for regional criteria pollutants. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. Many projects throughout Bay Area have been identified as having significant and unavoidable operational and construction-related regional pollutant impacts. Consequently, for assessment of cumulative regional pollutant impacts, BAAQMD has developed a methodology of assessing whether a project would have a cumulatively considerable contribution. According to the BAAQMD *Justification Report*, if a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions (BAAQMD, 2009).

### **Construction Emissions – Criteria Air Pollutants**

The proposed project would generate construction emissions from a variety of sources, including off-road construction equipment and on-road worker, vendor, and hauling vehicles. Because construction can fluctuate from year to year, emissions from construction activity are assessed relative to average daily emissions over the entirety of the construction period, consistent with BAAQMD guidance. Emissions from all of the construction emission sources were estimated using the CalEEMod emission estimator model version 2016.3.2. **Table 2.3-1** summarizes the project's construction emissions. BAAQMD's thresholds for PM<sub>10</sub> and PM<sub>2.5</sub> are for exhaust emissions only. BAAQMD construction thresholds represent average daily emissions. Construction emissions would be less than significant for all pollutants.<sup>8</sup>

<sup>8</sup> It should be noted that the construction emissions analysis is based on an earlier proposed construction schedule from the project sponsor, which assumed all construction would be compressed into a 7-quarter duration. However, as noted in the *Project Description*, the current proposed schedule shows that construction would occur over an 11-quarter duration. Accordingly, the estimated project average daily construction emissions presented in this report are overstated and therefore, conservative.



**TABLE 2.3-1  
AVERAGE CONSTRUCTION DAILY CRITERIA POLLUTANT EMISSIONS (POUNDS/DAY)**

| <b>Emissions Category</b>            | <b>ROG<sup>1</sup></b> | <b>NOx<sup>1</sup></b> | <b>PM10<sup>1</sup></b> | <b>PM2.5<sup>1</sup></b> |
|--------------------------------------|------------------------|------------------------|-------------------------|--------------------------|
| Average Daily Construction Emissions | 9.79                   | 23.44                  | 1.03                    | 0.97                     |
| BAAQMD Thresholds                    | 54                     | 54                     | 82                      | 54                       |
| Exceed Thresholds?                   | No                     | No                     | No                      | No                       |

NOTES: Pounds per day estimates are based on CalEEMod annual emissions in tons per year divided by 320 days of construction. BAAQMD's threshold for PM<sub>10</sub> and PM<sub>2.5</sub> are for exhaust emissions only.

<sup>1</sup> ROG – Reactive Organic Gases; NOx – Nitrogen Oxides; PM10 – particulate matter 10 microns or less in diameter; PM2.5 – particulate matter 2.5 microns or less in diameter

### **Construction Emissions – Fugitive Dust**

Demolition, excavation, grading, and other construction activities under the project may cause wind-blown dust that could contribute PM into the local atmosphere. Construction-related dust emissions would vary from day to day, depending on the level and type of activity, silt content of the soil, and the weather. In the absence of mitigation, dust generated from construction activities may result in significant adverse impacts on a temporary and intermittent basis during the construction period.

The BAAQMD's approach to analysis of construction-related particulate impacts (other than exhaust PM) is to emphasize implementation of effective and comprehensive dust control measures rather than detailed quantification of emissions. The BAAQMD considers construction-related fugitive dust impacts of projects to be less than significant if a suite of recommended dust-control measures is implemented. Therefore, BAAQMD-identified Best Management Practices for control of fugitive dust are included as **Mitigation Measure AIR-1**.

Implementation of BAAQMD basic control measures for fugitive dust, which are recommended for every construction project, would reduce impacts associated with fugitive dust emissions to less than significant.

#### **Mitigation Measure AIR-1: Implement BAAQMD Basic Mitigation Measures.**

The Applicant and/or its construction contractors shall comply with the following applicable BAAQMD basic control measures during project construction:

1. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day.
2. Cover all haul trucks transporting soil, sand, or other loose material off-site.
3. Remove all visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. Limit all vehicle speeds on unpaved roads to 15 miles per hour.

5. Pave all roadways, driveways, and sidewalks as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Minimize idling times either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. Maintain and properly tune all construction equipment tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

### Operation

The emissions increase attributable to operation of the project would be primarily from the vehicle trips generated by the future occupants of the Project site and the use of commercial product by future occupants. Area sources such natural gas combustion for heating, landscape maintenance, and architectural coatings would also contribute to a lesser extent. A 300 kWh (approximate 400 horsepower) back-up diesel generator would be located on the ground level mechanical room of building A which would be the lone stationary source associated with the proposed project and would be permitted through the BAAQMD.

Project operational criteria pollutant emissions from mobile, area, and stationary sources were estimated using the CalEEMod model. The model was refined to reflect the net increase in project trip generation as determined by the project's traffic study.

Criteria pollutant emissions from the anticipated project-related operational sources are quantified in **Table 2.3-2**. As shown, operation of the project would generate emissions that would be below thresholds for reactive organic gases (ROG), nitrogen oxides (NOx), PM<sub>10</sub> (particulate matter 10 microns or less in diameter), and PM<sub>2.5</sub>. Consequently, operational emissions of criteria air pollutants would be less than significant.

**TABLE 2.3-2**  
**AVERAGE DAILY OPERATIONAL CRITERIA POLLUTANT EMISSIONS (POUNDS/DAY)**

| Emissions Category  | ROG <sup>1</sup> | NOx <sup>1</sup> | PM10 <sup>1</sup> | PM2.5 <sup>1</sup> |
|---------------------|------------------|------------------|-------------------|--------------------|
| Area Sources        | 6.42             | <0.01            | <0.01             | <0.01              |
| Energy Sources      | 0.20             | 1.79             | 0.14              | 0.14               |
| Mobile Sources      | 3.58             | 11.36            | 6.17              | 1.88               |
| Emergency Generator | 0.09             | 0.25             | 0.01              | 0.01               |
| <b>Total</b>        | <b>10.29</b>     | <b>13.40</b>     | <b>6.32</b>       | <b>2.03</b>        |
| BAAQMD Thresholds   | 54               | 54               | 82                | 54                 |
| Exceed Thresholds?  | No               | No               | No                | No                 |

<sup>1</sup> ROG – Reactive Organic Gases; NOx – Nitrogen Oxides; PM10 – particulate matter 10 microns or less in diameter; PM2.5 – particulate matter 2.5 microns or less in diameter

- c) **Less than Significant.** Site preparation activities, such as demolition, excavation, grading, foundation construction, and other ground-disturbing construction activity, would affect localized air quality during the construction phases of the proposed project. Short-term emissions from construction equipment during these site preparation activities would include directly emitted PM (PM<sub>2.5</sub> and PM<sub>10</sub>) and TACs such as diesel particulate matter (DPM). Additionally, the long-term emissions from the project's mobile and stationary sources, as described in Impact AQ-1, would include PM (PM<sub>2.5</sub>) and TACs such as DPM from maintenance operation of the emergency generator. BAAQMD identifies a 1,000-foot zone of influence from a TAC source such as a generator or construction activity, beyond which the impact to a given sensitive receptor is assumed to be less than significant. As discussed previously, the nearest sensitive receptors are residential uses located approximately 1,700 feet from the project site along California Drive and Rollins Road. Consequently, receptors are located a sufficient distant from the project site to avoid impacts related to health risk and localized PM<sub>2.5</sub> exposures. Therefore, the proposed project would have a less than significant impact with respect to exposure of sensitive receptors to substantial pollutant concentrations.
- d) **Less than Significant.** Typical odor sources of concern include: wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by any sources of odors. Additionally, the proposed project would not introduce significant sources of new odors in the vicinity as the proposed project includes commercial office uses that are consistent with historic land use in the area. Therefore, odor impacts from the proposed project would be less than significant.

## References

- Bay Area Air Quality Management District (BAAQMD), *Revised Draft Options and Justification Report, California Environmental Quality Act, Thresholds of Significance*. October 2009.
- BAAQMD, *BAAQMD CEQA Guidelines, California Environmental Quality Act Air Quality Guidelines*, [www.baaqmd.gov/pln/ceqa/ceqa\\_guide.pdf](http://www.baaqmd.gov/pln/ceqa/ceqa_guide.pdf), 2017.
- BAAQMD, 2017. *Draft 2017 Clean Air Plan, Spare the Air, Cool the Climate*, [www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/baaqmd\\_2017\\_cap\\_draft\\_122816-pdf.pdf?utm\\_campaign=CAP+2017+Draft&utm\\_medium=email&utm\\_content=article3\\_link1](http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/baaqmd_2017_cap_draft_122816-pdf.pdf?utm_campaign=CAP+2017+Draft&utm_medium=email&utm_content=article3_link1), accessed January 13, 2018.

## Biological Resources

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|
| <b>4. BIOLOGICAL RESOURCES —</b> Would the project:  |                                       |   |                                     |                                     |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## Discussion

### Setting

This section describes the existing biological resources within the vicinity of the project site, and evaluates project-related impacts on those resources. Information used in preparation of this section includes a biological reconnaissance survey by ESA biologist on August 15, 2017, and database queries from the California Natural Diversity Database (CNDDDB) (CDFW, 2019), California Native Plant Society (CNPS) Electronic Inventory (CNPS, 2019), and the U.S. Fish and Wildlife Service (USFWS, 2019), and a review of other biological studies completed in the project vicinity.<sup>9</sup> The field reconnaissance consisted of a visual encounter survey of the project site and observations of the adjacent environments. The project site and immediate surrounding areas are herein referred to as the

<sup>9</sup> ESA queried CNDDDB and CNPS records for the following USGS 7.5-minute quadrangles: San Mateo, Montara Mountain, Redwood Point, Half Moon Bay, Woodside, Palo Alto, San Francisco South, and Hunters Point U.S. Geographical Survey (USGS) 7.5-minute topographic quadrangles. Previous relevant biological studies completed in the area that were reviewed include *Biological Constraints Analysis for the Burlingame Bayfront Specific Plan Area* (Environmental Collaborative, 2002); and *U.S. 101/Broadway Interchange Reconstruction Project* (Caltrans, 2010).

project “study area.” The field survey was focused on identifying habitat for special-status<sup>10</sup> plant and animal species and potential jurisdictional wetlands and other waters. General habitat conditions were noted and species observations were recorded.

The list of special-status plant and animal species that may occur in the project study area is included in *Table BIO-1* in Appendix BIO. *Figures BIO-1* and *BIO-2* in Appendix BIO depicts the location of special-status animal and plant species occurrences documented in the CNDDDB within five miles of the project site.

### **Vegetation Communities and Wildlife Habitats**

Past and ongoing development and other human activities have altered natural vegetative patterns or otherwise limited large expanses of most natural communities along the shore of the Bay. The project site is entirely developed or landscaped, with the exception of Easton Creek, which contains several native habitat types. Vegetation communities and habitat types occurring within the proposed project area are described, along with wildlife species typically associated with each community. Other habitat types that occur in the surrounding vicinity of the project site, but would not be impacted by the project include shallow bay and channel, tidal flat, coastal salt marsh, rocky shore (riprap), and annual grassland.

**Developed/Landscaped.** This community type includes areas occupied by buildings, roads, parking lots, and other developed facilities, as well as adjacent landscaped or heavily disturbed areas. The 6.3-acre project site supports about 5.8 acres of existing development that includes approximately 1.6 acres of existing buildings, 4.0 acres of asphalt pavement, and about 0.2 acres of landscaping. Within the landscaped area, there is little vegetation other than ornamental landscaping, including yucca, acacia, pine, cypress and olive trees, and various shrubs. Developed and ruderal landscaping provide habitat for wildlife species adapted to human habitation, such as striped skunk, opossum, raccoon, domestic cat, and common bird species such as the European starling, American robin, house sparrow, rock dove, and mourning dove.

**Shallow Bay and Channel.** Shallow bay and channel habitats occur in permanently flooded portions of the Bay. The habitat type in this area consists of the tidally influenced Easton Creek earthen open channel, which partially bisects the project site (at the east end of the project site, Easton Creek is contained in a concrete culvert), and Bay, which abuts the project site to the east. This habitat type supports a diversity of invertebrates and is thus a productive foraging area for a number of fish and bird species.

**Tidal Flat.** Tidal mud flats occur at the fringes of salt marsh areas or in channels within salt marshes. Within the study area, mud flats are present within the Easton Creek channel and below the rocky shore (riprap) between the lowest tides to the mean tide level, and are often submerged. Exposure of this habitat fluctuates with the tides, generally lack vascular vegetation, and occurs at

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<sup>10</sup> The term “special-status” species includes those species that are listed and receive specific protection defined in federal or state endangered species legislation, as well as species not formally listed as Threatened or Endangered, but designated as “Rare” or “Sensitive” on the basis of adopted policies and expertise of state resource agencies or organizations, or local agencies such as counties, cities, and special districts. A principle source for this designation is the California “Special Animals List” (CDFW, 2017).



elevations below salt marsh vegetation within the Easton Creek channel. Shorebirds frequent tidal flats to forage at low tide.

**Tidal Marsh.** Tidal marsh habitat occurs above intertidal sand and mudflats and below upland vegetation communities not subject to tidal action. In the study area, tidal marsh occurs above the tidal mud flat on either side of the Easton Creek channel, containing low marsh vegetation. Tidal marsh habitat of the Bay provides foraging, cover, nesting and roosting opportunity for several bird species.

**Rocky Shore (Riprap).** Rocky shore occurs along the majority of the eastern shoreline adjacent to the project site. The riprap armored shoreline habitat in the study area provides an attachment substrate for marine algae as well as sessile marine organisms such as mussels and barnacles.

**Annual Grassland.** Annual grassland exists in small patches between the upland portion of the riprap shoreline and the developed hardscape of the study area. Grassland in these areas is dominated by non-native annual species.

### **Wetlands and Other Waters**

No waters of the U.S. or state occur on the project site except for those associated with Easton Creek. Easton Creek is a tidal channel at the outlet of a perennial stream within an earthen trapezoidal channel which partially bisects the project site, and enters into a culvert in the west portion of the site. Upstream of the project site, Easton Creek continues in a concrete trapezoidal channel or culverts until El Camino Real where the creek is mostly open to its headwaters in the Burlingame Hills. The flooded channel in lower Easton Creek varies in width from about eight to 22 feet wide depending upon the tidal phase and top of bank is approximately 40 feet wide. As described previously, tidal marsh vegetation lines the channel.

Easton Creek is regulated by the Corps under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. This feature is also regulated by the Regional Water Quality Control Board (RWQCB) as Waters of the State. In addition, BCDC regulates the fill, extraction of materials, and substantial changes in use of land, water, and structures within the bay and within 100 feet of the bay shoreline, which includes terrestrial or landside portions of the project site.

### **Wildlife Movement Corridors**

Wildlife movement corridors link together areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or by areas of human disturbance or urban development. The Easton Creek corridor likely facilitates urban wildlife movement through the City of Burlingame for species such as striped skunk, opossum, and raccoon when the water level is low. Wading birds such as great egret and great blue heron may also forage within the channel and may easily fly to nearby feeding locations. The eastern shoreline of the project site also allows for wildlife movement within the project vicinity between the limits of local urban development and the Bay. Terrestrial species will move throughout the narrow band of rocky shoreline, beach, and tidal mudflats, and resident and migratory birds regularly traverse habitat along the shoreline and adjacent Bay.

## Special-Status Species

Table BIO-1 in Appendix BIO identifies regionally-occurring special-status plants and animals, their preferred habitats and plant blooming periods, and their potential to occur in the study area. Each species was determined to have a low, moderate, or high potential for occurrence in the study area based on previous location data, species' range, and current site conditions. Species with a moderate or high potential for occurrence are discussed. For select species determined to have a low potential for occurrence in the study area, primarily those which occupy tidal marsh communities, additional detail is provided to support this conclusion.

### Special-Status Plants

No special-status plants were found to have a moderate to high potential to occur within the project study area. The tidal marsh vegetation community of Easton Creek provides poor quality habitat for California seablite (*Suaeda californica*), a federally listed endangered shrub and CRPR 1B.1 species. This species was not observed during the reconnaissance survey of the project site that included the creek channel and is considered to have a low potential to occur on the fringes of Easton Creek and on the Bay shoreline.

### Special-Status Animals

**Special-Status Fish.** Within the project site, Easton Creek is a soft mud tidal channel that is fringed with tidal marsh habitat. Several species of commercially-important or protected fish occur in San Francisco Bay near the project site, and are discussed here in the context of proposed dredging activities in Easton Creek.

Pacific herring (*Clupea pallasii*), which is a commercially important species, may forage seasonally on the Bay waterfront and possibly within Easton Creek. Herring spawning is not expected in Easton Creek due to the absence of spawning substrate such as submerged aquatic vegetation beds, rocky intertidal areas, or in-water infrastructure such as piers.

The longfin smelt (*Spirinchus thaleichthys*) is a State-listed endangered species. The longfin smelt is a pelagic schooling fish known to inhabit Central Bay and South Bay, including areas along the Burlingame waterfront. Although observed in local waters throughout the year, longfin smelt migrate to the fresher water of the Delta to spawn in the winter, returning to San Francisco Bay waters in late spring.

Green sturgeon (*Acipenser medirostris*) is the most widely distributed member of the sturgeon family and the most marine-oriented of the sturgeon species. It is listed as a federal threatened species and as a State species of special concern. The upper Sacramento River has been identified as the only known spawning habitat for green sturgeon in the southern distinct population segment. Critical habitat for the green sturgeon includes the Sacramento River, the Sacramento-San Joaquin Delta, and Suisun, San Pablo and San Francisco bays, which includes bay waters adjacent to the project site.

Steelhead trout (*Oncorhynchus mykiss*) is a seasonal resident of San Francisco Bay that migrates from ocean through San Francisco Bay-Delta to freshwater spawning grounds. No foraging or spawning habitat for this species is present in Easton Creek. There is a low potential for incidental occurrence of this species if individuals are misdirected or swept into the channel by currents.

**Special-Status Birds.** Several special-status birds have potential to forage or nest within the vegetation or nest on buildings of the project study area. American peregrine falcon (*Falco peregrinus anatum*), delisted under both the federal and state ESA but considered a California fully protected species, has a moderate potential to nest on buildings of the project area and hunt along the Bay shoreline. The federal- and state-endangered California least tern (*Sterna antillarum*) has a moderate potential to forage offshore of the project site, however, nesting colonies do not occur in the project study area. The double-crested cormorant (*Phalacrocorax auritus*) is identified on CDFW's Special Animals List. This species also has a moderate potential to forage for fish in open shallow waters of the Bay adjacent to the project site, however, no nesting habitat is present in the project study area.

**Other Breeding and Migratory Birds.** The tidal marsh vegetation and mature landscaped trees and shrubs of the project study area provide nesting and foraging habitat for a variety of resident and migratory birds. The Federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code protect raptors, most native migratory birds, and breeding birds that would occur at the project study area and/or nest in the surrounding vicinity.

**Special-Status Bats.** Two special-status bat species has at least a moderate potential to roost within the project study area: pallid bat (*Antrozous pallidus*), considered a California species of special concern by CDFW, and hoary bat (*Lasiurus cinereus*) identified on CDFW's Special Animals List). The pallid bat is present in most areas of low elevation in California. Preferred habitats for the pallid bat include rocky outcrops with crevices with access to open areas, but can be found in a variety of other habitats as well. Day roosts can be found in crevices, caves, mines, and occasionally hollow buildings and trees, while night roosts can be in more open areas such as open buildings or porches (Zeiner et al, 1990). Pallid bats are nocturnal and present year-round in most areas of California. Local occurrences of the pallid bat within five miles of the project site are documented in Millbrae (CDFW, 2019). This species has potential to roost in the buildings and trees of the project study area. Hoary bats are also nocturnal and present year-round in California. Hoary bat roosts are typically in large trees hidden from above with ground cover below, and also known to roost in buildings.

**Saltmarsh Harvest Mouse.** The saltmarsh harvest mouse (*Reithrodontomys raviventris*) is a small rodent that lives in the salt marshes of the San Francisco Bay and feeds primarily on the stems and leaves of salt marsh plants. Due to the limited and isolated nature of the salt marsh habitat of Eason Creek, extensive development of the study area overall, and lack of occurrence records for salt marsh harvest mouse within five miles of the project site, this species has a low potential to occur within the project study area (CDFW, 2019).

**Marine Mammals.** Few species of marine mammals are found within San Francisco Bay; only Pacific harbor seals (*Phoca vitulina richardsi*), California sea lions (*Zalophus californianus*), and harbor porpoises (*Phocoena phocoena*) are sighted year-round. Most cetacean sightings tend to occur in the Central Bay (the area bound by the Golden Gate Bridge, the San Francisco – Oakland Bay Bridge, and Richmond Bridge). The most common marine mammals sighted year round in San Francisco Bay are Pacific harbor seals and California sea lions, which are the species most likely to occur in Bay waters in the project area.

In general, the presence of marine mammals in San Francisco Bay is related to distribution and presence of prey species and foraging habitat. Additionally, harbor seals and sea lions use various intertidal substrates that are exposed at low to medium tide levels for resting and breeding. California sea lions are noted for using anthropogenic structures such as floating docks, piers, and buoys to haul out of the water to rest. Marine mammal haul-out locations do not occur in the project area; as such, the presence of marine mammals within the project area is likely to be confined to a few individuals in the Bay. These species are not expected in Easton Creek.

### **Special-Status Natural Communities**

The CDFW's Natural Heritage Division identifies special-status natural communities, which are those that are naturally rare and those whose extent has been greatly diminished through changes in land use. Several special-status natural communities are designated within the regional project vicinity including northern coastal salt marsh, northern maritime chaparral, serpentine bunchgrass, and valley needlegrass grassland. No designated special-status natural communities occur within the development footprint on the project site.

### **Critical Habitat**

Designated critical habitat for several aquatic species occurs in the Bay, but does not occur on the project site.

### ***Regulatory Framework***

The following framework discusses applicable biology-related federal, state, and local regulations.

#### **Federal Endangered Species Act**

Under the Federal Endangered Species Act (FESA), the Secretary of the Interior and the Secretary of Commerce have joint authority to list a species as threatened or endangered (16 United States Code [USC] 1533[c]). Pursuant to the requirements of FESA, a federal agency reviewing a proposed project within its jurisdiction must determine whether any federally listed, threatened, or endangered species or species proposed for federal listing may be present in the project area, and whether the project would have a potentially significant impact on such species. In addition, the federal agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed for listing under FESA or to result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536[3], [4]). Substantial adverse impacts on these species or their habitats would be considered potentially significant in this Initial Study.

Procedures for addressing federally listed species follow two principal pathways, both of which require consultation with the USFWS, which administers FESA for all terrestrial species, or the National Marine Fisheries Service (NMFS), which administers FESA for all fish species. The first pathway (FESA, Section 10(a) Incidental Take Permit) is set up for situations where a nonfederal government entity (or where no federal nexus exists) must resolve potential adverse impacts to species protected under FESA. The second pathway (FESA, Section 7 Consultation) involves projects with a federal connection or requirement; typically, these are projects where a federal lead agency is sponsoring or permitting the proposed project. The only terrestrial species listed under FESA that has at least a moderate potential to occur in the project area is the California least tern (on a transient basis

only, in San Francisco Bay). No development is proposed within aquatic habitat that could support aquatic listed species regulated by NMFS or the USFWS.

### **Migratory Bird Treaty Act**

The Federal Migratory Bird Treaty Act (MBTA; 16 USC, Section 703, Supp. I, 1989) prohibits pursuit, take or attempt to take, killing, possessing, selling, or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. As amended by U.S. Department of the Interior Solicitor’s Opinion M-37050 in December 22, 2017 and subsequently by USFWS guidance issued on April 11, 2018, the accidental or incidental take of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose is not to take birds.<sup>11</sup> If the purpose of the action is not to take birds, Opinion M-37050 allows both the direct take of birds and their nests and indirect or incidental take that results in the direct loss of birds, nests, or eggs (USDOJ, 2017; USFWS, 2018). Thus, the MBTA definition of “take” does not prohibit or penalize the incidental take of migratory birds that results from actions that are performed without motivation to harm birds. This interpretation differs from the prior federal interpretation of “take,” which prohibited all incidental take of migratory birds, whether intentional or incidental.

### **Federal Regulation of Wetlands and Other Waters**

The Corps, acting under the USEPA, regulates the filling of wetlands and other “waters of the U.S.” The Corps has primary Federal responsibility for administering regulations that concern waters and wetlands in the project area under statutory authority of the Rivers and Harbors Act (Sections 9 and 10) and the Clean Water Act (CWA; Section 404).

Pursuant to Section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 USC 403), the Corps regulates the construction of structures in, over, or under, excavation of material from, or deposition of material into “navigable waters.” Section 404 of the Federal CWA (33 USC 1251–1376) prohibits the discharge of dredged or fill material into waters of the U.S., including wetlands, without a permit from the Corps. The jurisdiction of the Corps in tidal waters under Section 404 extends to the high tide line or high tide mark, simply indicating a point on the shore where water reaches a peak height at some point each year.

### **California Endangered Species Act**

Under the CESA, the CDFW has the responsibility for maintaining a list of threatened and endangered species (California Fish and Game Code Section 2070). The CDFW also maintains a list of candidate species, which are species formally under review for addition to either the list of endangered species or the list of threatened species, and a list of species of special concern that serves as a watch list.

The CESA prohibits the take of plant and animal species that the California Fish and Game Commission has designated as either threatened or endangered in California (California Fish and Game Code Section 2080). “Take” in the context of the CESA means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill a listed species (California Fish and Game

<sup>11</sup> Note that birds and their nests are separately protected by State law; specifically, Fish and Game Code sections 3503 and 3503.5, which respectively prohibit the unlawful destruction of nests and eggs; and the unlawful take of birds-of-prey or their eggs. Hence, the MBTA guidance does not alter the State protection of active bird nests and eggs.



Code Section 86). The take prohibitions also apply to candidates for listing under the CESA. However, Section 2081 of the CESA allows the CDFW to issue permits for the minor and incidental “take” of species by an individual or permitted activity listed under the CESA. Pursuant to the requirements of CESA, an agency reviewing a project within its jurisdiction must determine whether any state-listed endangered or threatened species, or candidate species may be present in the project area, and whether project-related construction activities would have a potentially significant impact on such species. The only species listed under CESA that have at least a moderate potential to occur in the project area are the American peregrine falcon and California least tern.

### **California Native Plant Protection Act**

State listing of plant species began in 1977 with the passage of the California Native Plant Protection Act (CNPPA) (California Fish and Game Code Sections 1900–1913), which directed the CDFW to carry out the legislature’s intent to “preserve, protect, and enhance endangered plants in this State.” The CNPPA gave the California Fish and Game Commission the power to designate native plants as endangered or rare and to require permits for collecting, transporting, or selling such plants. The CESA expanded on the original CNPPA and enhanced legal protection for plants. The CESA established threatened and endangered species categories and grandfathered all rare animals—but not rare plants—into the act as threatened species. Thus, three listing categories for plants are used in California: rare, threatened, and endangered.

### **California Rare Plant Rankings**

CDFW works in collaboration with the CNPS and botanical experts to maintain an Inventory of Rare and Endangered Plants, and the similar Special Vascular Plants, Bryophytes, and Lichens List. The plant species on these lists may meet the CEQA definition of rare or endangered. As the trustee agency for the plants and wildlife of California, ecological communities, and the habitat upon which they depend, CDFW advises public agencies during the CEQA process to help ensure that the actions they approve do not significantly impact such resources. CDFW often advises that plant species with an appropriate California Rare Plant Rank in the Inventory be properly analyzed by the lead agency during project review to ensure compliance with CEQA.

### **Special-Status Natural Communities**

The CDFW’s Natural Heritage Division identifies special-status natural communities, which are those that are naturally rare and those whose extent has been greatly diminished through changes in land use. The CNDDDB tracks 135 such natural communities in the same way that it tracks occurrences of special-status species: information is maintained on each site for the natural community’s location, extent, habitat quality, level of disturbance, and current protection measures. The CDFW is mandated to seek the long-term perpetuation of the areas in which these communities occur. Although there is no Statewide law that requires protection of special-status natural communities, CEQA requires consideration of the potential impacts of a project on biological resources of Statewide or regional significance.

### **California Fish and Game Code**

**Fully Protected Species.** Certain species are considered fully protected, meaning that the California Fish and Game Code explicitly prohibits all take of individuals of these species except

for take permitted for scientific research. Fully protected amphibians and reptiles, fish, birds, and mammals are listed in Sections 5050, 5515, 3511, and 4700, respectively.

**Protection of Birds and Their Nests.** Under Fish and Game Code (FGC) Sections 3503, 3503.5, and 3513 the project operator is not allowed to conduct activities that would result in the taking, possessing, or destroying of any birds of prey; the taking or possessing of any migratory nongame bird; the taking, possessing, or needlessly destroying of the nest or eggs of any raptors or nongame birds; or the taking of any nongame bird pursuant to FGC Section 3800. FGC Section 3513 adopts the federal migratory bird take provisions under the MBTA that prohibit the intentional take or possession of birds designated by the MBTA as migratory nongame birds except as allowed by federal rules and regulations pursuant to the MBTA. FGC Section 3513 does not prohibit the incidental take of birds if the underlying purpose of the activity is not to take birds.

**Protection of Rivers, Streams, and Lakes.** Under Sections 1600–1616 of the California Fish and Game Code, CDFW regulates activities that would substantially divert, obstruct the natural flow of, or substantially change rivers, streams, and lakes. The jurisdictional limits of the CDFW are defined in Section 1602 of the Fish and Game Code as the “bed, channel, or bank of any river, stream, or lake.” Activities that would “deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake” are prohibited by the CDFW unless a streambed alteration agreement is issued. Tidal channels are exempt from Section 1600; however, CDFW sometimes cites this code to exercise jurisdiction over such areas.

**State Regulation of Wetlands and Other Waters.** The State’s authority in regulating activities in wetlands and waters in the project area resides primarily with the State Water Resources Control Board (SWRCB). The SWRCB, acting through the San Francisco RWQCB, must certify that a Corps permit action meets State water quality objectives (CWA Section 401). Any condition of water quality certification is then incorporated into the Corps Section 404 permit authorized for the project.

The SWRCB and RWQCB also have jurisdiction over Waters of the State under the Porter-Cologne Water Quality Control Act (Porter-Cologne). The SWRCB and RWQCB evaluate proposed actions for consistency with the RWQCB’s *Basin Plan*, and authorize impacts on Waters of the State by issuing Waste Discharge Requirements (WDR) or, in some cases, a waiver of WDR. The San Francisco RWQCB has a policy of no net loss of wetlands and typically requires mitigation for all impacts to wetlands before it will issue a water quality certification. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste to waters of the state, and prospective dischargers are required to submit a report of waste discharge to the RWQCB.

### **Bay Conservation and Development Commission Regulations**

The San Francisco Bay Conservation and Development Commission (BCDC) is authorized by the McAteer-Petris Act to analyze, plan, and regulate San Francisco Bay and its shoreline. BCDC implements the San Francisco Bay Plan and regulates filling and dredging in the Bay, its sloughs and marshes, and certain creeks and their tributaries, including waters of the Study Area. BCDC jurisdiction includes the waters of the bay as well as a shoreline band that extends inland 100 feet from the Bay shoreline. Any fill, excavation of material, or substantial change in use within BCDC jurisdiction requires a permit from BCDC.

## **CEQA Guidelines Section 15380**

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants or wildlife. This section was included in the guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on, for example, a candidate species that has not yet been listed by either the USFWS or CDFW. Thus, CEQA provides the ability to protect a species from potential project impacts until the respective government agencies have an opportunity to designate the species as protected, if warranted.

## **City of Burlingame Tree Protection Policies and Ordinances**

The City of Burlingame Municipal Code protects street trees (Chapter 11.04) and private trees (Chapter 11.06) meeting certain criteria. A street tree is defined as any woody perennial plant having a single main axis or stem commonly achieving ten feet or more in height and growing within the City right-of-way. A protected private tree includes: 1) any tree with a circumference of 48 inches or more when measured 54 inches above natural grade; 2) a tree or stand of trees so designated by the city council based upon findings that it is unique and of importance to the public due to its unusual appearance, location, historical significance or other factor; or 3) a stand of trees in which the director has determined each tree is dependent upon the others for survival.

### **a) Less than Significant with Mitigation.**

#### **Special Status Plants**

As discussed in the Setting, the great majority (over 90 percent) of the project site is developed or landscaped, and the remaining patches of annual grassland and landscaping of the eastern shoreline are generally outside of the project development footprint. While tidal marsh vegetation occurs within the Easton Creek corridor on the project site, it is limited in size and disconnected from larger, natural tidal marsh systems which might introduce rare plant species into the area.

All special-status plant species with potential to occur in the regional project vicinity were determined to have a low potential to occur or determined to be absent from upland portions of the project site, generally due to the lack of suitable supportive habitat and documented local occurrences. During construction, dredging of accumulated sediment within Easton Creek channel within the project site would occur to improve flow within the channel. In addition, the project would construct up to two pedestrian bridges across the Easton Creek open channel segment within the project site. These improvements would minimally impact tidal marsh vegetation of the Easton Creek corridor. As discussed in the Setting, California seablite is not expected to occur within Easton Creek channel and no other special-status plants are expected at the site. Hence, implementation of the proposed project would have no impact either directly or indirectly on special-status plants.

### Special Status Animals

The proposed project could have a significant impact either directly or indirectly through habitat modifications on special-status fish, protected nesting birds and special-status bats. These potential impacts are discussed in the following sections.

#### Special-Status Fish

As discussed previously, the occurrence of special-status fish within the project area may occur but would be temporary in nature. Short-term impacts on special-status fishes, if present, could occur from dredging within Easton Creek. Impacts that are typically associated with these activities include short-term loss of benthic habitat and associated benthos, and short-term loss and disruption of low quality fishery habitat. As such, in-water construction activities would be restricted to a National Oceanic and Atmospheric Administration (NOAA) approved environmental work window (June 1 – November 30) when special-status aquatic species are least likely to be present in the study area. Implementation of the **Mitigation Measure BIO-1** would ensure that, if special-status fish are present within Easton Creek during dredging, the impact on these species would be minimized or avoided and would be less than significant.

The project would not require in-water work during the Pacific herring spawning or hatching season (December 1 – February 28); hence, no avoidance and minimization measures are required for this species.

#### **Mitigation Measure BIO-1: Special-Status Fish Protection Measures during Dredging**

The City shall require the contractor to conduct dredging between June 1 and November 30 in accordance with Long Term Management Strategy dredging windows to minimize potential adverse effects on fish species.

#### Special-Status and Migratory Birds

Construction activities associated with the vegetation removal, demolition of existing buildings, construction of the pedestrian bridges, construction of new buildings and a general increase in noise and visual disturbance in the vicinity of the project site during these activities may adversely affect nesting birds within one quarter mile of the project site during the nesting season (January 15 – September 15). Suitable foraging and nesting habitat is present on the project site and vicinity for special-status birds including American peregrine falcon (CDFW fully protected species).

In addition, migratory and resident passerine species could forage and/or nest in the trees and ornamental landscaping on the project site, and in shrubs along the eastern shoreline within and surrounding the project site.

Removal of existing vegetation and trimming or removal of trees at the project site could destroy active bird nests. In addition, an increase in noise and visual disturbance associated with construction could disrupt nesting efforts in the habitat surrounding the project site. The loss of an active nest would be considered a significant impact under CEQA. Moreover,

disruption of nesting migratory or native birds is not permitted under California Fish and Game Code, as it could constitute unauthorized take. Thus, the loss of any active nest by, for example, trimming a tree or removing a shrub containing a nest, must be avoided under federal and California law. Although compliance with existing state and federal regulations would prevent impacts on nesting birds, implementation of **Mitigation Measure BIO-2a, Nesting Bird Protection Measures**, would ensure that the project would not have a significant impact on nesting birds by limiting removal of vegetation to periods outside of the bird nesting season, to the extent feasible, conducting pre-construction nesting surveys, and establishing no work buffer zones around active nests identified on or near the project site.

**Mitigation Measure BIO-2a: Nesting Bird Protection Measures.**

Nesting birds and their nests shall be protected during construction by use of the following measures:

1. To the extent feasible, the owner or designee will conduct initial vegetation removal, tree trimming and removal, ground disturbance, and demolition of existing buildings outside the bird nesting season (January 15 to September 15).
2. If vegetation removal, tree trimming and removal, ground disturbance, and demolition of existing buildings during the nesting season cannot be fully avoided, a qualified wildlife biologist shall conduct pre-construction nesting surveys during the breeding season within seven (7) days prior to the start of such activities or after any construction breaks of 14 days or more. Surveys shall be performed for the project site, vehicle and equipment staging areas, and suitable habitat within 250 feet in order to locate any active passerine (perching bird) nests and within 500 feet of these individual sites to locate any active raptor (birds of prey) nests.
3. If active nests are located during the pre-construction nesting bird surveys, the qualified wildlife biologist shall evaluate if the schedule of construction activities could affect the active nests and the following measures shall be implemented based on their determination:
  - a. If construction is not likely to affect the active nest, construction may proceed without restriction; however, a qualified biologist shall regularly monitor the nest at a frequency determined appropriate for the surrounding construction activity to confirm there is no adverse effect. Spot-check monitoring frequency would be determined on a nest-by-nest basis considering the particular construction activity, duration, proximity to the nest, and physical barriers which may screen activity from the nest. The qualified biologist may revise his/her determination at any time during the nesting season in coordination with the City of Burlingame.
  - b. If it is determined that construction may affect the active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all project work would halt within the buffer until a qualified biologist determines the nest is no longer in use. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted if an obstruction, such as a building, is within line-of-sight between the nest and construction.



- c. Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be done at the discretion of the qualified biologist and in coordination with the City of Burlingame, who would notify CDFW.
  - d. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest, work within the no-disturbance buffer(s) shall halt until the nest occupants have fledged.
4. Any birds that begin nesting within the project site and survey buffers amid construction activities shall be assumed to be habituated to construction-related or similar noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases; however, should birds nesting nearby begin to show disturbance associated with construction activities, no-disturbance buffers shall be established as determined by the qualified wildlife biologist.

#### Potential Bird Collisions with Structures

The project site is located within the Pacific Flyway along the western shoreline of San Francisco Bay. The waters and shoreline of San Francisco Bay provide habitat for a variety of resident and migratory birds. For new buildings, reflective building façades that are generally located in a clear flight path from water features can create hazards for birds. Other potential feature-related hazards new development can pose to birds include glass courtyards, transparent building corners, or clear glass walls on rooftops or balconies.

When considering the project site location along a known migratory route, proximity to the bay, the large area of exterior glass surfaces, and the presence of frequent shoreline fog which can adversely affect avian navigational awareness, the proposed development could increase the risk of avian collisions. If the buildings' exterior surfaces were to be reflective and not incorporate elements to avoid or minimize avian collisions, it is foreseeable that an unknown number of songbirds or waterbirds could collide with new structures and could result in injury or fatality.

Due to recent changes to the federal MBTA, the incidental "take" of migratory bird species is not prohibited by the MBTA or Fish and Game Code (USDOJ, 2017; USFWS, 2018). Because the take of migratory birds is not prohibited by CDFW or by the MBTA based on federal guidance, potential impacts to avian species from collision with new buildings would be less than significant with no mitigation required.

Nonetheless, it is recommended that the project sponsor incorporate bird safe measures into the building design that would reduce the potential for avian collisions. These include, but not limited to, the use of exterior glass treatments (use of non-reflective glass through tinting, glazing and/or fritting that reduces transmission of light out of the building), as well as exterior façade and lighting treatments.

### Special-Status and Otherwise Protected Bats

Project activities including tree trimming and tree removal and demolition of existing buildings could result in disturbance to special-status or common bats roosting within the project sites or nearby. Special-status bats (pallid bat) have the potential to roost in existing or underutilized buildings, other human-made structures, and tree cavities and foliage within or near the project site. Other bats, such as the California special animal hoary bat (*Lasiurus cinereus*) could also roost in similar habitat on the project site. Bats and other non-game mammals are protected in California under the State Fish and Game Code (described previously in *Regulatory Framework*). Maternity roosts are roosts occupied by pregnant females or females with non-flying young. Non-breeding roosts are day roosts without pregnant females or non-flying young. Destruction of an occupied, non-breeding bat roost, resulting in the death of bats; disturbance that causes the loss of a maternity colony of bats (resulting in the death of young); or destruction of hibernacula<sup>12,13</sup> are prohibited under the California Fish and Game Code and would be considered a significant impact. This may occur due to direct or indirect disturbances. Direct disturbance could include building removal (demolition), tree removal, or roost destruction by any other means. Indirect disturbance to bat species could result in behavioral alterations due to construction-associated noise or vibration, or increased human activity in the area.

Direct mortality of an individual or disturbance to maternity colonies of special-status bats would be a significant impact. Implementing **Mitigation Measure BIO-2b, Avoidance and Minimization Measures for Bats**, would reduce potential impacts on special-status bats to a less-than-significant level by requiring pre-construction surveys, and implementing avoidance measures if potential roosting habitat or active roosts are located.

#### **Mitigation Measure BIO-2b: Avoidance and Minimization Measures for Bats.**

A qualified biologist (as defined by CDFW<sup>14</sup>) who is experienced with bat surveying techniques (including auditory sampling methods), behavior, roosting habitat, and identification of local bat species shall be consulted prior to initiation of construction activities to conduct a pre-construction habitat assessment of the project site to characterize potential bat habitat and identify potentially active roost sites. No further action is required should the pre-construction habitat assessment not identify bat habitat or signs of potentially active bat roosts within the project site (e.g., guano, urine staining, dead bats, etc.).

Should potential roosting habitat or potentially active bat roosts be identified during the habitat assessment within or in the immediate vicinity of project site, including trees that could be trimmed or removed under the project, the following measures shall be implemented:

1. Removal of- or disturbance to trees or structures (e.g., buildings, fences with vegetation) identified as potential bat roosting habitat or active roosts shall

<sup>12</sup> Hibernaculum refers to the winter quarters of a hibernating animal.

<sup>13</sup> Hibernacula generally are not formed by bat species in the Bay Area due to sufficiently high temperatures year round.

<sup>14</sup> CDFW defines credentials of a “qualified biologist” within permits or authorizations issued for a project. Typical qualifications include a minimum of five years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for each species that may be present within the project area.

occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These dates avoid bat maternity roosting season (approximately April 15 – August 31) and period of winter torpor (approximately October 15 – February 28).

2. If removal of- or disturbance to trees and structures identified as potential bat roosting habitat or active roosts during the periods when bats are active is not feasible, a qualified biologist will conduct pre-construction surveys within 14 days prior to disturbance to further evaluate bat activity within the potential habitat or roost site.
  - a. If active bat roosts are not identified in potential habitat during preconstruction surveys, no further action is required prior to removal of- or disturbance to trees and structures within the preconstruction survey area.
  - b. If active bat roosts or evidence of roosting is identified during pre-construction surveys, the qualified biologist shall determine, if possible, the type of roost and species.
    - i. If special-status bat species or maternity or hibernation roosts are detected during these surveys, appropriate species- and roost-specific avoidance and protection measures shall be developed by the qualified biologist in coordination with CDFW. Such measures may include postponing the removal of structures or trees, or establishing exclusionary work buffers while the roost is active. A minimum 100-foot no disturbance buffer shall be established around special-status species, maternity, or hibernation roosts until the qualified biologist determines they are no longer active. The size of the no-disturbance buffer may be adjusted by the qualified biologist, in coordination with CDFW, depending on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site, and if construction would not alter the behavior of the adult or young in a way that would cause injury or death to those individuals.
 

Under no circumstances shall active maternity roosts be disturbed until the roost disbands at the completion of the maternity roosting season or otherwise becomes inactive, as determined by the qualified biologist.
    - ii. If a common species, non-maternity or hibernation roost (e.g., bachelor daytime roost) is identified, disturbance to- or removal of trees or structures may occur under the supervision of a qualified biologist as described under 3).
3. The qualified biologist shall be present during tree and structure disturbance or removal if active non-maternity or hibernation bat roosts or potential roosting habitat are present. Trees and structures with active non-maternity or hibernation roosts of common species or potential habitat shall be disturbed or removed only under clear weather conditions when precipitation is not forecast for three days and when nighttime temperatures are at least 50°F, and when wind speeds are less than 15 mph.

- a. Trimming or removal of trees with active (non-maternity or hibernation) or potentially active roost sites of common bat species shall follow a two-step removal process:
      - i. On the first day of tree removal and under supervision of the qualified biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut only using hand tools (e.g., chainsaws).
      - ii. On the following day and under the supervision of the qualified biologist, the remainder of the tree may be removed, either using hand tools or other equipment (e.g. excavator or backhoe).
      - iii. All felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats to escape, or be inspected once felled by the qualified biologist to ensure no bats remain within the tree and/or branches.
    - b. Disturbance to- or removal of structures containing or suspected to contain active (non-maternity or hibernation) or potentially active common bat roosts shall be done in the evening and after bats have emerged from the roost to forage. Structures shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost. Removal will be completed the subsequent day.
  4. Bat roosts that begin during construction are presumed to be unaffected as long as a similar type of construction activity continues, and no buffer would be necessary. Direct impacts on bat roosts or take of individual bats will be avoided.
- b) **No Impact.** Riparian habitat does not occur within the project site and therefore the proposed project would have no impact on riparian habitat. The Easton Creek corridor contains tidal marsh vegetation which CDFW considers the sensitive natural community northern coastal salt marsh. Potential impacts to this vegetation community under the proposed project are discussed under c).
- c) **Less than Significant with Mitigation.** San Francisco Bay is considered a navigable water of the United States and is therefore considered jurisdictional waters of the U.S. regulated by the Corps under Section 404 of the CWA up to the high tide line, and under Section 10 of the Rivers and Harbors Act up to the mean high water mark. These waters also are regulated by the RWQCB as Waters of the State and by BCDC, which has jurisdiction over all areas of San Francisco Bay that are subject to tidal action, as well as a 100-foot shoreline band. The waters of Easton Creek and tidal marsh vegetation within the creek corridor are likely to be considered potential jurisdictional other waters and wetlands also regulated by the Corps, RWQCB, and BCDC.

No design details of the pedestrian bridges over Easton Creek nor the dredging footprint within Easton Creek are currently available. Construction of the pedestrian bridges over Easton Creek could impact wetlands and other waters of the U.S. and State in Easton Creek under the jurisdiction of the Corps, RWQCB, and BCDC through temporary or permanent

placement of fill material during construction, and/or installation of the bridges that would shade portions of the Easton Creek channel, which would be a significant impact. Maintenance dredging within the Easton Creek channel may remove accumulated sediment within the channel on the project site, upstream from the Bay. Collectively, federal and State regulatory agencies and the permits and authorizations they issue for the project will require that fill of wetlands and waters shall be avoided or minimized to the maximum extent practicable (e.g., design the bridge to be placed above areas defined as waters of the U.S./waters of the state) while still accomplishing the project's purpose, and will specify an array of measures and performance standards as conditions of project approval. In addition, any unavoidable impacts to wetlands and other waters will trigger a requirement for compensatory mitigation that will be aimed at creating, restoring, or enhancing similar ecological functions and services as those displaced. The types, amounts, and methods of compensatory measures required will differ between the permitting agencies depending on the specific resources they regulate and the policies and guidelines they implement.

Compliance with project permits and authorizations, and implementation of **Mitigation Measure BIO-2a, Conduct Wetland Delineation** and **Mitigation Measure BIO-3b, Avoidance and Protection of Jurisdictional Wetlands and Other Waters**, would identify potentially jurisdictional wetlands and other waters within the project site and reduce potential impacts such features to a less-than-significant level. If no project actions are proposed within the Easton Creek channel, **Mitigation Measure BIO-3a** would not apply to the project. Note, however, that even if no fill is proposed within jurisdictional features, BCDC authorization would still be needed for the project due to its near proximity to the San Francisco Bay shoreline. Should avoidance of direct impacts to wetlands or other waters through placement of fill in support of the pedestrian bridges be infeasible, implementation of **Mitigation Measure BIO-3c, Compensation for Impacts to Wetlands and Waters** would reduce the impacts associated with this direct loss to a less-than-significant level.

#### **Mitigation Measure BIO-3a: Conduct Wetland Delineation.**

In coordination with the City of Burlingame, a qualified wetland ecologist shall conduct a wetland delineation of the project site to identify the limits of potential wetlands and other waters within the project study area (i.e., Easton Creek and associated tidal marsh vegetation, and San Francisco Bay) under the jurisdiction of the U.S. Army Corps of Engineers (Corps), the Regional Water Quality Control Board (RWQCB), and Bay Conservation and Development Commission (BCDC). Features shall be mapped and documented in a report for submission to the Corps, RWQCB, and BCDC which retains authority over such features within and connected to San Francisco Bay.

#### **Mitigation Measure BIO-3b: Avoidance and Protection of Jurisdictional Wetlands and Other Waters.**

Access roads, staging and work areas, and infrastructure [i.e., the pedestrian bridges] shall be sited to avoid and minimize direct and indirect impacts to wetlands and waters to the extent feasible. Where work will occur on the project within or adjacent to State and federal jurisdictional wetlands and waters,



protection measures shall be applied to protect these features. These measures shall include the following:

- 1) To the maximum extent feasible, conduct work in creek channels and associated tidal marsh vegetation during the dry season (between June 15 and October 15) to avoid construction activities in flowing streams (typically during the spring and winter). Where water features must be disturbed in support of the project (e.g., installation of a coffer dam or other temporary diversions to isolate flow from the work area), the minimum area of disturbance necessary for construction shall be identified, and the area outside of that shall be avoided.
- 2) Stabilize disturbed, exposed slopes and creek banks immediately upon completion of construction activities [e.g., following pedestrian bridges construction/installation] to prevent any soil or other materials from entering aquatic habitat. Plastic monofilament of any kind (including those labeled as biodegradable, photodegradable, or UV-degradable) shall not be used. Only natural burlap, coir, coconut or jute wrapped fiber rolls and mats shall be used.
- 3) A protective barrier (such as silt fencing) shall be erected around wetland or water features (i.e., San Francisco Bay, Easton Creek and associated tidal marsh vegetation) to isolate them from project construction activities and reduce the potential for incidental fill, erosion, or other disturbance. A fencing material meeting the requirements of both water quality protection and wildlife exclusion may be used;
- 4) Signage shall be installed on the fencing to identify sensitive habitat areas and restrict construction activities beyond fenced limits;
- 5) No equipment mobilization, grading, clearing, storage of equipment or machinery, or similar activity shall occur at the project site until a representative of City has inspected and approved the wetland/waters protection fencing;
- 6) The City shall ensure that the temporary fencing is continuously maintained until all construction is completed; and
- 7) Drip pans and/or liners shall be stationed beneath all equipment staged nearby jurisdictional features overnight to minimize spill of deleterious materials into jurisdictional waters. Equipment maintenance and refueling in support of project implementation shall be performed in designated upland staging areas and work areas, and spill kits shall be available on-site. Maintenance activity and fueling must occur at least 100 feet from jurisdictional wetlands and other waters or farther as specified in the project permits and authorizations.

### **Mitigation Measure BIO-3c: Compensation for Impacts to Wetlands and Waters.**

To offset temporary impacts to jurisdictional wetlands (i.e., vegetated wetlands), restoration to pre-project conditions (typically including contours, topsoil, and vegetation) shall be conducted, as required by regulatory permits (e.g., those issued by the Corps, RWQCB, and BCDC). To offset unavoidable permanent impacts to jurisdictional wetlands associated with project fill or shading, compensatory mitigation shall be provided as required by regulatory permits and at a minimum

ratio of 2:1 (created/restored/ enhanced: impacted). Compensation may include on-site or off-site creation, restoration, or enhancement of jurisdictional resources, as determined by the permitting agencies. On-site or off-site creation/restoration/enhancement plans must be prepared by a qualified biologist prior to construction and approved by the permitting agencies. Implementation of creation/restoration/enhancement activities by the permittee shall occur prior to project impacts, whenever possible, to avoid temporal loss. On- or off-site creation/restoration/enhancement sites shall be monitored by the City or their consultant for at least five years to ensure they successfully meet performance criteria. Resource agencies may not require additional compensatory mitigation for maintenance dredging of non-wetland (i.e., unvegetated) channel habitat in Easton Creek.

- d) **Less than Significant.** Given the developed condition of the project site, the proposed project does not have the potential to interfere with the movement of native resident or migratory avian and mammal species or impede use of wildlife nursery sites during redevelopment of the project site. While temporary impacts to these species movement through upland developed areas and the Easton Creek corridor within the project site could result from redevelopment and construction of the pedestrian bridges over Easton Creek, impacts related to wildlife movement would be less than significant with no mitigation required.
- e) **Less than Significant with Mitigation.** The proposed project would require removal of existing trees within the project site to accommodate planned redevelopment. The City of Burlingame Municipal Code (Chapter 11.04 and 11.06) regulates the trimming and removal of street trees and trees on private property which qualify as “protected trees,” including trees with a circumference of 48 inches or more when measured 54 inches above natural grade, a tree or stand of trees so designated by the City council based upon findings that it is unique and of importance to the public due to its unusual appearance, location, historical significance or other factor, or a stand of trees in which the director has determined each tree is dependent upon the others for survival. The proposed project has the potential to impact trees which may qualify for protection under the City of Burlingame Municipal Code.

Through implementation of **Mitigation Measure BIO-4, Pre-construction Tree Survey, Tree Protection Measures, and Replacement Trees** and compliance with the City’s Municipal Code through the protected tree removal permitting process, impacts to street trees and protected trees within the project site would be avoided or minimized to a less-than-significant level.

**Mitigation Measure BIO-4: Pre-construction Tree Survey, Tree Protection Measures, and Replacement Trees.**

The applicant or their contractors shall implement the following measures to avoid or minimize impacts to street trees and protected trees within the project site:

- 1) The owner or their contractors shall contract a certified arborist to perform a tree survey of the project site prior to initiation of construction activities. The arborist shall prepare a report following the survey that includes an inventory of trees within the project site, species identification, size, health information,

and if trees are considered street trees or qualify as protected trees under the City's Municipal Code.

- 2) Should street trees or protected trees be present within the project site which can be retained during redevelopment, the applicant shall comply with the tree protection measures included in Municipal Code Chapter 11.06.050 (Prohibitions and Protections).
  - 3) Should street trees or protected trees be present within the project site which require trimming or removal to accommodate site redevelopment, the applicant or their consultants shall prepare a permit application for removal or pruning of protected trees for review- and subject to approval by the City's Director of Parks. Removal of street trees or protected trees shall be replaced according to the City Municipal Code Chapter 11.06.090 (Tree Requirements and Reforestation).
- f) **No Impact.** The proposed project is located within a currently developed site which is not subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans; therefore, no impact would occur.

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## Cultural Resources, including Tribal Cultural Resources

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|---|---------------------------------------|---|-------------------------------------|-------------------------------------|
| <b>5. CULTURAL RESOURCES, INCLUDING TRIBAL CULTURAL RESOURCES—</b> Would the project:   |                                       |   |                                     |                                     |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:                            |                                       |   |                                     |                                     |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or  | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/>            |

## Discussion

### Setting

#### CEQA Area of Potential Effects (C-APE)

For the purposes of this analysis, the horizontal extent of the CEQA Area of Potential Effects (C-APE) is considered to be the entire project site. Due to the nature of the project and its minimal potential for indirect effects, it was determined that the C-APE is the same for archaeological and built environment resources. This C-APE consists of the areas that would be potentially directly and physically impacted by the project. This includes both the horizontal and vertical maximum extents of potential impacts, and encompasses the project footprint. The horizontal extent of the C-APE measures approximately 6.2 acres. The vertical extent of the C-APE is considered to be the maximum depth of ground disturbance associated with project implementation, would could be up to 100 feet below ground surface for drilled piles.

### **Native American Correspondence**

On March 24, 2017, the City sent letters with project information to the contacts provided by the California State Native American Heritage Commission (NAHC). None of the contacted parties responded with concerns regarding cultural resources and the potential for the project to impact cultural resources. ESA also consulted with the NAHC corresponded in March 2017. On March 21, 2017, the NAHC responded that their Sacred Lands File has no record of cultural resources in the C-APE.

### **Records Search**

On March 7, 2017, ESA staff conducted a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University, Rohnert Park (File # 16-1321). The NWIC records search indicated that no previously recorded cultural resources are present in the C-APE and that 20 previously recorded cultural resources are outside but within 0.5 mile of the C-APE. These resources consist of archaeological sites, all prehistoric, and 12 historic-period architectural resources. In addition, the NWIC has record of 43 previous cultural resources studies conducted a within 0.5-mile radius of the C-APE, none of which included the C-APE.

### **Architectural Survey and Analysis**

A historical resource is defined in CEQA Guidelines Section 15064.5(a) as a resource that is listed in, or determined to be eligible for listing in, the California Register of Historical Resources (California Register). In addition, a resource included in a local register of historical resources or deemed significant due to its identification in a qualified historical resources survey is presumed to be a historical resource, absent evidence to the contrary. CEQA Section 21084.1 also permits a lead agency to determine that a resource constitutes a historical resource even if the resource does not meet the foregoing criteria.

The California Register is the authoritative guide to historical and archeological resources that are significant within the context of California's history. Criteria for eligibility in the California Register include: 1) association with important historical events; 2) association with important persons; 3) demonstration of distinctive architectural characteristics or being the work of an important architect or designer or possession of high artistic values; and 4) the ability to yield importation information. (This last criterion is normally applicable to archaeological resources.) Criteria for the National Register of Historic Places (National Register) are similar, except that they are applied in the context of national, rather than state, history.<sup>15</sup> Resources listed on the National Register are automatically listed on the California Register. In order to be listed, or eligible for listing, on either register, a historical resource must also possess sufficient integrity such that the resource can convey its historic importance. Integrity is evaluated in terms of seven aspects—location, design, setting, materials, workmanship, feeling (expression of the aesthetic or historic sense of a particular time), and association (the link to a historic event or person).

On March 21, 2017, a qualified ESA architectural historian surveyed the project site and photo documented five buildings that are of historic age. These are buildings at 1300-1308 Bayshore

<sup>15</sup> National Register criteria are lettered A-D, which correspond to the California Register criteria 1-4.



Highway (APN 026-113-480), 1310 Old Bayshore Highway (APN 026-113-330), 1338-1340 Old Bayshore Highway (APN 026-113-470), 1290 Old Bayshore Highway (APN 026-142-110), and 1288 Old Bayshore Highway (APN 026-142-070). These buildings were evaluated for potential historic significance under California Register of Historical Resources and/or the National Register of Historic Resources criteria.<sup>16</sup> The following provides a summary of the evaluation:

- 1300-1308 Old Bayshore Highway.** The Hyatt Music Theater was constructed in 1964 as part of a complex of commercial and office buildings related to the Hyatt House Hotel located directly across Bayshore Highway. The building was the first theater-in-the-round located on the San Francisco Peninsula, although due to competition with the Circle Star Theater in nearby San Carlos, the short-lived Hyatt Music Theater closed in 1966. From 1966 until 2007, the building operated as a movie theater. Although the building was an important part of the Hyatt House Hotel complex, the hotel itself, which was the centerpiece, was demolished in 1987. For these reasons, the building does not appear to have contributed to broad patterns of local or regional history or the cultural heritage of California or the United States, and therefore, does not appear eligible for listing under Criterion 1/A (Events). Because of the brevity of the period that the building was a popular destination for live theater, and because any celebrities' stays were intentionally transitory, the building is not clearly associated with the lives of persons significant in our past, and therefore does not appear eligible for listing under Criterion 2/B (People).

The building is an example of a Midcentury Modern-style theater building with distinctive "Googie" (i.e. futuristic, inspired by the Space Age) design elements that was designed by a master architect of local significance, Robert Blunk. The interior of Blunk's original design for a theater-in-the-round was completely demolished in 1966, at which time it was reconstructed as a movie theater/office building designed by architect Vincent G. Raney, also a master architect of local significance. Sometime after the movie theater closed permanently in 2007, the interior theater-related spaces were removed, and the building no longer retains the essential characteristics that once identified it as a place of public entertainment as a live performance or movie theater. The design of the building is fundamentally linked to its original function as a theater-in-the-round and its later existence as a movie theater, and nearly all vestiges of these uses have been removed. The building does not embody distinctive characteristics of a mid-century theater, and due to the removal of so many essential design features from the interior, does not possess high artistic value. For these reasons, the building does not appear eligible for listing under Criterion 3/C (Design/Construction).

Research did not reveal that the building would provide important information relevant to history or pre-history that was not already known, and consequently, does not appear eligible for listing under Criterion 4/D (Information Potential).

- 1310 Old Bayshore Highway.** This building was constructed in 1965, also as part of the Hyatt House Hotel complex. The building functioned as a commercial building with a restaurant and office space. This building does not appear to have contributed to broad patterns of local or regional history or the cultural heritage of California or the United States, or have been associated with the lives of persons significant in our past, and for these reasons does not appear eligible for listing under Criterion 1/A or 2/B.

<sup>16</sup> Since the 1338-1340 Bayshore Highway building does not meet the 50-year threshold under the National Register, it was evaluated under California Register criteria only.

This building is an example of a Midcentury Modern-style commercial building designed by a master architect of local significance, Robert Blunk, and inspired by the futuristic design of the adjacent Hyatt Music Theater (also designed by Blunk) and be a visual linkage to the Hyatt House Hotel across the street (now demolished). However, the building has been considerably altered and has lost some of the distinctive characteristics that associate it to the design of the adjacent former theater. Furthermore, it is not representative of a type, region, or method of construction and does not possess high artistic value. For these reasons, the building does not appear eligible for listing under Criterion 3/C.

Research did not reveal that the building would provide important information relevant to history or pre-history that was not already known, and consequently, the building does not appear eligible for listing under Criterion 4/D.

- **1338-1340 Old Bayshore Highway.** This building was constructed in 1968, also as part of the Hyatt House Hotel complex. The building originally functioned as part of the Hyatt Corporation's executive offices, and it later served multiple tenants. This building does not appear to have contributed to broad patterns of local or regional history or the cultural heritage of California or the United States, or have been associated with the lives of persons significant in our past, and for these reasons does not appear eligible for listing under Criterion 1 or 2.

This building is an example of a Midcentury Modern-style commercial building designed by a master architect of local significance, Goodwin Steinberg. The building does not express a particular phase in the development of Steinberg's career and does not possess high artistic value. For these reasons, the building does not appear eligible for listing under Criterion 3.

Research did not reveal that the building would provide important information relevant to history or pre-history that was not already known, and consequently, the building does not appear eligible for listing under Criterion 4.

- **1290 Old Bayshore Highway.** This building was constructed in 1961 by developers David and George Keyston following the completion of their office building directly across the street at 1299 Bayshore Highway. While adjacent to the Hyatt House Hotel, neither of the office buildings were associated with the hotel or the related complex of buildings that were constructed during the 1960s. The building does not appear to have contributed to broad patterns of local or regional history or the cultural heritage of California or the United States, and consequently, does not appear eligible for listing under Criterion 1/A.

The building has been occupied by the offices of numerous businesses and individuals, including the Keyston Brothers for a period of time. While the building was an early and successful project for the Keystons, it is not considered to be a notable project for the Keystons, and it therefore does not appear eligible for listing under Criterion 2/B.

This building is an example of a Midcentury Modern-style commercial building that was likely designed by a master architect of local significance, Robert Blunk. The building does not express a particular phase in the development of Blunk's career and does not possess high artistic value. For these reasons, the building does not appear eligible for listing under Criterion 3/C.

Research did not reveal that the building would provide important information relevant to history or pre-history that was not already known, and consequently, the building does not appear eligible for listing under Criterion 4/D.

- **1288 Old Bayshore Highway.** The building was built circa 1954, and served initially as a veterinary clinic, and subsequently by several other commercial businesses. This building does not appear to have contributed to broad patterns of local or regional history or the cultural heritage of California or the United States, or have been associated with the lives of persons significant in our past, and for these reasons does not appear eligible for listing under Criterion 1/A or 2/B.

The building is a modest example of a Midcentury Modern-style commercial building that has been altered, and it was not designed by a trained architect, and as a result does not appear eligible for listing under Criterion 3/C. Research did not reveal that the building would provide important information relevant to history or pre-history that was not already known, and consequently, the building does not appear eligible for listing under Criterion 4/D.

None of the five properties were found to be significant under the criteria used, and therefore, all five buildings appear to be ineligible for listing in the California and/or National Registers.

### Archaeological Sensitivity

Based on a 2014 geotechnical investigation of the project site (Ridley and Rollo, 2014), artificial fill is present on the project site from the surface to between 10 and 15 feet below ground surface. The artificial fill is underlain by 20 to 30 feet of marine clays (Bay Mud), which is, in turn, generally underlain by medium-stiff to hard clays and sandy clay with dense clayey sand to a depth of approximately 100 feet below ground surface (Colma Formation; Ridley and Rollo, 2014). A review of historic maps and geologic maps supports the findings of the geotechnical investigation and further shows that the artificial fill present in the project area was brought in during the mid-1960s. Also, no known historic-period maritime features are known to have been present in the project area prior to importation of the artificial fill.

There is no potential for the presence of intact prehistoric archaeological resources in the artificial fill present at the project site. While there is potential for the presence of historic-period archaeological material in the artificial fill, any such material would not likely be intact and, therefore, its potential significance would be very low. Discovery of prehistoric human remains and other archeological materials within Bay Mud and marine deposits below the modern ground surface in the San Francisco Bay area is an extremely rare occurrence.

Eight prehistoric archaeological sites, all shellmounds or shell middens, have been previously recorded within a 0.5-mile radius of the project site (the closest being recorded approximately 200 feet south of the project site), illustrating an overall high potential for prehistoric archaeological resources in the project vicinity. However, all of these previously recorded resources are to the south or west of the project site, outside of areas historically submerged (or partially submerged) by the bay, such as the project site.

- a) **No Impact.** CEQA Guidelines Section 15064.5 requires the lead agency to consider the effects of a project on historical resources. An historical resource is defined as any building, structure, site, or object listed in or determined to be eligible for listing in the California Register, or determined by a lead agency to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, or cultural records of California.

Through a records search, background research, and a field survey (see Setting discussion), it was determined that none of the buildings on the project site qualified as historical resources, as defined in CEQA Guidelines Section 15064.5. Removal of the buildings would have no significant impact on historical architectural resources, and no mitigation is necessary.

- b) **Less than Significant with Mitigation.** This section discusses archaeological resources, both as historical resources according to CEQA Guidelines Section 15064.5, as well as unique archaeological resources, as defined in PRC Section 21083.2(g). A significant impact would occur if the project would cause a substantial adverse change to an archaeological resource through physical demolition, destruction, relocation, or alteration of the resource.

Through a records search, background research, and a geologic analysis, no archaeological resources have been identified on the project site and the project site has a low potential to uncover buried archaeological resources. As such, the project is not anticipated to impact any archaeological resources pursuant to CEQA Guidelines Section 15064.5.

While unlikely, if any previously unrecorded archaeological resource were identified during project ground disturbing activities and were found to qualify as an historical resource per CEQA Guidelines Section 15064.5 or a unique archaeological resource, as defined in PRC Section 21083.2(g), any impacts to the resource resulting from the project could be potentially significant. Any such potential significant impacts would be reduced to a less than significant level by implementing **Mitigation Measure CUL-1 “Unanticipated Discovery Protocol for Archaeological Resources and Human Remains.”**

- c) **Less than Significant with Mitigation.** Through a records search and background research, no human remains are known to exist in the project area. Therefore, the project is not anticipated to impact human remains, including those interred outside of formal cemeteries.

While unlikely, if any previously unknown human remains were encountered during project ground disturbing activities, any impacts to the human remains resulting from the Project could be potentially significant. Any such potential significant impacts would be reduced to a less than significant level by implementing **Mitigation Measure CUL-1 “Unanticipated Discovery Protocol for Archaeological Resources and Human Remains.”**

- d) (1) **Less than Significant with Mitigation.** Through consultation efforts with California Native American tribes, the NAHC, and an NWIC records search, no known tribal cultural resources listed or determined eligible for listing in the CRHR, or included in a local register of historical resources as defined in PRC Section 5020.1(k), pursuant to PRC Section 21074(a)(1), would be impacted by the project.

However, if any previously unrecorded archaeological resource were identified during project ground-disturbing construction activities and were found to qualify as a tribal cultural resource pursuant to PRC Section 21074(a)(1) (determined to be eligible for listing in the CRHR or in a local register of historical resources), any impacts to the resource

resulting from the project could be potentially significant. Any such potential significant impacts would be reduced to a less than significant level by implementing Mitigation Measure CUL-1 “Unanticipated Discovery Protocol for Archaeological Resources and Human Remains.”

- d) (2) **Less than Significant with Mitigation.** Through consultation efforts with California Native American tribes, the NAHC, and an NWIC records search, the City (lead agency) did not determine any resource that could potentially be affected by the project to be a tribal cultural resource significant pursuant to criteria set forth in PRC Section 5024.1(c). Therefore, the project is not anticipated to impact any such resources.

However, if any previously unrecorded archaeological resource were identified during Project implementation, particularly ground-disturbing construction activities, and were found to qualify as a tribal cultural resource pursuant to PRC Section in PRC Section 5024.1[c]), any impacts to the resource resulting from the project could be potentially significant. Any such potential significant impacts would be reduced to a less than significant level by implementing **Mitigation Measure CUL-1 “Unanticipated Discovery Protocol for Archaeological Resources and Human Remains.”**

**Mitigation Measure CUL-1: Unanticipated Discovery Protocol for Archaeological Resources and Human Remains.**

If prehistoric or historic-period archaeological resources are encountered during Project implementation, all construction activities within 100 feet shall halt, and a qualified archaeologist, defined as an archaeologist meeting the U.S. Secretary of the Interior’s Professional Qualification Standards for Archeology, shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse.

If the City determines, based on recommendations from a qualified archaeologist, that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), the resource shall be avoided if feasible. If avoidance is not feasible, the City shall consult with appropriate Native American tribes (if the resource is Native American-related), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project.

In the event of discovery or recognition of any human remains during project implementation, Project construction activities within 100 feet of the find shall cease until the San Mateo County Coroner has been contacted to determine that no investigation of the cause of death is required. The Coroner shall contact the NAHC within 24 hours if the Coroner determines the remains to be Native American in origin. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American (PRC Section 5097.98), who in turn would make recommendations to the City for the appropriate means of treating the human remains and any associated funerary objects (CEQA Guidelines Section 15064.5[d]).

## References

Ridley and Rollo, *Preliminary Geotechnical Investigation SFO at Technology Park Project 1300 Old Bayshore Highway Burlingame, California*. Prepared for Bay Shore Investments LLC. November 14, 2014.

Northwest Information Center (NWIC), File # 16-1321. California Historical Resources Information System at Sonoma State University, Rohnert Park, on file at ESA, March 17, 2016.

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## Energy

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>6. ENERGY —</b> Would the project:   |                                       |   |                                     |                          |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

- a) **Less than Significant.** Both construction and operation of the project would involve expenditure of energy. During construction, energy use would be both direct and indirect. Direct energy use would include the consumption of fuel (typically gasoline and diesel fuel) for operation of construction equipment and vehicles. Energy in the form of electricity may also be consumed by some pieces of construction equipment, such as welding machines, power tools, lighting, etc.; however, the amount of consumed electricity would be relatively minimal. Indirect energy use would include the energy required to make the materials and components used in construction. This includes energy used for extraction of raw materials, manufacturing, and transportation associated with manufacturing. Direct energy use represents about one-quarter of total construction-related consumption while indirect energy use typically represents the remaining three-quarters (Hannon, 1978).

As discussed in the Project Description, construction activities would include use of a variety of heavy-duty mobile construction equipment as well as temporary generators, which are typically diesel fueled. Additionally, offsite vehicles would be required to transport equipment, materials, and workers to the project site during construction. Construction worker commute trips would primarily use gasoline fueled vehicles. In addition, construction activities would involve truck trips to haul away demolition debris and excavated soil, and bring fill and other construction material to the site. It is assumed that haul trucks and vender trucks would be diesel-fueled.

The precise amount of construction-related energy demand depends on operating conditions of the equipment that currently cannot be determined at this stage. Therefore, the CEQA checklist focusses on the efficient use of energy as opposed to a quantification of the actual amount of energy consumed. Direct energy use during construction was estimated based on GHG emissions data from the CalEEMod output and GHG emission factors in terms of emissions per gallon of fuel from The Climate Registry (TCR, 2019). Over the duration of construction, the project would consume approximately 68,000 gallons of diesel and 18,000 gallons of gasoline.

Consumption of fuel energy during construction would be temporary, localized, and would not represent a significant amount of fuel in comparison to the 304 million gallons of gasoline and 17 million gallons of diesel that were sold in San Mateo County in 2018 (CEC, 2019).

In addition, the temporary energy consumption during construction would not result in long-term depletion of non-renewable energy resources and would not permanently increase reliance on energy resources that are not renewable. Construction activities would not reduce or interrupt existing electrical or natural gas services due to insufficient supply, and would not include inherently wasteful or unnecessary use of energy. Because project construction would not interrupt existing local service and because project-specific construction-related energy demand would not be expected to have a material effect on energy resources, or result in wasteful, inefficient, or unnecessary use of energy, construction activities would result in a less-than-significant impact associated with energy consumption.

Once operational, the project's energy requirements would be in the form of fuel use in motor vehicle trips generated by the project uses, electricity and natural gas use for lighting and heating project buildings and from the use of diesel fuel for routine testing and maintenance of the emergency generator. Energy would also be indirectly used for the supply, treatment and distribution of water to Project uses. Electricity and natural gas usage was directly obtained from the CalEEMod outputs for project and existing conditions. GHG emissions from mobile sources and testing of the backup generator were used in conjunction with fuel efficiency factors from The Climate Registry (TCR, 2019). **Table 2.6-1** shows estimated annual operational energy use for the project and existing conditions. While electricity, diesel and gasoline use would increase over existing conditions with the project, natural gas consumption is estimated to reduce incrementally when compared to existing usage.

**TABLE 2.6-1**  
**PROJECT ANNUAL OPERATIONAL ENERGY USE**

| Source                                       | Annual Energy Use |          |                            |   |
|--|-------------------|----------|----------------------------|---|
|  | Project           | Existing | Net Increase over Existing | Percentage of San Mateo County Energy Use |
| Electricity Use (MW-hr per year)             | 4,833             | 2,414    | 2,419                      | 0.11%                                     |
| Natural Gas Use (MBtu per year)              | 6,662             | 6,973    | -311                       | --  |
| Mobile Sources – Gasoline (gallons per year) | 564,572           | 317,676  | 246,896                    | 0.08%                                     |
| Backup Generator - Diesel (gallons per year) | 750               | --       | 750                        | 0.004%                                    |

NOTE: Existing Energy use reflects 2008 Title 24 energy demand while new uses reflect 2016 Title 24 demand.

SOURCE: ESA, 2016 (Appendix AQ); CEC, 2019.

As shown in **Table 2.6-1**, the increase in annual operational energy use of electricity, gasoline and diesel due to the project over existing conditions would be a small fraction of the total energy used in San Mateo County. Energy use from the Project's operation would be consistent with industry standards. In addition, as described under checklist question b), the project would include several sustainability features including renewable energy features in

the form or photovoltaic panels and energy conservation features such as low-e windows. The reduction in energy use from these features are not accounted for in the estimates shown in **Table 2.6-1**, and consequently, the project operational energy usage presented is considered conservative. Regardless, the minimal increase in project energy use during operation would not be considered inefficient, wasteful or unnecessary consumption of energy resources. The project's operational energy impact would be considered less than significant.

- b) **Less than Significant.** Equipment and vehicles used for project construction would be required to comply with all federal and State efficiency standards. Additionally, there are no project characteristics or features that would be inefficient or that would result in the use of construction equipment and vehicles in a manner that would be less energy efficient than similar projects. Fuel use for project construction would be consistent with typical construction and manufacturing practices, and energy standards such as the Energy Policy Acts of 1975 and 2005, which promote strategic planning and building standards that reduce consumption of fossil fuels, increase use of renewable resources, and enhance energy efficiency.

Both the BAAQMD 2017 Clean Air Plan (2017 CAP) and the City of Burlingame 2030 Climate Action Plan (2030 CAP) contain measures that address energy conservation. The 2017 CAP contains two energy control measures that encourage decarbonizing electricity production and reducing electricity demand (BAAQMD, 2017). Both these measures are directed towards energy producers and local governments and not applicable at the project level. Measure 5 of the City's 2030 CAP directs the City to adopt a Commercial Green Building Ordinance requiring new commercial construction (greater than 10,000 sq. ft.) such as the proposed project to meet a minimum Leadership in Energy and Environmental Design (LEED) standard. This would be implemented by the City through the State's CalGreen building policy. As of the date of this report, the City has not yet adopted a Commercial Green Building Ordinance requiring LEED standards. Regardless, the sponsor proposes to design project building to meet the LEED Gold standards.

Photovoltaic panels would be incorporated into the exterior design of project buildings which would power electricity consumption in public areas, including corridors, parking areas and outdoor gardens. In addition, glazing on the windows of project buildings would be tinted electronically to control interior heat and light transmission. The glazing would provide and exterior reflectance comparable low-emissivity ("low-e") glass thereby improving energy efficiency. Stormwater runoff from the certain areas of the project site would be directed to natural stormwater treatment systems, including bioretention areas, which would reduce outdoor water use and the associated electricity use to supply that water. With these sustainability features, the project would be consistent with the measures in the 2030 CAP. Therefore, the project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency. This would be less than significant impact.

## References

BAAQMD, 2017. *Final 2017 Clean Air Plan, Spare the Air, Cool the Climate*, adopted April 19, 2017. Available: [http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a\\_-proposed-final-cap-vol-1-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en), accessed October 14, 2019.

California Energy Commission (CEC), 2019. 2018 California Annual Retail Fuel Outlet Report Results (CEC-A15) Energy Assessments Division, July 1, 2019.

City of Burlingame, *City of Burlingame 2030 Climate Action Plan*, August 28, 2019.

Hannon et al., 1978, Energy and Labor in the Construction Sector. Article in Science Magazine. November 24, 1978.

The Climate Registry, 2019. Default Emission Factors: Table 2.1 - US Default Factors for Calculating CO<sub>2</sub> Emissions from Combustion of Transport Fuels, May 2019.

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## Geology and Soils

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|
| <b>7. GEOLOGY AND SOILS —</b> Would the project:   |                                       |   |                                     |                                     |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                                       |   |                                     |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) Landslides?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

## Discussion

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. Thus, with respect to seismic hazards, this Initial Study is not required to consider the effects of bringing a new population into an area where such hazards exist because the project would not increase or otherwise affect the conditions that create those risks. Furthermore, the identified significance criteria related to locating development on unstable geologic units and soils are valid only to extent that the project would significantly exacerbate those risks. Nonetheless, potential seismic and geologic hazards, and applicable regulatory mechanisms that address these effects, are disclosed in this section, for informational purposes.

- a.i) **No Impact.** The project site is not located in an Alquist-Priolo Earthquake Fault Zone nor is it located on or immediately adjacent to an active or potentially active fault.<sup>17</sup> The Alquist-Priolo Earthquake Fault Zoning Act requires the delineation of zones by the California Department of Conservation, Geological Survey (CGS, formerly known as the California Division of Mines and Geology) along sufficiently active and well-defined faults. The purpose of the Act is to restrict construction of structures intended for human occupancy along traces of known active faults. The closest active fault to the project site is the San Andreas, located approximately four miles southwest of the site (Jennings, 2010). As the site is not located in an Alquist-Priolo Earthquake Fault Zone nor located on or immediately adjacent to an active fault, fault rupture hazards associated with the proposed project is considered very low and there would be no impact.
- a.ii, iii) **Less than Significant.** The City of Burlingame is located in a seismically active region. Recent studies by the United States Geological Survey (USGS) indicate there is a 63 percent likelihood of a Richter magnitude 6.7 or higher earthquake occurring in the Bay Area in the next 30 years (USGS, 2015). The project site could experience a range of ground shaking effects during an earthquake on one of the Bay Area regional active faults. An earthquake on the San Andreas Fault, located relatively near the project site, could result in very strong ground shaking intensities.<sup>18</sup> Such seismic shaking can also trigger ground failures caused by liquefaction, potentially resulting in foundation damage, disruption of utility service and roadway damage.<sup>19</sup> The project site is underlain by fill materials to a depth of 10 to 15 feet below ground surface below which is approximately 20 to 30 feet of weak, compressible marine clay known as Bay Mud (Rollo & Ridley, 2014). According to liquefaction mapping compiled by the USGS, the site is within an area designated as having a very high susceptibility to liquefaction (USGS, 2006 as cited in Rollo & Ridley, 2014). However, the presence of liquefiable soils can only be determined through a site specific geotechnical analysis. The preliminary geotechnical investigation for the project site did not include collection of subsurface samples to evaluate the potential for liquefaction but did review other geotechnical investigations from nearby sites. Based on the information gathered in the vicinity of the site, the preliminary findings of the geotechnical investigation determined that pockets of liquefiable soils are likely present beneath the site (Rollo & Ridley, 2014).

The proposed project would be required to adhere to current building code regulations and standards to address potential seismic impacts associated with the development of the site, including ground shaking and liquefaction. A final design level geotechnical report would

<sup>17</sup> An active fault is defined by the State of California is a fault that has had surface displacement within Holocene time (approximately the last 10,000 years). A potentially active fault is defined as a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years), unless direct geologic evidence demonstrates inactivity for all of the Holocene or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. Sufficiently active is also used to describe a fault if there is some evidence that Holocene displacement occurred on one or more of its segments or branches (Hart, 1997).

<sup>18</sup> Shaking intensity is a measure of ground shaking effects at a particular location, and can vary depending on the overall magnitude of the earthquake, distance to the fault, focus of earthquake energy, and type of underlying geologic material. The Modified Mercalli (MM) intensity scale is commonly used to measure earthquake effects due to ground shaking. The MM values for intensity range from I (earthquake not felt) to XII (damage nearly total).

<sup>19</sup> Liquefaction is the process by which saturated, loose, fine-grained, soil, like sand, behaves like a dense fluid when subjected to prolonged shaking during an earthquake.



- be prepared prior to building permit approval which would include recommendations for site preparations such as treatment of existing fill and foundation design that would minimize the effects of ground shaking and liquefaction. With adherence to these existing regulatory requirements, the potential impact from groundshaking and liquefaction would be less than significant.
- a.iv) **Less than Significant.** The project site is relatively level, and is not located on or adjacent to a hillside. Improvements resulting from the proposed project would therefore not be affected by potential impacts associated with seismically induced landslides.
- b) **Less than Significant.** Implementation of the proposed project would include earthwork activities such as grading and trenching for utilities. If not conducted appropriately, these activities could potentially expose underlying materials to the effects of erosion. Construction on the 6.2-acre project site would disturb more than one acre of the site and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) requirements under the General Construction Permit which includes erosion control requirements. Erosion control measures during construction could include use of straw bales, storm drain inlet protections, silt fences, and covering excavation stockpiles. Therefore, the contractor would be required to develop and implement best management practices (BMPs) to minimize potential erosion and subsequent sedimentation of stormwater runoff in accordance with the NPDES General Construction Permit requirements that would reduce the potential impact or erosion or loss of topsoil to less than significant.
- c) **Less than Significant.** The Santa Clara Valley, which extends as far north as San Francisco and includes the project site has historically experienced subsidence resulting from excessive withdrawal of groundwater. However, the most dramatic effects were realized well south of the site and stabilization of groundwater pumping rates and a groundwater re-injection program administered by the Santa Clara Valley Water District has halted subsidence in the that area. Operation of the proposed project would not involve the withdrawal of groundwater and there is no physical or historical evidence of subsidence at the project site. The construction of the proposed structures would be designed in accordance to building code requirements, which would include incorporation of site preparation measures to ensure that underlying materials are not subject to substantive settlement. Given, the project characteristics and the building code requirements, potential impacts associated with unstable units would be less than significant.
- d) **Less than Significant.** The presence of expansive soils can only be determined through laboratory analysis of soil samples obtained from the site. The preliminary geotechnical report prepared for the site did not include the collection of any samples nor addressed the susceptibility of the site soils to expansive properties. However, a final design level geotechnical report would be required prior to project approval in accordance with Title 24 (California Building Code) which would include a site-specific analysis of potential expansive properties with recommendations to minimize any potential damage from expansive soils, if present. According to the preliminary geotechnical report, the use of some

- engineered fill is anticipated and the engineered fill would be required to meet geotechnical engineering specifications, which would minimize the potential for expansion. Therefore, with adherence to existing building code requirements and standard geotechnical practices, the potential impact from expansive soils would be less than significant.
- e) **No Impact.** Wastewater from the proposed improvements would be connected to the existing sewer system, which does not require septic or other alternative wastewater disposal; therefore, the project would have no impact related to the support of septic systems.
  - f) **Less than Significant.** ESA reviewed geologic and soil maps of the C-APE to determine the paleontological sensitivity of the C-APE. Through this review, no paleontological resources are known to be at the project site. The project site is underlain by artificial fill which has no paleontological potential. Below the artificial fill are Bay Mud and the Colma Formation, both of which are considered to have low potential for significant vertebrate fossils. Therefore, the C-APE is considered to have a low potential for paleontological resources. The impact related to direct or indirect effects on paleontological resources would be less than significant, and no mitigation would be required.

## References

- Hart, E.W. *Fault-Rupture Hazard Zones in California: Alquist-Priolo Earthquake Fault Zoning Act of 1972 with Index to Earthquake Fault Zones*, California Geological Survey (formerly the California Division of Mines and Geology), Special Publication 42, 1990, Revised and Updated 1997.
- Jennings, C. W., California Geological Survey, Geologic Data Map No. 6, Compilation and Interpretation by: Charles W. Jennings and William A. Bryant, *2010 Fault Activity Map of California and Adjacent Areas*, [www.quake.ca.gov/gmaps/FAM/faultactivitymap.html](http://www.quake.ca.gov/gmaps/FAM/faultactivitymap.html), copyright 2010.
- Rollo & Ridley Geotechnical Engineers & Scientists (Rollo & Ridley), *Preliminary Geotechnical Investigation, SFO @Technology Park Project, 1300 Old Bayshore Highway*, November 14, 2014.
- United States Geological Survey (USGS), *UCERF3: A New Earthquake Forecast for California's Complex Fault System*, USGS Fact Sheet 2015-3009, March 2015.

## Greenhouse Gas Emissions

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>8. GREENHOUSE GAS EMISSIONS —</b><br>Would the project:   |                                       |   |                                     |                          |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

### Setting

Greenhouse gases (GHGs) trap heat by preventing some of the solar radiation that hits the earth from being reflected back into space. Some GHGs occur naturally and are needed to keep the earth's surface habitable. Over the past 100 years, human activities have substantially increased the concentration of GHGs in our atmosphere. This has intensified the natural greenhouse effect, increasing average global temperatures.

Carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O) are the principal GHGs associated with land use projects. CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O occur naturally, and through human activity. Emissions of CO<sub>2</sub> are largely by-products of fossil fuel combustion and CH<sub>4</sub> results from off gassing<sup>20</sup> associated with agricultural practices and landfills.

CO<sub>2</sub> is the reference gas for climate change because it is the predominant GHG emitted. The effect that each of the aforementioned gases can have on global warming is a combination of the mass of their emissions and their global warming potential (GWP). GWP indicates, on a pound-for-pound basis, how much a gas contributes to global warming relative to how much warming would be predicted to be caused by the same mass of CO<sub>2</sub>. CH<sub>4</sub> and N<sub>2</sub>O are substantially more potent GHGs than CO<sub>2</sub>, with 100-year GWPs of 28 and 265 times that of CO<sub>2</sub>, respectively.

In emissions inventories, GHG emissions are typically reported as metric tons of CO<sub>2</sub> equivalents (CO<sub>2</sub>e). CO<sub>2</sub>e are calculated as the product of the mass emitted of a given GHG and its specific GWP. While CH<sub>4</sub> and N<sub>2</sub>O have much higher GWPs than CO<sub>2</sub>, CO<sub>2</sub> is emitted in such vastly higher quantities that it accounts for the majority of GHG emissions in CO<sub>2</sub>e.

### Approach to Analysis

Both the BAAQMD and the California Air Pollution Control Officers Association (CAPCOA) consider GHG impacts to be exclusively cumulative impacts (BAAQMD, 2012; CAPCOA, 2008). Therefore, assessment of significance is based on whether a project's GHG emissions represent a cumulatively considerable contribution to the global atmosphere.

<sup>20</sup> Off-gassing is defined as the release of chemicals under normal conditions of temperature and pressure.

BAAQMD, in its 2009 *Justification Report*, formulated thresholds using AB 32 and California Climate Change Scoping Plan GHG reduction targets (BAAQMD, 2009). The scoping plan included several strategies to reduce GHG emissions statewide. Consequently, a project cannot exceed a numeric BAAQMD threshold without also conflicting with AB 32 and the scoping plans on which it is based. Therefore, if a project exceeds a numeric threshold and results in a significant cumulative impact, it would also result in a significant cumulative impact with respect to plan, policy, or regulation consistency, even though the project may incorporate measures and have features that would reduce its contribution to cumulative GHG emissions.

BAAQMD has established no construction-related emission thresholds. BAAQMD has developed two thresholds of significance for operational emissions, the first for permitted stationary sources (typically defined as sources that require air permits) of 10,000 metric tons per year and the second for land use development projects (such as residential and commercial development projects). BAAQMD developed the “bright-line” screening threshold for land use development projects of 1,100 metric tons per year of CO<sub>2</sub>e. GHG emissions above this level may be considered significant. If the project operational GHG emissions would exceed the 1,100 metric tons per year screening threshold then, consistent with BAAQMD Guidelines, it may be considered to have a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact on climate change and either a more refined efficiency-based analysis would be required to further determine significance or mitigation measures would need to be identified sufficient to reduce emissions below the screening threshold. As stated in BAAQMD’s 2017 *Air Quality CEQA Guidelines*, if the implementation of a proposed project or required mitigation measures would reduce operational-related GHGs to a level below either the 1,100 MT CO<sub>2</sub>e per year or 4.6 MT CO<sub>2</sub>e per service population per year threshold of significance, the impact would be reduced to a less than significant level.

Burlingame developed a climate action plan in 2009 (*City of Burlingame Climate Action Plan*) that contains measures to reduce GHG emissions.<sup>21</sup> The 2009 *City of Burlingame Climate Action Plan* includes an estimate of community-wide GHG emissions of 336,944 metric tons of CO<sub>2</sub>e in the base year of 2005. In addition, the Climate Action Plan includes the goal of reducing GHG emissions in the City by 15 percent below this 2005 baseline by 2020, and 80 percent reduction by 2050. Implementation actions for reducing GHGs are in the sectors of Energy Efficiency and Green Building, Transportation and Land Use, Waste Reduction and Recycling, Education and Promotion, and Municipal Operations. The plan’s measures were developed to ensure that Burlingame’s GHG emissions would not conflict with AB 32 or CARB’s Scoping Plans (CARB, 2008; CARB, 2014). If the project conflicts with any of the 21 measures, it would result in a significant cumulative GHG impact.

<sup>21</sup> The City of Burlingame adopted a new Climate Action in August 2019 (*City of Burlingame 2030 Climate Action Plan Update*). However, the proposed project is being considered under the prior (2009) Climate Action Plan, consistent with when the project application was submitted.

a) **Less than Significant.**

**Construction**

Emissions from construction occur for a relatively short period of time, while GHG emissions are of long-term concern. Inasmuch as the BAAQMD has no significance criterion for construction-related emissions of GHGs, this analysis conservatively amortizes construction-period emissions over an assumed 40-year lifespan for the building. This both ensures that construction emissions are captured and results in a conservative evaluation of GHG construction emissions.

Construction of the proposed project would generate GHG emissions from a variety of sources, including off-road construction equipment and on-road worker, vendor, and hauling vehicles. Emissions from all of the construction emission sources were estimated using the CalEEMod emission estimator model version 2016.3.2. Peak construction-related GHG emissions would occur in 2018 and would total 579 metric tons of CO<sub>2</sub>e. These emissions are factored into the operational emissions discussed in the next section.

**Operation**

**Table 2.8-1** summarizes the GHG emissions that would result from operation of uses under the proposed project with consideration of the reduction of GHG emissions associated with existing uses on the project site that would be removed. The table includes those emission sources that are included in the BAAQMD 2017 *CEQA Air Quality Guidelines*, such as area sources, transportation, operational electricity consumption, solid waste disposal, operational fugitive emissions, water usage and wastewater generation; as noted previously, the table also includes amortized construction-period emissions. Emissions from the proposed backup diesel generator are evaluated separately since it would be considered a stationary source subject to a BAAQMD permit and subject to a separate significance threshold.

As can be seen from the table, non-stationary source emissions of GHGs would exceed the BAAQMD screening threshold for non-permitted sources but would be below the BAAQMD efficiency threshold of 4.6 metric tons per year of CO<sub>2</sub>e per service population published in its 2017 *CEQA Air Quality Guidelines*. Additionally, GHG emissions from the proposed back-up diesel generator would be well below the BAAQMD's significance threshold for permitted stationary sources. Consequently, the proposed project would have a less than significant impact with respect to generation of GHG emissions that may have a significant impact on the environment.

b) **Less than Significant.** As discussed previously, Burlingame has adopted a Climate Action Plan that identifies a number of measures for the City to undertake to ensure compliance with the GHG reduction mandates of AB32. A majority of these measures direct the City to take various actions or encourage specific actions.

**TABLE 2.8-1  
OPERATIONAL GHG EMISSIONS (METRIC TONS PER YEAR)**

| Emission Source                              | Total Emissions (MT/Year) |                 |                  |                         |
|--|---------------------------|-----------------|------------------|-------------------------|
|  | CO <sub>2</sub>           | CH <sub>4</sub> | N <sub>2</sub> O | Total CO <sub>2</sub> e |
| Area Sources                                 | <0.1                      | <0.1            | <0.1             | <0.1                    |
| Energy Sources                               | 1,777                     | 0.07            | 0.02             | 1,784                   |
| Existing Energy Sources                      | -1,038                    | -0.04           | -0.01            | -1,043                  |
| Mobile Sources (net increase)                | 2,168                     | 0.08            | <0.1             | 2,170                   |
| Solid Waste                                  | 49.2                      | 2.91            | 0                | 122                     |
| Existing Solid Waste                         | -84.1                     | -4.97           | 0                | -208                    |
| Water and Wastewater                         | 116                       | 1.53            | <1               | 165                     |
| Existing Water and Wastewater                | -60.7                     | -0.85           | -0.02            | -88.1                   |
| Construction (amortized over 40 years)       |                           |                 |                  | 14                      |
| <b>Total</b>                                 | <b>2,926</b>              | <b>-1.27</b>    | <b>&lt;1</b>     | <b>2,924</b>            |
| Project-level Screening Threshold            |                           |                 |                  | 1,100                   |
| <b>Exceeds Screening Threshold?</b>          |                           |                 |                  | <b>Yes</b>              |
| <b>Service Population (Employees)</b>        |                           |                 |                  | <b>839</b>              |
| <b>Emissions per Service Population</b>      |                           |                 |                  | <b>3.5</b>              |
| <b>Service Population Threshold</b>          |                           |                 |                  | <b>4.6</b>              |
| <b>Exceeds Service Population Threshold?</b> |                           |                 |                  | <b>No</b>               |
| <b>Back-up Diesel Generator</b>              | <b>7.7</b>                | <b>&lt;1</b>    | <b>&lt;1</b>     | <b>7.7</b>              |
| BAAQMD Stationary Source Threshold           |                           |                 |                  | 10,000                  |
| <b>Exceeds Significance Threshold?</b>       |                           |                 |                  | <b>No</b>               |

NOTE: Columns may not total precisely due to rounding. Mobile source emissions reflect net increase in vehicle trips in consideration of existing uses. Existing Energy use reflects 2008 Title 24 energy demand while new uses reflect 2016 Title 24 demand.

SOURCE: ESA, 2016 (Appendix AQ)

As discussed in (a), the proposed project's GHG emissions would be below significant thresholds that were developed to ensure compliance with the GHG reduction mandates of AB32. As described in the Project Description, the proposed project would implement natural stormwater detention features such as bioretention areas; and incorporate photovoltaic panels in the exterior building design. These features would be consistent with the City's Climate Action Plan program and policies to conserve water, and promote solar energy generation for commercial uses.

The project would not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. This would be a less than significant impact.

## References

Bay Area Air Quality Management District (BAAQMD), *Revised Draft Options and Justification Report California Environmental Quality Act Thresholds of Significance*, October 2009.

BAAQMD, *BAAQMD CEQA Guidelines, California Environmental Quality Act Air Quality Guidelines*, [www.baaqmd.gov/pln/ceqa/ceqa\\_guide.pdf](http://www.baaqmd.gov/pln/ceqa/ceqa_guide.pdf), May 2012,

California Air Pollution Control Officers Association (CAPCOA), *CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from projects Subject to the California Environmental Quality Act*, January 2008.

California Air Resources Board (CARB), *Climate Change Scoping Plan*, 2008.

CARB, *First Update to the Climate Change Scoping Plan*, 2014.

City of Burlingame, *City of Burlingame Climate Action Plan*, June 2009.

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## Hazards and Hazardous Materials

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|---|---|---|---|--------------------------|
| <b>9. HAZARDS AND HAZARDOUS MATERIALS —</b><br>Would the project:   |   |   |   |                          |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| 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 airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

## Discussion

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. The identified significance criteria related to locating development on a site which is included on a list of hazardous materials sites; projects within an airport land use plan or in the vicinity of a private airstrip; locating development and population in a wildland fire risk area, are valid only to extent that the project would significantly exacerbate those risks. Nonetheless, all potential applicable project impacts associated with hazards and hazardous materials, and applicable regulatory mechanisms that address these effects, are disclosed in this section, for informational purposes.

- a, d) **Less than Significant.** The construction of the proposed project would require heavy equipment for demolition and grading activities as well as the routine use of other common hazardous materials including fuels, oils, solvents, glues and others. If not managed

appropriately, construction activities could potentially expose construction workers or the environment to hazardous materials through inappropriate use, storage, handling, or disposal. However, current industry practices and construction BMPs that would be required under the NPDES General Construction Permit (see further discussion in Section 10, *Hydrology and Water Quality*) would include protection measures (e.g., dedicated areas for storage of hazardous materials and conformance with manufacturers handling recommendations) to minimize exposure to any hazardous materials used during construction making potential impacts less than significant.

Prior to commencement of construction of the proposed improvements, demolition of existing structures on the project site could expose construction workers, the public, or the environment to hazardous building materials such as lead-based paint, asbestos, and polychlorinated biphenyls (PCBs). The level of potential impact is dependent upon the age, construction, and building materials of each building. Based on the age of the existing structures which date from 1954 through the 1960s, any of these hazardous building materials could be present at the project site.

Demolition would be subject to the California Division of Occupational Safety and Health (Cal-OSHA) Lead in Construction Standard (8 CCR Section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal-OSHA would require 24-hour notification if more than 100 square feet of materials containing lead would be disturbed.

If present, asbestos containing materials (ACMs) would need appropriate abatement of identified asbestos prior to demolition. ACMs are regulated both as a hazardous air pollutant under the Clean Air Act and as a potential worker safety hazard under the authority of Cal-OSHA. Potential exposure to these hazardous building materials can be reduced through appropriate abatement measures as required by state and federal regulations including Section 19827.5 of the California Health and Safety Code, Bay Area Air Quality Management District Regulation 11, Rule 2, California Code of Regulations Title 8 Sections 1529 and 341.6, and OSHA worker safety requirements for all demolition or renovation activities.

Fluorescent lighting ballasts manufactured prior to 1978, and electrical transformers, capacitors, and generators manufactured prior to 1977, may contain PCBs. In accordance with the Toxic Substances Control Act and other federal and state regulations, the applicant would be required to properly handle and dispose of electrical equipment and lighting ballasts that contain PCBs, reducing potential impacts to a less than significant level.

Exposure to hazardous materials during construction can also occur through encountering potential subsurface contamination from legacy contaminants that may have been released during previous site uses. A Phase I environmental site assessment was conducted for the

project site in 2007 and found that there was no evidence to suggest the presence of recognized environmental conditions at the site (PIERS, 2007). While there were underground storage tanks (USTs) on record at the project site associated with the 1288 and 1298 Bayshore Highway addresses, all of the USTs were removed and the San Mateo County Environmental Health Department issued letters indicating that no further action was required (PIERS, 2007). A more recent review of available environmental databases, the California Department of Toxic Substances Control EnviroStor database and the State Water Resources Control Board's Geotracker database, revealed that the project site nor anything in the immediate vicinity has had a known release (DTSC, 2019 and SWRCB, 2019). As such, the likelihood of encountering legacy contaminants is low.

Once constructed, the operation of the proposed improvements could result in an incremental increase in the amount of hazardous materials use, storage, and disposal largely associated with building maintenance activities. The proposed land uses at the project site would not involve substantive quantities of hazardous materials but have the potential to increase the amount of hazardous materials over current practices. However, local, state and federal regulatory requirements including Fire Code requirements would ensure that any hazardous materials stored onsite be managed through the preparation and implementation of a Hazardous Materials Business Plan. Consequently, any additional cleaning products, paints, lubricants, and or other hazardous materials associated with maintenance and operation activities would be handled, stored, and disposed of in accordance with local, state, and federal requirements.

Therefore, with adherence to existing regulatory requirements associated with the routine transport, use, and disposal of hazardous materials would reduce potential construction and operational impacts to less than significant levels.

- b) **Less than Significant.** Construction activities could involve minor quantities of paints, solvents, oil and grease, and petroleum hydrocarbons as also discussed in Section 10 *Hydrology and Water Quality*. Compliance with hazardous materials BMPs, as identified in a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES General Construction Activities permit would reduce potential impacts from spills or leaks associated with construction hazardous materials to a less-than-significant level (see additional discussion under Section 10, *Hydrology and Water Quality*). Following construction, no substantial quantities of hazardous materials storage, use, or disposal would be associated with the proposed project and any minor quantities of hazardous materials would be managed through a Hazardous Materials Business Plan. Therefore, potential impacts from upset or accidental releases during or after project construction would be considered less than significant.
- c) **Less than Significant.** There are no schools located within a quarter mile of the project site. The closest public school to the project site is Lincoln Elementary School which is approximately 0.87 miles southwest of the site. Regardless, the proposed project would not emit any substantive quantities of hazardous emissions or handle acutely hazardous materials, substances, or waste in substantive quantities that would likely adversely affect

future students, employees, or visitors. Therefore, there would be a less than significant impact related to this criterion.

- e) **Less than Significant.** The project site is located approximately 0.3 miles southeast of the SFO property boundary, and just under one mile from the nearest active runway and approach of SFO.

In San Mateo County, the City/County Association of Governments of San Mateo (C/CAG) is the designated Airports Land Use Commission. The commission develops and implements the *San Mateo County Comprehensive Airport Land Use Plan for the Environs of San Francisco International Airport* (CLUP). The CLUP establishes the procedures that the commission uses in reviewing proposed local agency actions that affect land use decisions near San Mateo County's airports. Airport planning boundaries define where height, noise, and safety standards, policies, and criteria are applied to certain proposed land use policy actions.

The project site is within the CLUP Airport Influence Area B. As a result, the proposed plans are required to be submitted to the commission prior to approval of a building permit. The City will require that the maximum building heights including associated roof structures proposed under the project be consistent with the height limitations defined by the Federal Aviation Administration's (FAA) FAR Part 77. Prior to issuance of any demolition or construction permits, the City would require the project applicant provide appropriate notification to the FAA via FAA Form 7460-1. Therefore, considering the proposed project plans and the existing regulatory requirements that would ensure that safety compatibility requirements are met consistent with the current airport land use plan, the potential impacts related to airport land use plans and potential safety hazards would be less than significant.

As discussed in more detail under Section 13, *Noise*, the project site is located outside the 65 CNEL noise contour for both existing and future SFO airport operations and therefore, the project would not result in excessive noise for future employees at the project site.

- f) **Less than Significant.** The project would redevelop the site and result in increased usage with a greater number of employees and visitors to the site. However, the project would not involve the temporary or permanent closure of roads, and would not otherwise interfere with emergency response or evacuation plans including the San Mateo County Emergency Operations Plan. All proposed development would be designed in accordance with California Fire Code requirements which include egress and emergency response design measures. Therefore, with adherence to existing building and Fire Code requirements, the potential impact related to evacuation and emergency plans would be less than significant.
- g) **Less than Significant.** The project site is located in a developed urban setting. The site is not located in a designated wildland area and there is sparse vegetation in the area. The risk of increased fire hazards from implementation of the proposed improvements at the project site is considered less than significant.

## References

City/County Association of Governments of San Mateo County (C/CAG), *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*, November 2012.

State Water Resources Control Board (SWRCB), *Geotracker Database*, [geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1300+Old+Bayshore+Bldv.%2C+Burlingame+CA](http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1300+Old+Bayshore+Bldv.%2C+Burlingame+CA), accessed October 16, 2019.

Department of Toxic Substances Control (DTSC), EnviroStor Database, [www.envirostor.dtsc.ca.gov/public/mapfull.asp?global\\_id=&x=-119&y=37&zl=18&ms=640,480&mt=m&findaddress=True&city=1300%20Old%20Bayshore%20Bldv,%20Burlingame%20CA&zip=&county=&federal\\_superfund=true&state\\_response=true&voluntary\\_cleanup=true&school\\_cleanup=true&ca\\_site=true&tiered\\_permit=true&evaluation=true&military\\_evaluation=true&school\\_investigation=true&operating=true&post\\_closure=true&non\\_operating=true](http://www.envirostor.dtsc.ca.gov/public/mapfull.asp?global_id=&x=-119&y=37&zl=18&ms=640,480&mt=m&findaddress=True&city=1300%20Old%20Bayshore%20Bldv,%20Burlingame%20CA&zip=&county=&federal_superfund=true&state_response=true&voluntary_cleanup=true&school_cleanup=true&ca_site=true&tiered_permit=true&evaluation=true&military_evaluation=true&school_investigation=true&operating=true&post_closure=true&non_operating=true), accessed October 16, 2019.

PIERS Environmental Services, Incorporated (PIERS), *Phase I Environmental Site Assessment Report for 1288-1340 Bayshore Highway Burlingame, California*, October 2007.

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## Hydrology and Water Quality

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>10. HYDROLOGY AND WATER QUALITY —</b><br>Would the project:   |                                       |   |                                     |                          |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: |                                       |   |                                     |                          |
| i) result in substantial erosion or siltation on- or off-site;   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                             | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) impede or redirect flood flows?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. Accordingly, the identified significance criteria related to placement of structures within a flood hazard area, or exposure of people or structures to risks from failure of levee or dam, are valid only to the extent that the project would significantly exacerbate the potential for flooding or for failure of a levee or dam. Nonetheless, potential flooding hazards, and applicable regulatory mechanisms that address these effects, are disclosed in this section, for informational purposes.

- a) **Less than Significant.** The project site is currently developed and almost entirely covered in impervious surfaces. Construction of the project would require disturbance of more than one acre and thus would be required to apply for coverage under the State General Construction Permit to comply with Federal NPDES regulations. To comply with the

permit, the project applicant would be required to develop and submit a site-specific SWPPP. The SWPPP would include a description of appropriate BMPs that are proven effective in minimizing the discharge of pollutants from the construction site. Construction contractors are responsible for implementation of the SWPPP, which includes maintenance, inspection, and repair of erosion and sediment control measures and water quality BMPs throughout the construction period; and they are also responsible for the maintenance of all protective devices to ensure they remain in good and effective condition.

Implementation of the project would result in a total pervious area of 2.67 acres, not including the 0.52 acres of pervious area within the Easton Creek drainage channel. As a result, the proposed project would have a net decrease in impervious surfaces compared to existing conditions and there would be a resultant reduction in the amount of stormwater runoff discharged from the site. The City of Burlingame is a co-permittee agency listed in the Municipal Regional NPDES Stormwater Permit (MRP). Co-permittees are required to reduce pollutants that are discharged into receiving waters by implementing stormwater management programs to minimize the potential for new development to discharge stormwater pollutants. The City also coordinates with the San Mateo Countywide Clean Water Pollution Prevention Program (SMCWPPP) to coordinate compliance with the MRP.

In addition, the proposed project would disturb more than 10,000 square feet and therefore would be required to comply with NPDES C.3 stormwater control requirements. Site design measures that would be required include source controls, stormwater treatment features, and low impact development (LID) techniques. LID features reduce water quality impacts by incorporating natural landscape features into stormwater management as well as other features that allow for onsite infiltration of stormwater runoff. Aside from project stormwater flows, operation of the proposed project would not result in any other discharges of water.

Therefore, the proposed project would be required to comply with stormwater quality protection requirements for both construction and operational phases of the project. As a result, with adherence to these regulatory requirements combined with the reduction in impervious surfaces at the site, the potential water quality impacts associated with the proposed improvements would be considered less than significant.

- b, e) **Less than Significant.** The project would not involve groundwater extraction, nor the alteration of a stream or river. The proposed improvements would increase the amount of pervious surfaces, and thus potentially increase the amount of infiltration at the site. In addition, adherence to stormwater requirements would include design measures to maximize infiltration onsite. Therefore, the proposed project would not lower the groundwater table as a result of groundwater extraction or substantively reduce groundwater recharge such that the project may impede sustainable groundwater management of the basin. Accordingly, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Consequently, the potential impact is considered less than significant.



- c.i-ii) **Less than Significant.** The proposed project would not alter any stream or river but would alter the existing drainage patterns through redevelopment of the site. As mentioned previously, the proposed project would increase the amount of pervious surfaces at the site compared to existing conditions and would be required to adhere to drainage control requirements that address management of both water quality and quantity. These requirements would ensure that project design plans include stormwater drainage features that maximize onsite infiltration, minimize the potential of erosion, and meet peak storm flow thresholds. The project site is also located adjacent to the Bay where there is no threat of causing downstream flooding. Regardless, implementation of all applicable drainage improvement requirements in accordance with the NPDES MRP, SMCWPPP, and the City's drainage control requirements, would make the potential impact of altered drainage causing sedimentation or offsite or onsite flooding less than significant.

As discussed under the *Project Description*, the City anticipates that during construction, dredging of accumulated sediment within Easton Creek channel on the project site, along the section between the culvert and the shoreline. This would serve to improve flow within Easton Creek channel. Please see also Section 4, *Biological Resources*.

- c.iii) **Less than Significant.** As noted, the proposed project would increase the amount of pervious surfaces at the site. In addition, with implementation of LID features and compliance with the NPDES MRP, the amount of stormwater runoff discharged from the site would be reduced from current conditions. Therefore, potential impacts related to drainage system capacities and additional sources of polluted runoff would be less than significant.
- c.iv) **Less than Significant.** FEMA revised its Flood Insurance Rate Map (FIRM) for the City of Burlingame in April 2019 (FEMA 2019a,b). The majority of the project site is currently located outside the 100-year flood zone designated by FEMA. However, portions of the site along the Easton Creek channel and an area in the northeast corner of the project site are mapped within the 100-year flood zone with a base flood elevation of 10 feet NAVD 88 (FEMA, 2012). The project would provide for finished floor elevations of approximately 11.5 feet NAVD 88,<sup>22</sup> which is approximately 1.5 feet above the base flood elevation in both the adopted and the draft updated flood maps. In any case, the project would not substantially alter the existing drainage pattern of the site or area that would impede or redirect flood flows, and consequently, this impact would be less than significant.

Future sea level rise is likely to affect the extent and depth of current flood zones for the Burlingame bayshore, including the project site, and will increase the frequency of inundation at the site. It should be noted the City of Burlingame adopted its current General Plan in January 2019.<sup>23</sup> The newly adopted General Plan includes a new Community Safety Element, which addresses the topic of sea level rise. The newly adopted General Plan indicates that based on the best available data and a baseline year of 2016, the City can

<sup>22</sup> North American Vertical Datum of 1988.

<sup>23</sup> The proposed project is being considered under the prior General Plan, consistent with when the project application was submitted. However, information from the newly adopted General Plan is also presented herein for informational purposes.

anticipate 10 to 17 inches of sea level rise by the year 2050 and 17 to 32 inches by 2070. The newly adopted General Plan estimates that under a 3-foot sea level rise scenario, the project site and adjacent land would not be inundated, but under a 6-foot sea level rise scenario, the project site and much of the City's shoreline would be inundated. The newly adopted General Plan also includes proposed goals and policies to protect vulnerable areas and infrastructure from flooding related to rising sea levels in the bay. This includes requiring appropriate setback and building elevation for properties located along the bayshore that are susceptible to the effects of sea level rise; and considering strategies to support resiliency through design. The City has also initiated preparation of a sea level rise adaptation assessment, and will be working with stakeholders along Bayshore Boulevard to identify sea level rise adaptation concepts to reduce vulnerability and flood risk in the area.

The *County of San Mateo Sea Level Rise Vulnerability Assessment* published in March 2018 indicates that under its mid-level sea level rise scenario (100-year flood plus 3.3 feet of sea level rise<sup>24</sup>), the project site and much of the shoreline areas of the City would be inundated, and the City's flooding and stormwater infrastructure (e.g., levees, floodwalls, other built shorelines) and other City facilities would be vulnerable. The vulnerability assessment indicates the need for impacts of sea level rise to be addressed through a combination of approaches, including large-scale shoreline protection strategies, in addition to site-specific adaptations and land use policies. When considering the combination of sea level rise plus a 100-year flood, and other potential factors such as storm surge and extreme precipitation events, water surface elevations in San Francisco Bay or in Easton Creek would rise more than estimated based on sea level rise alone, and could flood adjacent land more frequently.

Depending on future conditions, the project sponsor and/or subsequent project owner could undertake a Sea Level Rise Adaptation Program, and/or participate in the City's and County's sea level rise adaptation process. An adaptive management approach recognizes that large amounts of sea level rise may take decades to occur, and retains flexibility of response to changing conditions. Under this program, an initial adaptive management plan would be prepared by a qualified expert in the management of flood risks associated with sea level rise and submitted to the City and its floodplain administrator for review. The plan would be regularly updated (e.g., every ten years) thereafter as new information is available and conditions change. Such a program could include strategies such as:

- A monitoring and reporting program, including:
  - review of up-to-date estimates of local sea level rise and available data and studies from other shoreline sites in Burlingame, as well as neighboring/regional jurisdictions to estimate the actual increase in sea level at the site;
  - a review of federal, state, local and regional laws, regulations, guidance, and adaptation plans that address sea level rise;

<sup>24</sup> The mid-level scenario use of 3.3 feet of sea level rise is comparable to the National Research Council's "likely" 2100 sea level rise scenario of 36 inches.

- report that addresses any difference in sea level rise estimates at the site since the previous 10-year report; and how the project complies with any new applicable statutory or regulatory requirements; and
  - A discussion of the monitoring triggers that will be used to determine the installation schedule for any adaptive flood risk management measures that will be required to reduce flood risk associated with a rise in sea level;
  - An adaptive flood risk management strategy to address flood impacts associated with a rise in sea level, including:
    - an analysis of adaptive measures that would substantially reduce human health and safety impacts as well as property loss and damage related to flooding and an increase in sea level rise;
    - formulation of a cost-effective strategy that reflects best practice in reducing flood risk and adapting to sea level rise;
    - an estimate of the costs and timeframes involved in implementing the adaptive measures strategy; and
  - A financing strategy that generate sufficient resources to cover the costs of program implementation.
- d) **Less than Significant.** The project site is located on the shoreline of the Bay which could be susceptible to tsunami or seiche wave hazards. Tsunami waves are a series of large waves created by an underwater disturbance such as an earthquake, landslide, volcanic eruption, or meteorite. A tsunami can move hundreds of miles per hour in the open ocean and reach land with waves as high as 100 feet or more. Given the project site's location adjacent to the Bay shoreline, the potential for inundation due to tsunami exists. However, as the site is located on the eastern shore of the peninsula, it would be largely protected from tsunamis that are more likely to affect the Oceanside of the peninsula. Tsunami waves can enter into the Bay but would naturally attenuate as they pass through the Golden Gate. According to mapping compiled by the California Emergency Management Agency, the project site is outside of any tsunami inundation areas (Cal EMA, 2009).

A seiche wave is a standing wave in an enclosed or partly enclosed body of water. Seiches are normally caused by an earthquake or high wind activity and can affect harbors, bays, lakes, rivers and canals. However, there is no record of any seiche waves in the San Francisco Bay and the relatively shallow depths of the Bay in the vicinity of the project site make the potential for substantive damage from seiche waves low. As a result, the potential impact of seiche waves would be considered less than significant.

Therefore, the potential impact of risk release of pollutants due to inundation from seiche and tsunamis would be less than significant.

As discussed previously, in the future, sea level rise could affect the susceptibility of the project site to inundation, however as stated previously, the raising of the existing grade under the proposed project would help to counterbalance the future effects of sea level rise. As a

result, it is likely that the potential impacts of risk release of pollutants due to inundation from flooding would also be less than significant.

## References

City of Burlingame, *Burlingame General Plan*, prepared by MIG, adopted January 7, 2019. County of San Mateo, Office of Sustainability, *County of San Mateo Sea Level Rise Vulnerability Assessment*, March, 2018.

California Emergency Management Agency (Cal EMA), *Tsunami Inundation Map for Emergency Planning San Mateo Quadrangle*, June 15, 2009.

Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map, version 2.3.2.0, map number 06081C0151F, April 5, 2019a.

Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map, version 2.3.2.0, map number 06081C0153F, April 5, 2019b.

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## Land Use and Planning

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>11. LAND USE AND PLANNING —</b> Would the project:  |                                       |   |                                     |                          |
| a) Physically divide an established community?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

- a) **Less than Significant.** During construction, the site would be fenced off, and the sidewalk along Old Bayshore Highway adjacent to the project may be temporarily closed. Construction would also be required within Old Bayshore Highway to accommodate certain utility connections. Since any potential closure to the vehicular travel way and/or sidewalk would be temporary, and alternate routes would be provided as needed, project construction would not physically divide the surrounding established community.

Following construction, the project would not include any physical barriers or obstacles to circulation that would restrict existing patterns of movement between the project site and the adjacent neighborhood. The proposed project would be built out within the confines of the merged parcel, and it would not impede movement across public rights-of-way. Furthermore, as discussed in the *Project Description*, as part of the project, the project would include a number of features designed to encourage and promote public access and circulation on the project site and in the project vicinity. This would include the proposed extension of the Bay Trail through the project site, and potential pedestrian access across the Easton Creek channel. Therefore, the operation of the proposed project would not physically divide the surrounding established community.

- b) **Less than Significant.**

### City of Burlingame

***Burlingame Bayfront Specific Plan.*** The project is within the boundaries of the Burlingame Bayfront Specific Plan. The Burlingame Bayfront Specific Plan is an amendment to the land use element of the General Plan and provides specific land use direction for this area. The project is subject to the goals and development policies, design guidelines, and community standards implemented under this Bayfront Specific Plan. The project site is located within the “Shoreline” subarea of the Burlingame Bayfront Specific Plan, and the designated land uses for this subarea are hotel, office and destination restaurants. The Burlingame Bayfront Specific Plan also identifies the majority of the project site as having characteristics for a potential retail node. The proposed office, restaurant and retail uses would be consistent with those land uses envisioned for the project site under the “Shoreline Waterfront Commercial” land use designation. The project site would, on balance, also be generally consistent with applicable Burlingame Bayfront Specific Plan goals and development policies, including the following policies:

- A-4. Given the proximity to San Francisco Bay and the history of fill and development of Burlingame's bayfront, the area should be tied together by the Bay Trail system and focal points of active and passive recreation and open space.
- B-1. New development should be designed to respect the unique environmental characteristics of the Bayfront Area including wind, noise and public safety.
- B-3. Especially in the areas with water frontage, promote development which is compatible with the existing environmental constraints in the area; discourage uses in the area where the existing environmental influences will affect the economic viability of the use or have a negative impact on the local recreation, visitor-oriented and employee center uses.
- C-3. Require all private property owners with parcels fronting on shoreline subject to tidal action to develop and maintain shoreline access and trails which will create a uniform and continuous recreational opportunity suitable for a variety of recreational uses and access along the entire shoreline.
- E-10. Development should occur within the capacity of the city's water and sewer infrastructure and within Burlingame's water allocation from the San Francisco Public Utility System's Hetch Hetchy Water System.
- G-2. Shoreline Area: Better relate development to both the street and to the Bay to provide view corridors from and across Bayshore Highway and create gateways at key locations.

Please refer to specific environmental analyses in Section 1, *Aesthetics*; Section 13, *Noise*; Section 16, *Recreation*; Section 18, *Utilities and Service Systems*, and informational discussion of *Wind* in this Initial Study, that determine that project effects to aesthetics, noise, public safety, recreation (including noise), utilities and wind would be less than significant. Please note that the ultimate determination of the project's consistency with the Burlingame Bayfront Specific Plan will be made by the Planning Commission.

Several of the Burlingame Bayfront Specific Plan design guideline requirements for development within the Shoreline Area have been codified in the Burlingame zoning regulations; please see discussion of applicable zoning requirements in the next section.

***Burlingame Zoning Regulations.*** The project site is zoned Shoreline (SL). The City identifies the SL zoning's purpose, among other factors, to promote development of buildings and structures that will benefit from their proximity to the open water areas of the Bay and will support and be beneficial to the public access and use of the Bay; and ensure that new development can be supported by the local roadway system and other public infrastructure. Permitted uses within the SL zoned area include, but are not limited to, offices and restaurants, and conditionally permitted uses include, but are not limited to, retail.

**Table 2.11-1** summarizes relevant use, setback, envelope, parking and landscaping characteristics of the project compared to that allowed under the City zoning code. As shown in **Table 2.11-1**, under the SL zoning, the proposed office and restaurant uses would be permitted uses, and the proposed retail use would be a conditionally permitted use; and each land use would be within the corresponding allowed floor to area ratios (FARs) for

each use type. The proposed project would also generally be in compliance with minimum building setback requirements under City zoning.

**TABLE 2.11-1  
BUILDING SUMMARY PROPOSED COMPARED TO THAT ALLOWED UNDER ZONING CODE**

| Description                                 | Proposed                                   | Allowed  |
|---|--|--|
| <b>Uses</b>                                 |  |  |
| Office                                      | 0.89 FAR                                   | Permitted Use<br>0.90 FAR  |
| Restaurant                                  | 0.04 FAR                                   | Permitted Use<br>0.15 FAR  |
| Retail                                      | 0.03 FAR <sup>a</sup>                      | Conditionally Permitted Use<br>0.50 FAR  |
| <b>Setbacks</b>                             |  |  |
| Front                                       | 14' <sup>b</sup>                           | 10'-0" – 15'-0"<br>minimum 55% between 10'-15'<br>(675' frontage x 55%=371')<br>minimum 40% bldg. @ 10'<br>(675' frontage x 40% =270'-0")                        |
| Side (left)<br>(right)                      | 40'<br>22'                                 | 10' minimum<br>10' minimum   |
| Rear  | 66'  | 10' minimum  |
| From shoreline (as defined by BCDC)         | Complies                                   | Average of 75' between structure and shoreline   |
| From shoreline (greater than 40' or taller) | Complies                                   | Equal to or greater than height of the buildings   |
| <b>Building Envelope</b>                    |  |  |
| Lot Coverage                                | 34.2%                                      | 35% maximum  |
| Building Heights                            | 99' <sup>c</sup>                           | 65' or five stories, whichever is less   |
| Building Width                              | 668' (88.8%) along Old Bayshore Highway    | 50% of Old Bayshore Highway lot frontage = 376'-1"   |
| View Corridor                               | 347.95' (46.25%) Building Width            | 50% View Corridor (376'-1")<br>Maximum Structure Width (376'-1")   |
| <b>Parking</b>                              |  |  |
| Number of Parking Spaces                    | 919 <sup>e,f</sup> (plus 31 shared spaces) | Office: 1 space per 300 sf<br>Restaurant: 1 space/100 sf (customer parking) + 1 space/1,000 sf (employees)<br><u>Retail: 1 space/400 sf</u><br>Total: 949 spaces |
| <b>Landscaping</b>                          |  |  |
| Site Landscaping                            | 47%  | 15% of Site area   |
| Front Landscaping                           | 90%  | 60%  |

## NOTES:

<sup>a</sup> Conditional Use Permit requested to allow retail space.

<sup>b</sup> Variance required to allow greater building setback in the front.

<sup>c</sup> Conditional Use Permit requested for two structures over 65 feet in height.

<sup>d</sup> Conditional Use Permit requested for building width.

<sup>e</sup> Parking Variance for number of parking spaces, and parking aisle dimensions to allow tandem parking spaces.

<sup>f</sup> Variance is requested to allowing parking in the front setback area.



The project would require Conditional Use Permits for proposed Buildings A and B heights exceeding 65 feet (or five stories), and for the proposed building width exceeding 50 percent of the Old Bayshore Highway frontage. The project would also require a parking variance for the proposed number of parking spaces and parking aisle dimensions. With the provisions of the Conditional Use Permits and the parking variance, the proposed project would be consistent with the Zoning Code. It is the discretion of the Planning Commission to approve the Conditional Use Permits and Parking Variance.

## **BCDC**

***BCDC Bay Plan; and Shoreline Spaces: Public Access Design Guidelines for Public Access for the San Francisco Bay.*** BCDC has jurisdictional authority over the Bay, the 100-foot-wide shoreline band surrounding the Bay and certain waterways as defined in the San Francisco Bay Plan (Bay Plan), including the Easton Creek channel. BCDC has permitting authority for development within the 100-foot shoreline band and is also responsible for issuing Bay filling and dredging permits. In the project site vicinity, the Bay Plan identifies the shoreline as a tidal marsh.

The main objectives of the Bay Plan are to 1) protect the Bay as a great natural resource for the benefit of future generations, and 2) develop the Bay and its shoreline to their highest potential with a minimum of Bay filling. The Bay Plan also includes policies to guide development of the Bay and shoreline that are applicable to the proposed project with regard to shoreline protection; recreation; public access; scenic views, and managed wetlands.

The BCDC *Shoreline Spaces: Public Access Design Guidelines for the San Francisco Bay* (Public Access Design Guidelines) is a design resource for development projects along the Bay shoreline. The Public Access Design Guidelines contain seven objectives to achieve BCDC's goal of providing maximum feasible public access: 1) make public access public; 2) make public access usable; 3) provide, maintain, and enhance visual access to the Bay and shoreline; 4) maintain and enhance the visual quality of the Bay, shoreline, and adjacent developments; 5) provide connections and continuity along the shoreline; 6) take advantage of the Bay setting; and 7) ensure that public access is compatible with wildlife through siting, design, and management strategies. The Public Access Design Guidelines also contain an advisory set of site-specific design principles for public access improvements, including, but not limited to, stormwater management, avoiding adverse effects on wildlife, and shoreline edge treatments and planting.

The proposed project would be generally consistent with the BCDC Bay Plan and Public Access Design Guidelines objectives and policies by encouraging recreational facilities along the Bay, including the proposed extension of the Bay Trail through the property; providing greater public access to the Bay and a variety of on-site public amenities (e.g., pedestrian and bicycle paths, dedicated vehicle parking (seven spaces) for Bay Trail use, bike racks, seating/gathering areas); designing structures to minimize the visual impact on the Bay and shoreline views; and avoiding Bay fill and potential adverse effects on nearby tidal marshes.

## ABAG

***ABAG Trail Plan and Design Guidelines.*** As discussed in the *Project Description*, existing paved off-street segments of the Bay Trail currently terminate at the northwest corner of the project site, and approximately 650 feet southeast of the project site near Airport Boulevard. Under the project, the Bay Trail would be extended within the public access area of the project site along the shoreline and the west side of Easton Creek, terminating at Old Bayshore Highway. In addition, two pedestrian bridges would be constructed across the Easton Creek channel, in which case the Bay Trail would also extend east across the creek channel via the northernmost bridge, connecting to a future planned Bay Trail segment.

The proposed Bay Trail improvements would need to adhere to the ABAG Bay Trail Plan and Design Guidelines. The Bay Trail Plan policies and design guidelines are intended to complement, rather than supplant, the adopted regulations and guidelines of local agencies. Implementation of the Bay Trail Plan relies on the cooperation among shoreline property owners, and federal, state and local agencies with jurisdiction over the trail alignment. The Bay Trail Plan mandates that the Bay Trail provide connections to existing parks and recreation facilities, create links to existing and proposed transportation facilities, and be planned in a way to avoid adverse effects on environmentally sensitive areas.

The proposed Bay Trail extension through the project site would serve to improve Bay Trail access to nearby parks and recreation facilities, including Bayside Park and Burlingame Lagoon Park and help to facilitate the ultimate planned continuous off-street shoreline trail segment in the Bayshore Highway vicinity.

Please also refer to specific environmental analyses in Section 1, *Aesthetics*; Section 4, *Biological Resources*; Section 10, *Hydrology and Water Quality*; and Section 16, *Recreation* in this Initial Study, that determines that project effects to aesthetics, biological resources, water quality, and recreation along the shoreline would be less than significant.

## References

City of Burlingame, *City of Burlingame General Plan, 1969 as amended*.

City of Burlingame, Municipal Code, Title 25 Zoning, <http://qcode.us/codes/burlingame/>, accessed October 2019.

## Mineral Resources

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--|---|---|---|-------------------------------------|
| <b>12. MINERAL RESOURCES</b> — Would the project:  |   |   |   |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

## Discussion

- a, b) **No Impact.** According to the *San Mateo County General Plan*, Mineral Resources Map, the project site does not contain any known mineral resources. No impact would result.

## References

San Mateo County, *General Plan*, 1986.

## Noise

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>13. NOISE</b> — Would the project result in:   |                                       |   |                                     |                          |
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

As described previously under Section 3, *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might affect a project's users or residents, except where the proposed project would exacerbate the existing environmental condition. Accordingly, the identified significance criteria related to exposure of people, including sensitive receptors, to excessive noise levels or vibration are valid only to the extent that the Project significantly contributes to those worsened noise conditions. The analysis in this section with respect to noise exposure of future project occupants, therefore, is provided for informational purposes.

## Setting

Sound is mechanical energy transmitted by pressure waves through a medium such as air. Noise is defined as unwanted sound. Sound is characterized by various parameters that include the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). Sound pressure level is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude. Given that the typical human ear is not equally sensitive to all frequencies of the audible sound spectrum, when assessing potential noise impacts, sound is measured using an electronic filter that de-emphasizes low and extremely high frequencies, referred to as A-weighting, and is expressed in units of A-weighted decibels (dBA).<sup>25</sup>

<sup>25</sup> All noise levels reported herein reflect A-weighted decibels unless otherwise stated.

## Noise Exposure and Community Noise

Noise levels rarely persist consistently over a long period of time. Rather, noise levels at any one location vary with time. Specifically, community noise is the result of many distant noise sources that constitute a relatively stable background noise exposure where the individual contributors are unidentifiable. Throughout the day, short duration single-event noise sources (e.g., aircraft flyovers, motor vehicles, sirens) that are readily identifiable to the individual add to the existing background noise level. The combination of the slowly changing background noise and the single-event noise events give rise to a constantly changing community noise environment.

To characterize a community noise environment and evaluate cumulative noise impacts, community noise levels must be measured over an extended period of time. This time-varying characteristic of environmental noise is described using statistical noise descriptors, including the following ones described:

- $L_{eq}$ : The equivalent sound level is used to describe noise over a specified period of time, typically one hour, in terms of a single numerical value. The  $L_{eq}$  is the constant sound level that would contain the same acoustic energy as the varying sound level, during the same time period (i.e., the average noise exposure level for the given time period).
- $L_{max}$ : The instantaneous maximum noise level measured during the measurement period of interest.
- DNL: The day-night average sound level (DNL) is the energy average of the A-weighted sound levels occurring during a 24-hour period, accounting for the greater sensitivity of most people to nighttime noise by weighting (“penalizing”) nighttime noise levels by adding 10 dBA to noise between 10:00 p.m. and 7:00 a.m.
- CNEL: Similar to the DNL, the Community Noise Equivalent Level (CNEL) adds a 5-dBA “penalty” for the evening hours between 7:00 p.m. and 10:00 p.m. in addition to the 10-dBA penalty between the hours of 10:00 p.m. and 7:00 a.m.

In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise would be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- a change in level of at least 5 dBA is required before any noticeable change in human response would be expected; and
- a 10-dBA change is subjectively heard as approximately a doubling in loudness, and can cause adverse response.

These relationships occur in part because of the logarithmic nature of the decibel system. Because the decibel scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. For example, if two identical noise sources produce noise levels of 50 dBA, the combined sound level would be 53 dBA, not 100 dBA.

## Vibration Background

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Several different methods are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe physical vibration impacts on buildings. Typical groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors to vibration include people (especially residents, the elderly, and sick people), structures (especially older masonry structures), and vibration-sensitive equipment.

Another useful vibration descriptor is known as vibration decibels or VdBs. VdBs are generally used when evaluating human response to vibration, as opposed to structural damage (for which PPV is the more commonly used descriptor). Vibration decibels are established relative to a reference quantity, typically  $1 \times 10^{-6}$  inches per second.<sup>26</sup>

There are no major sources of vibration in the Project site vicinity. Most motor vehicles and trucks have independent suspension systems that substantially reduce if not eliminate vibration generation, barring discontinuities in the roadway.

## Existing Noise Environment - Sensitive Receptors

While the noise element of the current General Plan does not identify specific land uses as noise-sensitive, residential land uses are cited as the most sensitive land uses with regard to noise intrusion.

It should be noted that the City of Burlingame adopted its current General Plan in January 2019.<sup>27</sup> The adopted General Plan includes a new Community Safety Element, which addresses the topic of noise. It also identifies sensitive receptors with respect to noise to include residential care facilities, schools, hospitals, and wildlife habitat.

The surrounding properties include office buildings, hotels and various other commercial uses. There are no residential receptors in the vicinity of the project site; the nearest existing residential uses are located approximately 1,700 feet southwest of the project along California Drive, and approximately 1,700 feet to the south at the Northpark Apartment complex along Rollins Road. The Bay Trail terminates on the north side of the project site. Bayside Park is located approximately 900 feet to the southeast of the project site.

### a) **Less than Significant with Mitigation.**

#### **Construction Noise Impacts**

Project construction is expected to commence in the second quarter of 2021 and with completion in the third quarter of 2023. Construction contractors would be required to limit standard construction activities to the requirements of the City of Burlingame. As discussed, Burlingame Municipal Code Section 18.07.110 prohibits erection, demolition, alteration or

<sup>26</sup> Federal Transit Administration, Transit Noise and Vibration Impact Assessment, 2006.

<sup>27</sup> The proposed project is being considered under the prior General Plan, consistent with when the project application was submitted. However, information from the newly adopted General Plan is also presented herein for informational purposes.

repair of any building or structure except between the hours of 8:00 a.m. and 7:00 p.m. on weekdays or between 9:00 a.m. and 6:00 p.m. on Saturdays. The municipal code does not establish a quantitative noise exposure standard for construction equipment in terms of a decibel level.<sup>28</sup>

Construction of the proposed project would generate temporary and intermittent noise at and near the project site. Noise levels would fluctuate depending on the particular type, number, and duration of use of various pieces of construction equipment. Typical noise levels generated by the construction activities that would be required for construction of the proposed project are shown in **Table 2.13-1**. As indicated previously, the project construction would not involve impact pile driving. The noisiest construction activity would be expected to range from 77 dBA to 85 dBA at a distance of 50 feet. Consequently, construction activity for the proposed project would conform to the first requirement of the City's Noise Ordinance and would be less than significant provided such activity occurred between the hours of 8:00 a.m. and 7:00 p.m. during weekdays, and Saturdays between 9:00 a.m. and 6:00 p.m.

**TABLE 2.13-1  
TYPICAL CONSTRUCTION EQUIPMENT NOISE LEVELS**

| Construction Phase | Average Noise Level<br>(dBA, Leq at 50 feet) |
|--------------------|--|
| Backhoe            | 78   |
| Auger Drill Rig    | 84   |
| Grader             | 85   |
| Loader             | 79   |
| Paver              | 77   |
| Excavator          | 81   |

SOURCE: U.S. Department of Transportation, Federal Highway Administration, *FHWA Highway Noise Construction Handbook*, August 2006.

However, construction noise of up to 85 dBA at a distance of 50 feet may be disruptive to adjacent receptors such as guests of the Holiday Inn Express (25 feet from the project boundary) and Hyatt Regency Hotel, office workers at One Bay Plaza (65 feet from the Project boundary) and users of the Bay Trail in the vicinity of the project site. Construction activities may result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project at these off-site uses given the monitored existing daytime noise levels of 63-65 dBA in the vicinity. Consequently, construction noise is considered a potential significant noise impact and mitigation is identified. The impact would be reduced to a less-than-significant level with implementation of the following mitigation measures:

<sup>28</sup> Please also note that Policy CS-4.10 of the Community Safety Element of the newly adopted General Plan requires development projects to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on those uses.

Implementation of **Mitigation Measure NOI-1** would reduce the impact of temporary construction noise. With adoption of this mitigation measure, and compliance with Burlingame Municipal Code Section 18.07.110, noise impacts from project construction impacts would be considered less than significant.

**Mitigation Measure NOI-1:** To reduce daytime noise impacts due to construction, the project sponsor shall require construction contractors to implement the following measures:

- Equipment and trucks used for project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible).
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used whenever feasible.
- Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.
- Signs will be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number with the City of Burlingame in the event of noise complaints. The project applicant will designate an onsite complaint and enforcement manager to track and respond to noise complaints

### **Operational Noise Impacts**

The proposed project would contribute to increased traffic volumes on local roadways. Noise level projections were made using traffic data and the Federal Highway Administration (FHWA) Noise Prediction Model for those road segments that would experience the greatest increase in traffic volume and/or that would pass near residential areas. The model is based on reference noise factors developed by Caltrans for automobiles, medium trucks, and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, and distance to the receiver. For the modeling effort, p.m. peak hour traffic volumes during weekdays were analyzed. Roadways analyzed consisted of Old Bayshore Highway, which is the project entrance, and California Drive, which is the nearest roadway with adjacent residential uses.

The results of the modeling effort are shown in **Table 2.13-2** for the existing (2017) and existing plus project scenarios. Modeled existing noise levels shown in **Table 2.12-3** correspond to a distance of 15 meters (50 feet) from the centerline of applicable roadway



segments. As can be seen from **Table 2.13-2**, the proposed project would increase existing local roadway noise levels by up to 1.0 dBA, however, this would be a less than significant project-level roadway noise impact. These are nominal increases that would be undetectable by the human ear.

**TABLE 2.13-2**  
**TRAFFIC NOISE INCREASES IN THE PROJECT AREA<sup>a</sup>**

| Road Segment  | Existing Traffic Noise Levels | Existing Plus Project Noise Levels | Project Increase in Noise Levels | Cumulative plus Project Noise Levels | Cumulative Increases in Noise Levels |
|---|-------------------------------|------------------------------------|----------------------------------|--------------------------------------|--------------------------------------|
| 1. Old Bayshore Highway (between Broadway and the Project entrance) - p.m. peak hour        | 68.0                          | 69.0                               | 1.0                              | 69.9                                 | 1.9                                  |
| 2. Old Bayshore Highway (between Millbrae Avenue and the Project entrance) - p.m. peak hour | 67.7                          | 67.8                               | 0.1                              | 68.2                                 | 0.5                                  |
| 3. California Drive (between Broadway and the Grove Street) - p.m. peak hour                | 69.3                          | 69.4                               | 0.1                              | 70.6                                 | 1.3                                  |
| 4. California Drive (between Broadway and the Palm Drive) – p.m. peak hour                  | 69.5                          | 69.5                               | 0.0                              | 70.5                                 | 1.0                                  |

NOTE:

<sup>a</sup> These listed values represent the modeled existing noise levels from mobile sources along specified roadways and are based on traffic data from the Transportation Section. Road center to receptor distance is assumed to be 15 meters (approximately 50 feet). Vehicle mix on these road segments is assumed to be 95 percent auto, three percent medium trucks, and two percent heavy trucks. The speed for each roadway is assumed to be 35 miles per hour (posted speed limit).

SOURCE: ESA, 2018.

**Table 2.13-2** also presents the cumulative traffic noise increases associated with the proposed project and cumulative development in the area as predicted in the Transportation analysis. Cumulative roadside noise levels are predicted to increase by up to 1.9 dBA. This would be less than the 3.0 dBA increase required to generate a perceptible increase in traffic noise and, therefore, traffic noise increases would be a less than significant impact.

**Stationary Source Standards.** The only portion of the City of Burlingame Noise Ordinance (Burlingame Municipal Code Section 25.58.050) that governs mechanical equipment are related to newly-installed mechanical equipment for new and existing residential dwellings and buildings. Since the proposed project would not include residential uses, these restrictions are not applicable. It is further noted the nearest residential uses are located approximately 1,700 feet from the proposed project, across the freeway. Therefore, the impact from operational noise would be less than significant.

**Impacts of the Environment on the Project (non-CEQA Informational Impact Analysis)**

The Noise Element of the City of Burlingame General Plan establishes outdoor noise level planning criteria that identifies maximum outdoor noise levels by land use with a range of ambient noise levels given that some land uses are more sensitive to noise than others (City

of Burlingame, 1975). The General Plan Noise Element identifies a maximum exterior noise level appropriate for commercial land uses to be 65 dBA CNEL.<sup>29</sup>

However, the Noise Element also states that in cases where the functional use of a building is such that windows are not opened and outdoor areas are not used for any reason other than parking and walking into the building, outdoor noise levels can be ignored and indoor noise level planning criteria may be appropriate. Such building uses include professional offices such as is the predominant use of the proposed Project. In such cases, the indoor noise level planning criterion should be 45 CNEL.

A noise survey was conducted both on and in the vicinity of the project site in February of 2018. A long-term (24-hour) noise measurement was collected on the project site that collected hourly average noise levels to determine the existing CNEL for comparison to the maximum exterior noise level appropriate for commercial land uses. Additionally, short-term (15-minute) noise monitoring was conducted at land uses surrounding the project site as well as the nearest residences. Existing daytime noise levels monitored at the project site were predominantly influenced by motor vehicle traffic on Old Bayshore Highway, as well as occasional aircraft take-off and landing activity at SFO, approximately one-mile north of the project site. Traffic on nearby U.S. 101 also is a source of constant ambient noise in the area.

Noise monitoring data for these locations are presented in **Table 2.13-3**. These data indicate the typically urban conditions around the project site which are generally between 59 and 65 dBA (hourly Leq) during daytime hours and between 54 and 62 dBA (hourly Leq) during nighttime hours. The CNEL for the project site, as calculated from hourly measurements is 67 dBA. While this noise level exceeds the 65 CNEL maximum exterior noise level for commercial land uses, The General Plan allows this noise exposure in excess of the standard provided an indoor noise level planning criteria of 45 CNEL is achieved. Attainment of this indoor standard is attainable through standard building construction. Standard building construction techniques will provide sufficient attenuation such that an interior noise level of 65 CNEL will be reduced to 45 CNEL (HUD, 2009). Consequently, an additional 2 dBA of exterior to interior noise reduction may be required to attain the 45 CNEL interior standard of the General Plan. Consequently, **Improvement Measure NOI-1** is identified to attain the 45 CNEL performance standard.

<sup>29</sup> The noise section of the Community Safety element of the newly adopted General Plan proposes certain changes to the existing noise planning standards. Unlike the prior General Plan Noise Element which only identifies a maximum noise level limit for uses, the new General Plan indicates that noise environment for commercial uses would be “normally acceptable” at noise levels up to 65 CNEL and levels between 65 and 75 dBA CNEL would be “conditionally acceptable.” Under “normally acceptable” conditions, development may occur without any analysis of potential noise impacts to the proposed development. Under “conditionally acceptable” conditions, an analysis of noise-reduction requirements is required and any necessary noise-mitigating features must be included in the design. In general, conventional construction would usually suffice as long as it incorporates air conditioning or forced fresh-air-supply systems, as it encourages closed windows, which in turn reduces noise. Additionally, Community Safety Element Policy CS-4.3 of the newly adopted General Plan requires offices uses to meet a maximum indoor noise level planning criterion of 45 dBA, Leq (peak hour).

**TABLE 2.13-3**  
**MEASURED LONG-TERM AND SHORT-TERM NOISE LEVELS ON THE PROJECT SITE**

| Site No. | Measurement Location  | Noise Level in dBA <sup>a</sup> |             |
|----------|---|---------------------------------|-------------|
|          |   | CNEL                            | Daytime Leq |
| LT-1     | Center of project site approximately 200 feet east of Old Bayshore Highway                          | 67                              | 62          |
| ST-1     | 1333 Old Bayshore Highway; hotel use approximately 120 feet west of the project site                | --                              | 65          |
| ST-2     | End of Bay Trail at north corner of project site  | --                              | 63          |
| ST-3     | 1250 Old Bayshore Highway; hotel use approximately 100 feet south of the project site               | --                              | 65          |
| St-4     | 1100 block Juanita Avenue - residential area approximately 1,800 feet southwest of the project site | --                              | 59          |

## NOTES:

<sup>a</sup> dBA = A-weighted decibels. CNEL = community noise equivalent level based on 24 1-hour monitoring values.  $L_{eq}$  = equivalent steady-state noise level over a given monitoring period produced by the same noise energy as the variable noise levels during that period.

With implementation of **Improvement Measure NOI-1**, the proposed project would not expose future occupants of the proposed uses to noise levels in excess of standard of the General Plan.

**Improvement Measure NOI-1:** The owner or designee shall prepare acoustical studies, describing how the City's 45 CNEL interior noise standards will be achieved through application of sufficiently Sound Transmission Class-rated windows and building materials. The recommended materials of the study shall be included in building design and submitted to the building department prior to issuance of a building permit.

b) **Less than Significant.**

Construction activities at the project site would produce ground-borne vibration. Piles for the proposed building foundations would not be impact driven, so no ground-borne vibration effects would be associated with pile driving. Rather, piles would be installed using a drilled, cast-in-place method, such as augercast or torque-down piles.

**Potential Building Damage Impacts from Vibration<sup>30</sup>**

Typical reference vibration levels for various pieces of equipment, including drilling, are listed in **Table 2.13-4**. The nearest off-site existing building (north wing of the Holiday Inn Express) is located approximately 25 feet from the project site boundary, in the general location of construction that would be associated with proposed Building "B." As shown in **Table 2.13-4**, construction at the project site would result in up to 0.09 inches/sec peak particle velocity (PPV) at the Holiday Inn Express, which would be under the 0.2 inches/second PPV threshold used for determining building damage. Consequently, project construction would not result in significant vibration resulting in damage to this

<sup>30</sup> Please note that Policy CS-4.13 of the Community Safety Element of the newly adopted General Plan requires a vibration assessment for proposed projects in which heavy duty construction equipment could be used within 200 feet of an existing structure or sensitive receptor.

building. As shown in **Table 2.13-4**, vibration effects at other two nearest off-site existing buildings, One Bay Plaza (1350 Bayshore Highway) located 65 feet north of the project site boundary, and the Hyatt Regency Hotel (1333 Bayshore Highway), located approximately 140 feet west of project site boundary, would be even less, and accordingly, potential effects on building damage at these buildings would similarly not be significant.

**TABLE 2.13-4**  
**VIBRATION VELOCITIES FOR CONSTRUCTION EQUIPMENT**

| Equipment/<br>Activity | PPV (inches/second) <sup>a</sup>                               |  |   | RMS (Vdb) <sup>b</sup>   |  |   |
|------------------------|--|--|---|--|--|---|
|                        | At Holiday Inn Express<br>(25 feet from project site boundary) | At One Bay Plaza<br>(65 feet from project site boundary) | At Hyatt Regency Hotel<br>(140 feet from project site boundary) | At Holiday Inn Express<br>(25 feet from project site boundary) | At One Bay Plaza<br>(65 feet from project site boundary) | At Hyatt Regency Hotel<br>(140 feet from project site boundary) |
| Large Bulldozer        | 0.09   | 0.03   | 0.01  | 87   | 76   | 65  |
| Loaded Trucks          | 0.08   | 0.03   | 0.01  | 86   | 74   | 64  |
| Caisson Drilling       | 0.09   | 0.03   | 0.01  | 87   | 76   | 65  |

NOTES:

<sup>a</sup> Buildings can be exposed to ground-borne vibration levels of 0.2 PPV without experiencing structural damage.

<sup>b</sup> The human annoyance response level is 80 Vdb.

SOURCE: ESA, 2013; Federal Transit Administration, 2018.

### Potential Human Annoyance Impacts from Vibration

As shown in **Table 2.13-4**, construction at the project site would result in up to 87 Vdb RMS at the nearest off-site existing building (Holiday Inn Express), which would exceed the 80 Vdb RMS threshold used for determining human annoyance. Human annoyance vibration impacts to guests of this hotel would be considered significant if construction were to occur during the nighttime hours, which is considered to be a noise-sensitive period and when guests are most likely to be in their hotel rooms. However, construction contractors for the proposed project would be required to comply with all applicable City of Burlingame regulations governing standard construction hours of construction. Burlingame Municipal Code Section 18.07.110, which governs building construction, prohibits erection, demolition, alteration or repair of any building or structure limited between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, or between 9:00 a.m. and 6:00 p.m. on Saturday. Consequently, any construction vibration annoyance that may be experienced at the Holiday Inn Express would only occur during daytime hours, it would not result in significant vibration annoyance impacts to hotel guests.

As shown in **Table 2.13-4**, human annoyance vibration levels would be under the 80 Vdb RMS threshold for the other two nearest off-site existing buildings (One Bay Plaza and Hyatt Regency Hotel), as these buildings would be a sufficient distance from the project site. Accordingly, the project construction would not result in significant human annoyance vibration effects at these buildings.

- c) **Less than Significant.** The project site is located approximately 0.3-mile southeast of the SFO property boundary, and just under one mile from the nearest active runway and approach of SFO. Based on analysis conducted for the *San Francisco International Airport 14 CFR Part 150 Noise Exposure Map Report*, the Project site is outside southerly extent of the 65 CNEL noise contour for both existing (year 2014) and future (year 2019) airport operations (ESA, 2015). Therefore, impacts from the airport on future project site employees would be less than significant.

## References

Caltrans, *Transportation and Construction-Induced Vibration Guidance Manual*, June 2004.

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Environmental Science Associates, *San Francisco International Airport 14 CFR Part 150 Noise Exposure Map Report*, 2015.

U.S. Department of Housing and Urban Development (HUD), *The Noise Guidebook*, revised March 2009.

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U.S. Department of Transportation, Federal Highway Administration, *FHWA Highway Noise Construction Handbook*, August 2006.

## Population and Housing

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>14. POPULATION AND HOUSING —</b> Would the project:  |                                       |   |                                     |                          |
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

### Setting

#### Population

The City's population in 2010 was 28,806, which is a 2.3 percent increase from the 2000 population of 28,158, and a 7.5 percent increase from the City's 1990 population of 26,801 (City of Burlingame, 2015, p. 11). As of January 2019, there were 30,317 people living in the City of Burlingame (State of California, Department of Finance, 2019). Although the City is considered built-out, according to the Association of Bay Area Government's (ABAG) Plan Bay Area Projections 2013 Report, residency could increase to 31,700 in 2020, to 34,800 by 2030 and up to 38,400 by 2040 (ABAG, 2013). The growth anticipated in the ABAG projections would represent a substantial departure from historic trends in Burlingame, however, with an assumption that the population will increase much faster than it had in previous years.

#### Employment

The City of Burlingame's 2015-2023 Housing Element discusses employment trends in the City. The Housing Element reported that the 2007-2011 American Community Surveys estimated that there were more than 14,700 employed residents in the City, and the U.S. Census OnTheMap 2011 estimated there were approximately 35,600 jobs in Burlingame (City of Burlingame, 2015). ABAG projects continued employment growth between 2010 and 2040 in Burlingame and San Mateo County. In their 2013 projections, ABAG used a base employment number of 29,540 jobs to forecast an employment figure of 37,780 in 2040. Although employment figures and forecasts are expected to change over time, and ABAG will continue to adjust their predictions, Burlingame is expected to experience continued growth in employment (City of Burlingame, 2015, and ABAG, 2013).

### Regulatory Setting

#### Burlingame General Plan

No one goal or policy in the Burlingame General Plan specifically applies to the project site with respect to population and housing. According to the 2015-2023 Housing Element quantifies the City's projected increase in housing consistent with the ABAG fair share quantity of 863 units (broken down further into four income categories) by 2023 is achievable by new construction alone, and that with

rehabilitation, and conservation, the City could provide 1,066 housing units by 2023 (City of Burlingame, 2015).

The City adopted a new General Plan in January 2019. The newly adopted General Plan includes an updated projected growth scenario for the City through 2040, estimating a 23 percent increase in the City's population over 2016 conditions, to a build-out population of 36,600 residents. This includes 2,951 new housing units and 9,731 new jobs (City of Burlingame, 2019).

### **Burlingame Bayfront Specific Plan**

The project site is located within the Shoreline Area of the Burlingame Bayfront Specific Plan, and subject to the regulations, goals, and policies implemented under this plan. Specifically related to population and housing is the underlying nature of the plan area to focus commercial land uses and not housing. Some goals and policies that demonstrate this include the following:

**Goal A:** Land uses in the Bayfront Area should reflect the special locational value of the area including its adjacency to San Francisco Bay, a regional freeway (U.S. 101) and to San Francisco International Airport.

**Policy A-1:** Encourage a vibrant visitor oriented destination which includes hotels, corporate campus, biotech and commercial employment centers and supports the developed residential area of the city.

**Goal D:** Development should yield a high revenue-to-cost ratio to the City.

**Policy D-1:** Actively encourage land uses such as destination hotels, restaurants and employee-supporting retail uses which will provide a revenue based that will offer long-term economic support from improving service levels, as well as revitalizing and maintaining essential municipal services throughout the city.

- a) **Less than Significant.** There are presently five buildings on the project site, totaling approximately 127,200 sf. These buildings include several one- to two- story commercial buildings and a partially vacant, former movie theater. The buildings are occupied by a variety of professional offices, an auto rental agency, and restaurants.

The proposed project would demolish the existing buildings on the project site, and construct 239,830 sf of office, 8,629 sf of retail, and 11,887 sf of restaurant land uses, for a total of 260,346 sf. Using the employee generation rate of one office employee per 300 sf and one retail/restaurant employee per 500 sf, the project would be expected to generate 839 new employees. As such, the proposed project would increase the daytime population at the project site. This increase in employment population would not result in a direct population impact caused by new homes, as no residential development is proposed. Furthermore, the project employment is factored under the regional employment growth within the City, and thus the project would not directly result in an impact to the City population.

The project employment of 839 employees could have secondary growth effects that could increase housing demand in the City or region. If conservatively assuming all project employees would live in Burlingame, and employing the City's current population per household (pph) rate of 2.3, the 839 employees, could result in an increased demand of

365 households (City of Burlingame, 2015). This additional housing demand is within the anticipated growth of the City, thus the project would not induce substantial population growth in the City. However, in all likelihood, the employees would be dispersed throughout communities on the Peninsula and elsewhere in the Bay Area, further diffusing effect of project housing demand.

The City of Burlingame currently has 910 housing units that have been approved and are either under construction or are entitled and in the building permit review phase. There are 559 housing units that have been submitted for review and in process for entitlements, with up to 400 units under preliminary review, but have not been formally submitted for entitlements.<sup>31</sup>

In addition to offsite housing growth, the project would result in improvements to onsite access and utilities. However, these improvements would be focused to serve the project site in an already developed area and would therefore, not result in an indirect generation of population growth. Therefore, the project's growth-inducing effects would be less than significant.

Given the stated factors, the proposed project would result in less than significant impacts on population and housing growth.

- b) **Less than Significant.** No existing residential uses occur on the project site, and consequently, the proposed project would have no impact related to displacement of any existing housing.

As discussed previously, the existing buildings on the project site that would be demolished under the project are occupied by a variety of commercial uses. Based on the existing uses operating at the project site, discussion with the property owner, and existing vehicle counts conducted at the project site in support of the traffic analysis, it is conservatively estimated that there are under 150 employees at these existing uses. It is assumed the current commercial tenants at the project site would be permanently displaced by the project. Potentially significant displacement impacts would only occur if the current businesses would be forced to relocate to other locations resulting in new demand for local housing elsewhere (at the businesses' new location). The current tenants are not uniquely dependent on the project site location to operate, and it is expected these businesses would find similar office and other commercial space for lease elsewhere in the City and surrounding areas. Given the availability of commercial space in the City and surrounding areas, displaced businesses would be expected to relocate locally, and therefore, their relocation would have a less than significant impact on housing demand elsewhere.

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<sup>31</sup> *Residential Applications Overview*, updated October 2019, at [https://www.burlingame.org/departments/planning/majorprojects\\_new.php](https://www.burlingame.org/departments/planning/majorprojects_new.php)



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Association of Bay Area Governments (ABAG), *Regional Housing Need Plan, San Francisco Bay Area: 2014-2022*, adopted July 18, 2013. *Plan Bay Area, Projections 2013*, December 2013.

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Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), *Plan Bay Area 2040, Final Supplemental Report / Land Use Modeling Report*. July 2017, [2040.planbayarea.org/sites/default/files/2017-07/Land\\_Use\\_Modeling\\_PBA2040\\_Supplemental%20Report\\_7-2017.pdf](http://2040.planbayarea.org/sites/default/files/2017-07/Land_Use_Modeling_PBA2040_Supplemental%20Report_7-2017.pdf), accessed March, 2018.

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## Public Services

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|---|---|---|---|--------------------------|
| <b>15. PUBLIC SERVICES —</b>  |   |   |   |                          |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: |   |   |   |                          |
| i) Fire protection?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| ii) Police protection?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| iii) Schools?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| iv) Parks?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| v) Other public facilities?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

## Discussion

### Setting

The project site is located within the Shoreline Area of the Burlingame Bayfront Specific Plan area, and is served by a full range of public services to support the existing office, industrial, hotel and recreation uses in the area. The following provides a summary of public services that currently serve the project site.

### Fire Protection

The Central County Fire Department (CCFD), established through a Joint Powers Agreement (JPA) between the City of Burlingame and the Town of Hillsborough, provides fire protection services to the City of Burlingame, including the project site; as well as Hillsborough and Millbrae, for a total service a population of over 61,000 (CCFD, 2019a).<sup>32</sup>

The CCFD maintains six fire stations in addition to an administrative headquarters and training facility. The CCFD's six fire engines and one ladder truck are staffed 24 hours a day, along with a Heavy-Duty Urban Search & Rescue unit that is cross-staffed with on-duty personnel. The CCSF maintains firefighters trained as apparatus operators, paramedics, as well as a large number trained in Special Operations including the California Urban Search and Rescue Task Force 3. Each station is an Advanced Life Support first response unit as part of the San Mateo County Pre-Hospital JPA that allows cities in San Mateo County to provide closest-unit Advanced Life Support response across city boundaries. The CCFD prevention division manages several significant community-risk-reduction initiatives including vegetation and hazard abatement programs, plan review, comprehensive code enforcement activities, and fire investigation. The CCFD also produces and

<sup>32</sup> This jurisdiction is in proximity to SFO; includes a large wildland urban interface areas and neighborhoods consisting of single-family homes, multi-residential buildings, retail and business districts, hotels, a regional hospital, care facilities, numerous schools, as well as a large industrial area.

delivers numerous programs throughout the community intended to promote and teach fire safety and emergency preparedness (CCFD, 2019b; 2019c).

In 2017/18, the department responded to approximately 7,424 calls for service (4,380 medical response, 149 fire suppression response, and 186 hazardous conditions response), with a response time of the first fire engine arriving within six minutes of dispatch 100 percent of the time; this includes responses to both Priority 1 – Emergency, and Priority 3 – Non-emergency calls (CCFD, 2019a). The City’s General Plan does not contain a standard ratio of firefighters to population, instead, the CCFD bases staffing needs on a combination of service/response times and safety (General Plan Policy CS-2.7). The CCFD focuses on the 6:59 minute response time standard for emergency medical service (EMS) calls. This also includes the time a first in fire engine arrives on a structure fire scene from time of dispatch (CCFD, 2019a).

The closest fire stations to the project site are Fire Station 34 at 799 California Drive in Burlingame, approximately one mile by vehicle to the project site; Fire Station 35 at 2832 Hillside Drive in Burlingame, approximately two miles to the site, and; Fire Station 37 at 511 Magnolia Drive in Millbrae, approximately 2.5 miles to the site.

### **Police Protection**

The City of Burlingame Police Department provides police protection services to the project site and citywide. The department provides investigative, preventative, and community policing programs. The department is divided into two divisions; Operations and Support Services/Administration. The force currently consists of forty police officers. This is comprised of the Chief of Police, one Captain, two Lieutenants, six Sergeants, and 30 Officers; along with 29 professional staff at the police department (City of Burlingame, 2019a). The Operations Division operates marked patrol vehicles 24-hours a day, responding to over 40,000 calls per year (City of Burlingame, 2019b). As identified in the Burlingame Bayfront Specific Plan review, the project site is regularly covered by one patrol, which consists of one officer per shift 24 hours a day. Traffic enforcement on U.S. 101 is provided by the California Highway Patrol (City of Burlingame, 2003).

### **Schools**

The project site is within the service area of the Burlingame School District and the San Mateo Union High School District. Burlingame students are served by the Burlingame School District for grades K-8 and San Mateo Union High School District for grades 9-12. In 2018-2019, the Burlingame School District is reported to serve approximately 3,510 students and San Mateo Union High School District is reported to serve approximately 9,575 students; these numbers both represent a steady growth in enrollment since 2014 (CA DOE, 2018). Although there are no residential uses within the Bayfront Specific Plan Area, including the project site, both districts have included this area within their enrollment boundaries (City of Burlingame 2003; Burlingame School District, 2019; and San Mateo Union, 2019).

### **Approach to Analysis**

The project is located in an urbanized area with existing public facilities in place. As discussed in Section 14, *Population and Housing*, the project does not propose residential uses, so it would not

result in substantial increases in population or housing within Burlingame. Since substantial increases in the residential population of the City are not expected, the proposed project would not create a need for additional fire protection, police protection, schools services. These services are already available for the existing development in the area. Impacts related to office, retail, and restaurant related employee demand on services is described in the following sections. Recreation and park related impacts are discussed under Section 16, *Recreation*.

- a.i) **Less than Significant.** The increase in development, on-site daytime employment-related population, and associated increases in vehicular traffic to/from the site, could lead to an incremental increase in the demand for fire department and emergency medical service response to the project site and vicinity. In accordance with standard City practices, the CCSO would review project plans before permits are issued to ensure compliance with all applicable fire and building code standards and to ensure that adequate fire and life safety measures are incorporated into the project in compliance with all applicable state and city fire safety regulations. The project proposes an emergency vehicle access drive along the northern property line at the rear of the building. Because the proposed project is not anticipated to generate additional demand for fire protection services such that it would adversely affect acceptable service response times, nor would it result in the need for new or expanded facilities, the project's potential impact on fire protection services would be less than significant.
- a.ii) **Less than Significant.** The increase in on-site daytime employment- population, and associated increases in vehicular traffic to/from the site, could lead to an incremental increase in the demand for police response to the project site and vicinity. The project proposes to include appropriate security measures for the facility, including but not limited to security locks, security night lighting, and video surveillance. In accordance with standard City practices, the Burlingame Police Department would review project plans before permits are issued to ensure compliance with all applicable access and security measures are incorporated into the project in compliance with all applicable state and city regulations. In consideration of these factors, the proposed project would not adversely affect the ability of the Burlingame Police Department to maintain adequate police protection services to the project site, or result in the need for new or expanded facilities, resulting in a less than significant impact.
- a.iii) **Less than Significant.** The proposed project does not include residential uses, and consequently, would not directly generate new school age children. Any incidental increase in need for public schools related to children of employees at the project site would be distributed throughout city, surrounding communities, and elsewhere the Bay Area. Therefore, the project would have a less than significant impact on public schools, whether in the Burlingame School District or the San Mateo Union High School District.
- a.iv, v) **Less than Significant.** Public parks and recreational facilities are discussed under *Recreation*. Employees of the project are not anticipated to create a substantial increase in need for other governmental facilities.

## References

- Burlingame School District, [www.bsd.k12.ca.us/districtboundaries1617](http://www.bsd.k12.ca.us/districtboundaries1617), accessed October 2019.
- California Department of Education (DOE), DataQuest, [dq.cde.ca.gov/dataquest](http://dq.cde.ca.gov/dataquest), accessed October 2019.
- Central County Fire Department (CCFD), *Fiscal Year 2019-2020 Adopted Budget*, <http://www.ccfdonline.org/wp-content/uploads/2019/05/ADOPTED-BUDGET-FY19-20-WEB.pdf>, 2019a.
- Central County Fire Department (CCFD), Overview, [www.ccfdonline.org/about-ccfd/ccfd-overview/](http://www.ccfdonline.org/about-ccfd/ccfd-overview/), accessed October, 2019b.
- Central County Fire Department (CCFD), Fire Suppression. [www.ccfdonline.org/emergency-response/fire-suppression/](http://www.ccfdonline.org/emergency-response/fire-suppression/), accessed October, 2019c.
- City of Burlingame, Police>About Us, [www.burlingame.org/departments/police\\_department/about\\_us.php/](http://www.burlingame.org/departments/police_department/about_us.php/), accessed October 2019a.
- City of Burlingame, Police>About Us>Operations Division, [www.burlingame.org/departments/police\\_department/operations\\_division.php](http://www.burlingame.org/departments/police_department/operations_division.php), accessed October 2019b.
- City of Burlingame, *Burlingame General Plan*, prepared by MIG, adopted January 7, 2019.
- San Mateo Union High School District, Boundaries Board Policy- School Locator, [www.smuhsd.org/schoollocator](http://www.smuhsd.org/schoollocator), accessed October 2019.

## Recreation

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>16. RECREATION —</b>  |                                       |   |                                     |                          |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

### Setting

#### Parks and Recreation

The City of Burlingame is served by several parks and recreation facilities, including 17 City parks and playgrounds, an aquatic center, and a golf and soccer center. The total acreage of parks in the City is nearly 60 acres, with an additional 35 acres in the Mill Canyon Park nature preserve.

Within the project vicinity, the Burlingame Parks and Recreation Department operates Bayside Park at 1125 Airport Boulevard (approximately 0.2 miles southeast of the project site), which includes three community park facilities: Bayside Fields, a community garden, and a dog exercise park. There are other locations along the waterfront near where the City also maintains small pocket park areas along with portions of the regional Bay Trail system (City of Burlingame, 2012). There are currently no public recreation facilities within the project site.

#### Shoreline Access

The project site is partially within 100 feet of the Bay shoreline and therefore within the BCDC jurisdiction. Subject to tidal action, the lagoons, channels and wetlands within the planning area are all considered part of the Bay shoreline.

BCDC's guidelines with Burlingame require that when any development occurs on property adjacent to the Bay, public access and construction of a trail and other amenities are required to be provided at the time of development. Such improvements are installed and maintained by the property owner for public use. The configuration and facilities provided are determined through the BCDC permit approval process.

The Bay Trail is a regional hiking and bicycling trail that, when completed, will extend around the perimeter of San Francisco and San Pablo Bays. Currently, approximately 350 miles of the planned 500-mile path is completed. The Bay Trail Plan was prepared by ABAG pursuant to Senate Bill 100. At this time, a large portion of the Bay Trail has been constructed within the City, including all of the segments of the trail on City owned land. Within the project vicinity, existing paved off-street segments of the Bay Trail currently terminate at the north corner of the project site, and approximately 650 feet southeast of the project site near Airport Boulevard.

Sites adjacent to the Bay within the Bayfront Specific Plan Shoreline Area are required to extend the Bay Trail along all the water frontages. The Bayfront Specific Plan states that for the project site: “As new development occurs, private property owners should be encouraged to complete the gaps in the trail. Conservation and protection of the bay’s adjacent environment and eco-systems, particularly at the Burlingame Wildlife Sanctuary, is important to the unique recreational experience and character of this area.”

## **Regulatory Setting**

### **Burlingame Bayfront Specific Plan**

Located within Shoreline Area of the Bayfront Specific Plan the project subject to the regulations, goals, and policies implemented under this plan. Specifically related to parks and recreation is the underlying nature of the plan area to focus on access to the shoreline. Some goals and policies that demonstrate this include the following:

**Goal C:** Promote recreational opportunities along the San Francisco Bay shoreline.

**Policy C-1:** Design criteria for development shall take best advantage of proximity to, recreational use of, and public access to the San Francisco Bay shoreline environment.

**Policy C-2:** Develop a consistent Bay Trail standard to be used along all edges of San Francisco Bay in Burlingame; require each site to connect seamlessly to the existing portions of the Bay Trail system and to provide clearly marked access from the closest public street to the Bay Trail.

**Policy C-3:** Require all private property owners with parcels fronting on shoreline subject to tidal action to develop and maintain shoreline access and trails which will create a uniform and continuous recreational opportunity suitable for a variety of recreational uses and access along the entire shoreline.

**Policy C-5:** Encourage a destination commercial recreation feature of a large scale at the retail nodes or along the lagoon frontage.

In addition, the Specific Plan outlines specific guidelines for the Shoreline Area to address the “Building/Shoreline Relationship” that calls for:

- Continuous public access improvements should be installed and maintained with a consistent standard in accordance with BCDC guidelines.
- Open space should extend an average of 75 feet from the edge of the bay to the building façade.
- Where buildings taller than 40 feet are proposed, the minimum width of the open space should equal the height of the building.
- Pocket parks and seating areas should be located along the shoreline.
- Vertical access, both visual and physically from the shoreline to the Bayshore Highway should be provided in site planning wherever possible.

a, b) **Less than Significant.** The project is located in an urbanized area with existing recreation facilities in place. As discussed in Section 14, *Population and Housing*, and consistent with

Section 15, *Public Services*, the project does not propose residential uses, so it would not result in substantial increases in population or housing within Burlingame. While employees and visitors of the project site may use the nearby park and recreation resources, such as the Bay Trail and nearby Bayside Park, their use of these facilities would be considered substantially less than use by residents. Additionally, project-generated employees and visitors would have access to project provided open spaces. The project proposes ground-level public and private open space, and elevated private open spaces via the proposed building terraces, that would offset employee and visitor demand of park and recreation facilities.

A total of approximately 126,700 sf, or 2.9 acres, of site landscaping is proposed. As previously described in the *Project Description*, specific public amenities within the public access areas would include several public paths, including a bicycle path. The project also proposes public seating areas, bike racks, and a variety of landscaping features.

As part of the project, the Bay Trail is proposed to be extended within the public access area of the project site along the shoreline and the west side of Easton Creek, terminating at Old Bayshore Highway (or, alternatively, the Bay Trail would extend east across the Easton Creek channel if the pedestrian crossing is constructed). In addition, the project's surface parking area would provide seven spaces designated and signed for parking for Bay Trail use. The on-site public access area would satisfy the Burlingame Bayfront Specific Plan recreation goals and policies for the shoreline site. Considering the anticipated uses, and proposed recreation and open space elements under the project, implementation of the project would not result in substantial physical deterioration of existing recreational facilities, nor would it require expansion of existing facilities that could have adverse environmental effects. The project would therefore have a less than significant impact on recreational facilities and the environment.

## References

City of Burlingame, *City of Burlingame General Plan*, 1969 as amended.

City of Burlingame, *Burlingame Bayfront Specific Plan*. As Approved by the Burlingame City Council Resolution No. 26-2004 April 5, 2004; and as Amended by the City Council Resolution No. 58-2006 August 21, 2006; and Resolution No. 44-2012 June 18, 2012.

City of Burlingame, *2015-2023 Housing Element*, adopted by the Burlingame City Council January 5, 2015, Resolution 5-2015.

City of Burlingame, *Burlingame General Plan*, prepared by MIG, adopted January 7, 2019. City of Burlingame, City of Burlingame Master Fee Schedule [www.burlingame.org/document\\_center/Finance/2017-18%20Master%20Fee%20Schedule.pdf](http://www.burlingame.org/document_center/Finance/2017-18%20Master%20Fee%20Schedule.pdf), effective July 1, 2017.

City of Burlingame, Burlingame Parks and Recreation, [www.burlingame.org/parksandrec/facilities/parks\\_and\\_playgrounds/index.php](http://www.burlingame.org/parksandrec/facilities/parks_and_playgrounds/index.php), accessed April 20, 2018.

Project plans and descriptions.



## Transportation and Traffic

| <i>Issues (and Supporting Information Sources):</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporation</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|---|---------------------------------------|--|-------------------------------------|--------------------------|
| <b>17. TRANSPORTATION AND TRAFFIC —</b><br><b>Would the project:</b>  |                                       |  |                                     |                          |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/>              | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/>              | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access?   | <input type="checkbox"/>              | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?  | <input type="checkbox"/>              | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

### Setting

Regional access to the project site is provided via U.S. 101. Local access to the site is provided on Old Bayshore Highway, Broadway, California Drive, Carolan Avenue, Rollins Road, and Airport Boulevard.

*U.S. 101* is a north/south eight-lane freeway in the vicinity of the site, extending northward through San Francisco and southward through San Jose. Access to and from the project study area is provided via a full interchange at Broadway.

*Old Bayshore Highway* is a north/south four-lane arterial that parallels the edge of the San Francisco Bay, extending from just north of Millbrae Avenue at the southern edge of the San Francisco International Airport to its intersection with Broadway and Airport Boulevard. Old Bayshore Highway provides direct access to the project site.

*Broadway* is an east/west two- to four-lane arterial that extends from west of Vancouver Avenue to Old Bayshore Highway, where it transitions into Airport Boulevard. Broadway operates as one of the main gateways into the city with high volumes and access to other parts to the city. Access to the project site from Broadway is provided via Old Bayshore Highway.

*California Drive* is a north/south roadway that extends from Millbrae Avenue in the City of Millbrae to Peninsula Avenue in the City of San Mateo to the south, at which point it becomes

North San Mateo Drive. California Drive consists of two lanes between Millbrae Avenue and Broadway, and four lanes south of Broadway. Access to the project site from California Drive is provided via Broadway and Old Bayshore Highway.

*Carolan Avenue* is a north/south two- to four-lane street that extends between Edwards Road and Burlingame Avenue. Access to the project site from Carolan Avenue is provided via Broadway and Old Bayshore Highway.

*Rollins Road* is a north/south two- to four-lane arterial that extends from Millbrae Avenue in the City of Millbrae to Peninsula Avenue in the City of San Mateo, where it transitions into Amphlett Boulevard. Rollins Road provides access to the project site via Broadway and Old Bayshore Highway.

*Airport Boulevard* is a north/south two- to four-lane arterial that extends from Old Bayshore Highway to Coyote Point Drive in the City of San Mateo. Airport Boulevard provides access to the project site via Old Bayshore Highway.

### **Existing Pedestrian and Bicycle Facilities**

Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the vicinity of the project site, sidewalks exist along both sides of Old Bayshore Highway, Broadway/Airport Boulevard, Rollins Road, Carolan Avenue, and California Drive, providing pedestrian access to and from the project site. Marked crosswalks with pedestrian signal heads and push buttons are provided on all approaches of the intersections of California Drive/Broadway, Old Bayshore Highway/Broadway, and Airport Boulevard/Anza Boulevard. Partial crosswalks (i.e., not all approaches) are provided at the intersections of Old Bayshore Highway/Mahler Road Street, Old Bayshore Highway/U.S. 101 northbound ramps, Carolan Avenue/Broadway, Rollins Road/Broadway, and U.S. 101 southbound ramps/Broadway.

Although some crosswalk connections are missing on Old Bayshore Highway and Broadway/Airport Boulevard, the overall network of sidewalks and crosswalks in the study area has good connectivity and provides pedestrians with safe routes to transit services and other points of interest in the vicinity of the project site.

There are several bicycle facilities in the vicinity of the project site. The existing bicycle facilities within the study area are described in the following sections, and are shown on *Figure 3* in the Transportation Impact Analysis (TIA) (see Appendix TIA).

**Class I Bikeway/Trail** is an off-street path with exclusive right-of-way for non-motorized transportation. The Bay Trail is a 500-mile Class I facility that provides a multi-use path around the entire Bay running through all nine Bay Area counties, and across the region's seven toll bridges. Within the project vicinity, the Bay Trail is accessible via Airport Boulevard and an access point located at the northeast corner of the project site.

**Class II Bike Lanes** are preferential use areas within a roadway designated for bicycles. Within the project vicinity, a Class II bike lane is present on the west side of Rollins Road between Broderick Road and Carolan Avenue Road, where it transitions into a Class III bike route.

**Class III Bike Routes** are signed bike routes, with bicycles sharing the road (no separate bike lane) with motor vehicles. The following roadway segments are designated Class III bike routes in the vicinity of the project site:

- California Drive, between Millbrae Avenue and Burlingame Avenue
- Carolan Avenue, between Broadway and Howard Avenue
- Rollins Road, between Millbrae Avenue and Broadway
- Old Bayshore Highway, between Millbrae Avenue and Airport Boulevard
- Broadway/Airport Boulevard, between California Drive and Peninsula Avenue

### Existing Transit Service

Existing transit service to the study area is provided by the San Mateo County Transit District (SamTrans), the San Mateo County's Transportation Demand Management Agency, and the Burlingame Trolley; see *Figure 4* in the TIA (Appendix TIA). The study area is served directly by one express bus route and two shuttle routes.

#### SamTrans Bus Service

Express Route 292 operates on Old Bayshore Highway next to the project site, with the closest bus stops located on both sides of Old Bayshore Highway within approximately a 600-foot walking distance. Route 292 operates between the Hillsdale Shopping Center in San Mateo and the Transbay Transit Center in downtown San Francisco. Weekday service has about 30-minute headways during commute hours.

#### Caltrain Service

Caltrain provides frequent passenger train service between San Jose and San Francisco daily. During commute hours, Caltrain provides extended service to Morgan Hill and Gilroy. The closest Caltrain station is the Broadway Station (approximately one-half-mile from the project site); however, the Broadway Station only provides weekend service at this time. The closest Caltrain stations with weekday service are the Burlingame Station and the Millbrae Station. As part of the Caltrain Modernization Program, the rail service will be electrified. The electrified Caltrain system will provide increased service, including reopening the Broadway Station for weekday service.

The Burlingame Station is served by local and limited Caltrain trains. Located about 1.7 miles south of the project site, the Burlingame Station is connected to the project site via the Burlingame Trolley Service. Trains that stop at the Burlingame Station operate at approximately 25-minute headways in both directions during the commute hours, with somewhat less-frequent service midday.<sup>33</sup>

#### Burlingame Trolley Service

The Burlingame Trolley service provides weekday peak-hour service between the Burlingame Caltrain Station and the San Francisco International Airport Marriott Hotel. The Burlingame Trolley primarily connects the hotels east of U.S. 101 with downtown Burlingame. The trolley

<sup>33</sup> As of publication of this Initial Study, weekend Caltrain service to San Francisco is suspended for construction in the four Caltrain tunnels within San Francisco, also as part of the Caltrain electrification project. Through mid-March 2019, weekend service will terminate at the Bayshore Station in Brisbane, with connecting bus service to the 22nd Street and San Francisco stations.

service only operates between 11:50 a.m. and 9:45 p.m., with approximately 45-minute headways. Therefore, the trolley would not serve morning commuters to the proposed offices. The nearest trolley stop is located adjacent to the project site at the Hyatt Regency Hotel, approximately 600 feet (about three minutes) walking distance from the project site.

### Millbrae Transit Station

The Millbrae Station is served by local, limited, and Baby Bullet Caltrain trains, as well as by Bay Area Rapid Transit (BART). Located approximately 1.8 miles north of the project site, the Millbrae Station is connected to the project site via the BART/Caltrain Shuttle Service. Caltrain trains that stop at the Millbrae Station operate at approximately 20-minute headways in the northbound direction and 23-minute headways in the southbound direction during the commute hours.

BART operates regional rail service in the Bay Area, connecting between San Francisco International Airport, San Francisco to the north, and cities in the East Bay. The Millbrae Station is the southern terminus on the Peninsula; from Millbrae, direct or connecting service is available through San Francisco on the Richmond, Antioch, Dublin/Pleasanton, and Warm Springs (Fremont) lines.<sup>34</sup> BART provides service with headways of 15 minutes on the Richmond-Millbrae Line serving the station during peak and mid-day hours, and 20-minute headways on the Pittsburg/Bay Point-SFO Airport-Millbrae Line.

### Burlingame-Bayside BART/Caltrain Shuttle Service

The Burlingame-Bayside BART/Caltrain Shuttle Service is one of San Mateo County's free public shuttle services. It travels between the Millbrae Transit Station and the Airport Boulevard/Bay View Place intersection in Burlingame. The shuttle stops curbside along Rollins Road, Old Bayshore Highway, and Airport Boulevard. The nearest shuttle stops are located at the SamTrans bus stops on Old Bayshore Highway, described previously. Shuttle service is provided during weekday commute hours and is coordinated with the Caltrain and BART schedules, with approximately 20- to 30-minute headways.

### Existing Traffic Volumes

Existing traffic volumes were obtained from peak-period counts collected on May 31, and June 20, 2017. Although traffic counts are typically conducted when schools are in session, it was judged best to wait to conduct the counts until the completion of the new Broadway interchange. In addition, there are no schools located in the vicinity of the project site. The existing peak-hour intersection volumes are shown on *Figure 6* in the TIA (Appendix TIA).

### Calculated Existing Intersection Levels of Service

Traffic conditions at the study intersections were evaluated using the Level of Service (LOS) method, which is a qualitative description of operating conditions ranging from LOS A (free-flow conditions with little or no delay) to LOS F (jammed conditions with excessive delays). The City of Burlingame evaluates intersection level of service based on the 2010 *Highway Capacity Manual* (HCM) method

<sup>34</sup> Extension of the Warm Springs/Fremont line to east San Jose (Berryessa station) is scheduled to begin in 2019. Further extension, to downtown San Jose and Santa Clara, is approved but not yet funded.

using Synchro software.<sup>35</sup> The 2010 HCM method evaluates signalized intersection operations on the basis of average control delay time for all vehicles at the intersection. This average delay can then be correlated to a level of service. While the City of Burlingame does not have a Council-adopted level of service threshold, a standard of LOS D or better has typically been applied in local traffic studies and EIRs. The correlation between delay and level of service is shown in **Table 2.16-1**.

**TABLE 2.16-1**  
**DESCRIPTIONS FOR SIGNALIZED INTERSECTION LEVEL OF SERVICE (LOS)**

| LOS Grade | Average Control Vehicle Delay (Seconds) | Description   |
|-----------|---|---|
| A         | ≤10.0                                   | <i>Free Flow or Insignificant Delays:</i> Operations with very low delay, when signal progression is extremely favorable and most vehicles arrive during the green light phase. Most vehicles do not stop at all.   |
| B         | >10.0 and ≤20.0                         | <i>Stable Operation or Minimal Delays:</i> Generally occurs with good signal progression and/or short cycle lengths. More vehicles stop than with LOS A, causing higher levels of average delay. An occasional approach phase is fully utilized.  |
| C         | >20.0 and ≤35.0                         | <i>Stable Operation or Acceptable Delays:</i> Higher delays resulting from fair signal progression and/or longer cycle lengths. Drivers begin having to wait through more than one red light. Most drivers feel somewhat restricted.  |
| D         | >35.0 and ≤55.0                         | <i>Approaching Unstable or Tolerable Delays:</i> Influence of congestion becomes more noticeable. Longer delays result from unfavorable signal progression, long cycle lengths, or high volume to capacity ratios. Many vehicles stop. Drivers may have to wait through more than one red light. Queues may develop, but dissipate rapidly, without excessive delays. |
| E         | >55.0 and ≤80.0                         | <i>Unstable Operation or Significant Delays:</i> Considered to be the limit of acceptable delay. High delays indicate poor signal progression, long cycle lengths and high volume to capacity ratios. Individual cycle failures are frequent occurrences. Vehicles may wait through several signal cycles. Long queues form upstream from intersection.               |
| F         | >80.0                                   | <i>Forced Flow or Excessive Delays:</i> Occurs with oversaturation when flows exceed the intersection capacity. Represents jammed conditions. Many cycle failures. Queues may block upstream intersections.   |

SOURCE: Transportation Research Board, *Highway Capacity Manual*, 2010.

As shown in **Table 2.16-2**, all but one of the study intersections currently operate at LOS D or better during the a.m. and p.m. peak hours; the intersection of Broadway/California Drive operates at an unacceptable LOS E during the a.m. peak hour. The unacceptable level of service at this intersection is attributed to the high traffic volume on Broadway, as well as the Caltrain railroad gate down-times on Broadway, between California Drive and Carolan Avenue.

### Observed Existing Traffic Conditions

Traffic conditions in the field were observed in order to identify existing operational deficiencies and to confirm the accuracy of calculated intersection levels of service. The purpose of this effort was (1) to identify any existing traffic problems that may not be directly related to level of service, and (2) to identify any locations where the level of service analysis does not accurately reflect existing traffic conditions.

<sup>35</sup> The 2010 *Highway Capacity Manual* does not support turning movements with shared and exclusive lanes, and intersections with more than four approaches. Intersections with these features were analyzed using the 2000 HCM.

**TABLE 2.16-2  
EXISTING INTERSECTION LEVELS OF SERVICE (LOS)**

| <b>Intersection</b>                                 | <b>Peak Hour</b> | <b>Delay (sec.)</b> | <b>LOS</b> |
|---|------------------|---------------------|------------|
| 1. Old Bayshore Highway / Mahler Road               | AM<br>PM         | 7.4<br>8.0          | A<br>A     |
| 2. Old Bayshore Highway / U.S. 101 Northbound Ramps | AM<br>PM         | 34.4<br>38.3        | C<br>D     |
| 3. Broadway / California Drive                      | AM<br>PM         | 61.2<br>45.0        | E<br>D     |
| 4. Broadway / Carolan Avenue                        | AM<br>PM         | 25.9<br>24.8        | C<br>C     |
| 5. Broadway / Rollins Road                          | AM<br>PM         | 33.2<br>33.9        | C<br>C     |
| 6. Broadway / U.S. 101 Southbound Ramps             | AM<br>PM         | 26.5<br>17.7        | C<br>B     |
| 7. Old Bayshore Highway / Airport Boulevard         | AM<br>PM         | 18.2<br>18.6        | B<br>B     |
| 8. Airport Boulevard / Anza Boulevard               | AM<br>PM         | 14.9<br>23.2        | B<br>C     |

SOURCE: Hexagon Transportation Consultants, 2017

Overall, most study intersections operated adequately during both the a.m. and p.m. peak hours of traffic, and the level of service analysis accurately reflects actual existing traffic conditions. However, field observations showed operational problems described in the following sections.

The study intersections along Broadway carry relatively large traffic volume to and from U.S. 101. The close spacing of the intersections results in spill backs, vehicles not clearing in one signal cycle, and turning vehicles occasionally blocking through lanes. Although Broadway experiences long vehicular queues on the eastbound and westbound approaches at California Drive, particularly due to the frequent Caltrain railroad gate down-times, the other movements at this intersection have relatively moderate back-ups. The eastbound through volume on Broadway frequently backs up past the Caltrain tracks to the California Drive intersection, resulting in extended wait times for vehicles turning onto Broadway from California Drive. However, movements such as the southbound left turn only occasionally require more than one signal cycle to clear the intersection.

### **Background Conditions**

Background conditions are defined as conditions within the next 3-5 years (a horizon year of 2021-2023) just prior to completion/occupation of the proposed development. Traffic volumes for background conditions comprise existing traffic volumes plus traffic generated by other approved developments in the vicinity of the site.

Under background conditions, the Carolan Avenue Complete Streets Project was recently completed. Carolan Avenue has been modified between Broadway and Oak Grove Avenue from a four-lane roadway with a Class III bicycle route, into a two-lane roadway with a third center turn-lane and new Class II bike lanes. It is also assumed that the proposed Peninsula Corridor Electrification Project (PCEP), which is a key component of the Caltrain Modernization program,

would be completed (projected to be operational between 2020 and 2021). According to the *Caltrain Peninsula Corridor Electrification Project Transportation Analysis* (2014), weekday service at the Broadway Station is expected to be restored with the implementation of the PCEP. The PCEP is expected to increase service by up to six Caltrain trains per peak hour per direction by 2020. The remainder of the transportation network is assumed to be the same under background conditions as that of the existing transportation network.

Background peak-hour traffic volumes were obtained from the Year 2020 scenario in the Carolan Avenue and Rollins Road Residential traffic study. Traffic volumes for background conditions include the completion of approved major developments in the vicinity of the project site, such as the Carolan Avenue residential project and the Burlingame Point project. Background peak-hour traffic volumes are shown on *Figure 7* in the TIA (Appendix TIA).

### **Approach to Analysis**

Project-generated travel demand was added to the existing street network to evaluate project impacts on local intersections and freeway segments. The evaluation of intersection conditions also examines anticipated queue lengths. Also evaluated were any impacts related to site access and circulation and effects on non-vehicle travel modes, including transit and bicycle and pedestrian facilities.

#### **a) Less than Significant with Mitigation.**

##### **Project Conditions**

Project conditions are represented by background traffic conditions with the addition of traffic generated by the project. Existing plus project traffic conditions could potentially occur if the project were to be occupied prior to the other approved projects in the area. It is assumed in this analysis that the transportation network under project conditions would be the same as the background transportation network. The City of Burlingame does not have Council-adopted criteria of significant traffic impacts. For purposes of this analysis, the following standards have been applied:

The project would create a significant adverse impact on traffic conditions at a signalized intersection in the City of Burlingame if for any peak hour:

- The addition of project-generated traffic would cause the level of service at the intersection to degrade from an acceptable LOS D under background conditions to an unacceptable LOS E or F, or
- The level of service at the intersection is an unacceptable LOS E, or F under background conditions and the addition of project trips would cause the average delay at the intersection to increase by five or more seconds.

##### **Project Trip Generation and Distribution**

Project trip generation was estimated by applying the appropriate trip generation rates obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition* (2012) to the size and uses of the development. The average trip generation rates

for Office (ITE Land Use 710), Quality Restaurant (Land Use 931), and Shopping Center (ITE Land Use 820) were applied to the project. The ITE rates for Shopping Center are typically used for projects such as this (i.e., projects that include a general retail component) if the specific land uses are not known at the time the traffic study is being prepared, as shopping centers commonly contain a wide range of retail land uses.

Because the project would consist of a mix of office and retail/restaurant uses, a 15 percent trip reduction was applied (to the smaller trip generator) to account for the internalization of trips between the two land use components of the project. In addition, a retail pass-by trip reduction of 25 percent was also applied to the net peak-hour trip generation estimates for the proposed retail space. Pass-by-trips are trips that would already be on the adjacent roadways (and so are already counted in the existing traffic) but would turn into the site while passing by. Justification for applying the pass-by-trip reduction is founded on the observation that such retail traffic is not actually generated by the retail development, but is already part of the ambient traffic levels.

Trips that are generated by existing occupied uses can be subtracted from the gross project trip generation estimates. Accordingly, trip credits were applied to account for the existing uses currently occupying the project site (i.e. a restaurant, an office building, a church, a community center, and a commercial building) that would be removed as part of the project. The trip generation for the existing buildings was based on driveway counts conducted at the existing nine driveways along Old Bayshore Highway. Based on the trip generation counts, the existing uses were found to be generating a total of 75 trips during the a.m. peak hour and 77 trips during the p.m. peak hour. Daily existing trips are assumed to be the average of the a.m. and p.m. peak-hour trips, multiplied by 10.

As shown in **Table 2.16-3**, after applying the previously described trip reductions, the project would generate approximately 3,006 new daily vehicle trips, with 327 trips during the a.m. peak hour and 328 trips during the p.m. peak hour.

The trip distribution pattern for the project was estimated based on existing travel patterns on the surrounding roadway system and the locations of complementary land uses. The peak-hour vehicle trips generated by the project were assigned to the roadway network in accordance with the trip distribution pattern. *Figure 11* in the TIA (Appendix TIA) shows the net trip assignment of project traffic on the local transportation network.

### Intersection Impact Analyses

**Table 2.16-4** shows that all but one of the study intersections would continue to operate at an acceptable LOS D or better during both the a.m. and p.m. peak traffic hours after addition of project-generated traffic, under both existing and background conditions. The exception (Broadway / California Drive intersection) would operate at an unacceptable LOS E during the a.m. peak hour (under existing conditions) and during both peak hours (under background conditions). The project would increase the delay by less than the threshold of significance (five seconds), so the project impact would be less than significant.



**TABLE 2.16-3  
ESTIMATED PROJECT TRIP GENERATION**

| Land Use                     | Size (KSF) <sup>a</sup> | Daily Trips  | AM Peak Hour |           |            | PM Peak Hour |            |            |
|------------------------------|-------------------------|--------------|--------------|-----------|------------|--------------|------------|------------|
|                              |                         |              | In           | Out       | Total      | In           | Out        | Total      |
| Office <sup>b</sup>          | 239.201                 | 2,638        | 338          | 46        | 384        | 59           | 287        | 346        |
| Internal Trips <sup>c</sup>  |                         | (90)         | 0            | 0         | 0          | (11)         | (7)        | (18)       |
| Subtotal                     |                         | 2,548        | 338          | 46        | 384        | 48           | 280        | 328        |
| Restaurant <sup>d</sup>      | 11.887                  | 1,069        | 5            | 5         | 10         | 60           | 29         | 89         |
| Retail <sup>e</sup>          | 8.61                    | 368          | 5            | 3         | 8          | 15           | 17         | 32         |
| Internal Trips <sup>c</sup>  |                         | (90)         | 0            | 0         | 0          | (11)         | (7)        | (18)       |
| Pass-by Trips <sup>f</sup>   |                         | (129)        | 0            | 0         | 0          | (16)         | (10)       | (26)       |
| Subtotal                     |                         | 1,218        | 10           | 8         | 18         | 48           | 29         | 77         |
| <b>Gross Project Trips</b>   |                         | <b>3,766</b> | <b>348</b>   | <b>54</b> | <b>402</b> | <b>96</b>    | <b>309</b> | <b>405</b> |
| Existing Uses <sup>g</sup>   |                         | (760)        | (68)         | (7)       | (75)       | (29)         | (48)       | (77)       |
| <b>Net New Project Trips</b> |                         | <b>3,006</b> | <b>280</b>   | <b>47</b> | <b>327</b> | <b>67</b>    | <b>261</b> | <b>328</b> |

## NOTES:

<sup>a</sup> KSF = 1,000 Square feet of floor area.<sup>b</sup> General Office Space (ITE Land Use Code 710)<sup>c</sup> Internal trips (accounting for the internalization of trips between different land uses of the project [e.g., office workers walking to the onsite restaurant or retail spaces]) are assumed to be 15 percent of the primary trips for the p.m. peak hour; no internal trips are assumed during the a.m. peak hour. Daily trip reductions are assumed to be the average of the a.m. and p.m. peak-hour rates, multiplied by 10.<sup>d</sup> Quality Restaurant Space (ITE Land Use Code 931)<sup>e</sup> Shopping Center Space (ITE Land Use Code 820)<sup>f</sup> Pass-by Trips (trips that would already be on the adjacent roadways [already part of the existing traffic] but would turn into the site while passing by) for the restaurant and retail spaces are assumed to be 25 percent of the primary trips for the p.m. peak hour, based on published trip reduction factors.<sup>g</sup> Existing trips are based on driveway traffic counts conducted at the site's nine driveways on June 6, 2017.SOURCE: Institute of Transportation Engineers, *Trip Generation Manual*, 9th Edition, 2012.

### Cumulative Conditions

Cumulative conditions represent future traffic conditions with expected growth in the area to a horizon year of 2028. The expected future traffic growth was estimated by applying a one percent annual growth factor to the existing traffic volumes, and adding traffic from approved developments. The intersection lane configurations under cumulative conditions were assumed to be the same as described under background conditions.

### Intersection Impact Analyses

Table 2.16-5 shows that all but one of the study intersections would continue to operate at an acceptable LOS D or better during both the a.m. and p.m. peak traffic hours after addition of project-generated traffic, under cumulative conditions. The California Drive / Broadway intersection would operate at an unacceptable LOS E or F during the a.m. and p.m. peak traffic hours.<sup>36</sup> The project would increase the delay by less than the threshold of significance (five seconds), so the project's cumulative impact would be less than significant.

<sup>36</sup> The City of Burlingame is seeking to grade-separate the Caltrain tracks at Broadway and has selected a design option; such option is not yet funded. With the grade separation, the gate downtime at the California Drive / Broadway intersection would be eliminated, adding relief to the vehicle queues along Broadway, and the intersection would operate at LOS D or better during peak hours.

**TABLE 2.16-4**  
**SUMMARY OF INTERSECTION LEVELS OF SERVICE (LOS) AND PROJECT IMPACTS**

| Intersection  | Peak Hour | Existing Conditions |        | Existing + Project |        | Background Conditions |        | Background + Project |        | Impact? <sup>a</sup> |
|---|-----------|---------------------|--------|--------------------|--------|-----------------------|--------|----------------------|--------|----------------------|
|   |           | Delay (sec.)        | LOS    | Delay (sec.)       | LOS    | Delay (sec.)          | LOS    | Delay (sec.)         | LOS    |                      |
| 1. Old Bayshore Highway / Mahler Road               | AM<br>PM  | 7.4<br>8.0          | A<br>A | 7.3<br>7.8         | A<br>A | 7.4<br>8.0            | A<br>A | 7.3<br>7.8           | A<br>A | No<br>No             |
| 2. Old Bayshore Highway / U.S. 101 Northbound Ramps | AM<br>PM  | 34.4<br>38.3        | C<br>D | 34.5<br>40.8       | C<br>D | 36.8<br>42.4          | D<br>D | 37.1<br>45.0         | D<br>D | No<br>No             |
| 3. Broadway / California Drive                      | AM<br>PM  | 61.2<br>45.0        | E<br>D | 63.8<br>45.8       | E<br>D | 69.9<br>65.8          | E<br>E | 71.9<br>67.4         | E<br>E | No<br>No             |
| 4. Broadway / Carolan Avenue                        | AM<br>PM  | 25.9<br>24.8        | C<br>C | 26.1<br>24.9       | C<br>C | 27.3<br>29.0          | C<br>C | 27.5<br>29.3         | C<br>C | No<br>No             |
| 5. Broadway / Rollins Road                          | AM<br>PM  | 33.2<br>33.9        | C<br>C | 33.7<br>34.1       | C<br>C | 35.7<br>38.6          | D<br>D | 36.3<br>39.0         | D<br>D | No<br>No             |
| 6. Broadway / U.S. 101 Southbound Ramps             | AM<br>PM  | 26.5<br>17.7        | C<br>B | 27.5<br>18.4       | C<br>B | 28.1<br>19.4          | C<br>B | 29.2<br>20.2         | C<br>C | No<br>No             |
| 7. Old Bayshore Highway / Airport Boulevard         | AM<br>PM  | 18.2<br>18.6        | B<br>B | 18.6<br>18.6       | B<br>B | 18.4<br>19.4          | B<br>B | 19.4<br>19.5         | C<br>C | No<br>No             |
| 8. Airport Boulevard / Anza Boulevard               | AM<br>PM  | 14.9<br>23.2        | B<br>C | 14.8<br>22.9       | B<br>C | 14.9<br>23.2          | B<br>C | 14.8<br>22.9         | B<br>C | No<br>No             |

## NOTE:

<sup>a</sup> A significant impact would occur if the addition of project-generated traffic would cause the level of service to degrade from an acceptable LOS D or better to an unacceptable LOS E or F, or would cause the delay at an intersection operating at an unacceptable LOS E or F without project traffic to increase by five or more seconds.

SOURCE: Hexagon Transportation Consultants, 2017

**TABLE 2.16-5  
SUMMARY OF CUMULATIVE INTERSECTION LEVELS OF SERVICE (LOS)**

| Intersection  | Peak Hour | Delay (sec.) | LOS    | Delay (sec.) | LOS    | Impact? <sup>a</sup> |
|---|-----------|--------------|--------|--------------|--------|----------------------|
| 1. Old Bayshore Highway / Mahler Road               | AM<br>PM  | 7.3<br>8.3   | A<br>A | 7.7<br>8.2   | A<br>A | No<br>No             |
| 2. Old Bayshore Highway / U.S. 101 Northbound Ramps | AM<br>PM  | 39.1<br>45.4 | D<br>D | 39.4<br>48.2 | D<br>D | No<br>No             |
| 3. Broadway / California Drive                      | AM<br>PM  | 87.1<br>72.8 | F<br>E | 90.6<br>74.6 | F<br>E | No<br>No             |
| 4. Broadway / Carolan Avenue                        | AM<br>PM  | 28.0<br>30.5 | C<br>C | 28.4<br>31.0 | C<br>C | No<br>No             |
| 5. Broadway / Rollins Road                          | AM<br>PM  | 38.2<br>42.1 | D<br>D | 39.0<br>42.6 | D<br>D | No<br>No             |
| 6. Broadway / U.S. 101 Southbound Ramps             | AM<br>PM  | 29.6<br>21.2 | C<br>C | 31.0<br>22.6 | C<br>C | No<br>No             |
| 7. Old Bayshore Highway / Airport Boulevard         | AM<br>PM  | 19.0<br>20.1 | B<br>C | 19.8<br>20.2 | B<br>C | No<br>No             |
| 8. Airport Boulevard / Anza Boulevard               | AM<br>PM  | 15.3<br>24.3 | B<br>C | 15.2<br>24.1 | B<br>C | No<br>No             |

NOTE:

<sup>a</sup> A significant impact would occur if the addition of project-generated traffic would cause the level of service to degrade from an acceptable LOS D or better to an unacceptable LOS E or F, or would cause the delay at an intersection operating at an unacceptable LOS E or F without project traffic to increase by five or more seconds.

SOURCE: Hexagon Transportation Consultants, 2017

### Vehicle Queuing at Intersections

The analysis of intersection LOS was supplemented with an analysis of traffic operations for intersections where the project would add a substantial number of left turns. Queuing was evaluated at the following study intersections:

2. Old Bayshore Highway and U.S. 101 Northbound Ramps
3. Broadway and California Drive
6. Broadway and U.S. 101 Southbound Ramps
7. Old Bayshore Highway and Airport Boulevard

At the two U.S. 101 ramp intersections (Study Intersections #2 and #6), the left-turn lane storage lengths are currently adequate, and would continue to be so under project conditions, for estimated peak queue lengths.

At the intersection of Broadway and California Drive (Intersection #3), the peak queues for the southbound and westbound left turns currently exceed the turn pocket storage capacities during both the a.m. and p.m. peak hours. With the addition of project trips, the peak queues would increase by no more than one vehicle during the peak hours. The small increase in queue length due to the addition of project traffic would have a negligible effect on traffic operations at this intersection because it would last for only a few seconds during only the busiest cycles within the peak hours.

At the intersection of Old Bayshore Highway and Airport Boulevard (Intersection #7), the estimated peak queues under background conditions would have sufficient storage length on the left-turns. The addition of project trips would increase the peak queue by three vehicles during the a.m. peak hour, and would cause the turn movement to exceed the storage capacity by 25 feet (one vehicle) during the p.m. peak hour. This would be a significant impact.

**Mitigation Measure TRF-1: Adjust signal timing at the intersection of Old Bayshore Highway and Airport Boulevard to allow more green-time to eastbound left-turn vehicles.**

Although the intersection is physically constrained signal timing changes would help alleviate the Broadway congestion. A comparison analysis demonstrates that more green-time could be given to eastbound left-turning vehicles, without significantly degrading the intersection's level of service. The additional green-time would allow more vehicles to clear the intersection within a single signal cycle, and reduce the number of queued vehicles in the left-turn lane, and thus, reduce the impact to less than significant level.

- b) **Less than Significant.** The Congestion Management Agency for C/CAG is responsible for maintaining the performance and standards of the Congestion Management Program (CMP) roadway network.<sup>37</sup> Per CMP technical guidelines, a freeway segment level of service analysis is required when a project is expected to add trips greater than one percent of a segment's capacity. The magnitude of project trips on the freeway segments near the project site was determined based on the anticipated distribution/assignment pattern of the a.m. and p.m. peak-hour trips generated by the project. As shown in **Table 2.16-6**, new freeway trips generated by the project would be less than the one percent threshold of freeway capacity to all segments in the area. Therefore, a detailed analysis of freeway segments was not performed, and the project is considered to have a less than significant impact on the study freeway segments.

**TABLE 2.16-6  
FREEWAY SEGMENT CAPACITY EVALUATION**

| Freeway Segment                        | Direction | Peak Hour | Lanes | Capacity | LOS | Project Trips | % of Capacity  | Impact?  |
|--|-----------|-----------|-------|----------|-----|---------------|----------------|----------|
| U.S. 101: Peninsula Avenue to Broadway | NB        | AM<br>PM  | 4     | 9,200    | F   | 82<br>10      | 0.89%<br>0.11% | No<br>No |
| U.S. 101: Broadway to Millbrae Avenue  | NB        | AM<br>PM  | 4     | 9,200    | F   | 13<br>73      | 0.14%<br>0.79% | No<br>No |
| U.S. 101: Millbrae Avenue to Broadway  | SB        | AM<br>PM  | 4     | 9,200    | F   | 82<br>11      | 0.89%<br>0.12% | No<br>No |
| U.S. 101: Broadway to Peninsula Avenue | SB        | AM<br>PM  | 4     | 9,200    | F   | 13<br>73      | 0.14%<br>0.79% | No<br>No |

SOURCE: Hexagon Transportation Consultants, 2017

<sup>37</sup> An additional requirement of the CMP is that all new developments projected to add at least 100 net peak-hour trips to the CMP roadway network are required to implement Travel Demand Management (TDM) measures that would reduce project impacts. The TDM Plan proposed for the project is described in detail in the TIA (Appendix TIA).

- c) **Less than Significant.** The proposed project would not alter the physical configuration of the surrounding road network, and would not introduce unsafe design features. Access to the project site would be provided via two full-access driveways (allowing right and left inbound and outbound turns) on Old Bayshore Highway. The northern driveway would provide access to the surface parking lot along the northern edge of the site, while the southern driveway would primarily provide access to the above-grade levels of the parking garages comprising the first four floors of the two buildings. There are no existing trees or visual obstructions along the project frontages to obscure sight distance at the project driveways. Based on the project site plan, the northern and southern project driveways would have approximately 450 feet and 350 feet of available sight distance, respectively. Therefore, it can be concluded that the project driveways would meet the Caltrans minimum stopping sight distance standards. For these reasons, the proposed project's impact on potential traffic hazards would be less than significant.
- d) **Less than Significant.** The project would not alter the physical configuration of the surrounding road network (i.e., would not affect the routes emergency service vehicles currently take). Emergency vehicles would access the project site via the two full-access driveways described in Criterion "c". In addition, as described in Criterion "a", the project would not generate traffic volume increases that would significantly affect traffic flow on area roadways (including that by emergency vehicles). For these reasons, the proposed project would have a less than significant effect on emergency access.
- e) **Less than Significant.** It is the goal of the City of Burlingame General Plan that all development projects accommodate and encourage the use of non-automobile transportation modes to achieve Burlingame's mobility goals. In addition, the adopted Bicycle Transportation Plan (BTP) establishes goals and policies to make bicycling a daily part of life in Burlingame. The BTP includes designated bike lanes where possible, as well as designated routes for both local and regional trips, to provide a complete connection through Burlingame.

Concerning transit demand, of the project's approximately 330 net new trips in the a.m. and p.m. peak hours, up to approximately 20 percent could be expected to be made by transit, if financial incentives were offered for transit ridership (Hexagon, 2017). Given the approximately 10 peak-hour buses that serve nearby bus stops, this would result in up to about seven additional riders per bus, which would not be expected to adversely affect transit service (Hexagon, 2017). Absent financial incentives, transit ridership would likely be lower.

The project would neither directly nor indirectly eliminate existing or planned alternative transportation corridors or facilities (e.g., bike paths, lanes, etc.), including changes in policies or programs that support alternative transportation, nor construct facilities in locations in which future alternative transportation facilities may be planned. In fact, the project would construct a connecting section of the Bay Trail along the project's Bay frontage. The project would not conflict with adopted policies, plans and programs supporting alternative

transportation. In addition, as described in Criterion “a,” the project would not generate traffic volume increases that would significantly affect traffic flow on area roadways. Therefore, the performance of public transit, bicycle and pedestrian facilities in the area would not be adversely affected, and the project impact would be less than significant.

## References

Hexagon Transportation Consultants, Inc., *SFO Technology Center at 1300 Old Bayshore Highway Final Transportation Impact Analysis*, January 16, 2019.

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## Utilities and Service Systems

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>18. UTILITIES AND SERVICE SYSTEMS —</b><br>Would the project:   |                                       |   |                                     |                          |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## Discussion

### Setting

According to the 2015-2023 Burlingame Housing Element, “the City of Burlingame is almost built out and public facilities in place are adequate to serve existing and proposed development” (City of Burlingame, 2015). The following discussion considers the existing public utilities facilities and systems, including water supply, wastewater conveyance and treatment and solid waste within the City of Burlingame.

### Water Supply

The City of Burlingame provides water service to properties within its boundaries as well as to the unincorporated Burlingame Hills area adjacent to the west. The City's sole source of potable water is the San Francisco Public Utilities Commission (SFPUC) system.

The SFPUC provides water to its wholesale customers (including the City of Burlingame) under the terms of a 2009 Water Supply Agreement. The 2009 Agreement, and amendments finalized in 2018, has a 25-year term (through 2034), however, the SFPUC's 2015 Urban Water Management Plan (UWMP) assumes that the amount that is allocated to wholesalers under the Agreement will continue through the year 2040.

Burlingame has a guaranteed allotment of approximately 5.23 million gallons per day (mgd), or approximately 1,909 million gallons (mg) per year from SFPUC (Erler & Kalinowski Inc., 2016). In June of 2016, the City of Burlingame adopted an Urban Water Management Plan that assessed the City's water needs and anticipated supplies to accommodate current needs and future growth based on the ABAG projections presented in 2009 and 2013. The average water demand was calculated from years 2011 through 2015 at 1,458 mg per year, or about four million gallons per day (mgd) (Erler & Kalinowski Inc., 2016). By 2020, the Urban Water Management Plan projects that Burlingame will use about 1,752 mg per year (4.97 mgd), by 2025 this number is expected to increase to 1,790 mg, by 2035 it is expected at 1,905 mg, and by 2040 it would reach 1,956 mg per year, thereby exceeding its SFPUC allocation (Erler & Kalinowski Inc., 2016).

On December 12, 2018, the SWRCB adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment). The Bay-Delta Plan Amendment will affect the ability of the SFPUC to provide water supply to its wholesale customers in dry years in the future. If the Bay-Delta Plan Amendment is implemented, the SFPUC<sup>38</sup> expects to be able to meet its contractual obligations to its wholesale customers as presented in its 2015 UWMP in normal years. The SFPUC's 2015 UWMP already assumes shortages in single and multiple dry years through 2040, and the SFPUC expects implementation of the Bay-Delta Plan Amendment will result in greater shortages.

In light of the potential water supply limitations that may result from the Bay-Delta Plan Amendment, the SFPUC is increasing and accelerating its efforts to acquire additional water supplies and explore other projects that would increase overall water supply resilience. Developing these additional supplies would reduce water supply rationing associated with such shortfalls.

However even if SFPUC's capital projects are implemented, the total amount of water and storage yielded would not be enough to make up for the dry year shortfall that wholesale and retail customers of the SFPUC may experience due to implementation of the Bay-Delta Plan Amendment as adopted. Thus, the SFPUC continues to proactively explore opportunities for reuse and innovation, such as a policy of surveying wastewater treatment plants throughout the SFPUC service area to identify potential non-potable, indirect potable, and direct potable projects.

### **Wastewater Treatment and Conveyance**

The City of Burlingame provides wastewater treatment for its residents as well as parts of neighboring Hillsborough. The wastewater is gravity fed to lift stations and then to the waste water treatment facility located at 1103 Airport Boulevard (WWTP). The facility has a designed capacity to treat 5.5 mgd of wastewater per day and 16 mgd during wet weather (City of Burlingame, 2019). Treated effluent is conveyed to South San Francisco for disposal into the Bay. As of March 2015, the WWTP was reported to operate at an average dry weather flow (ADWF) of 2.7 mgd, which represents approximately 50 percent of the plant's permitted ADWF capacity (San Francisco Bay Regional Water Quality Control Board, 2015).

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<sup>38</sup> SFPUC Letter to BAWSCA Member Agencies, July 2019.



Burlingame has started using recycled water for non-potable uses at its WWTP, and will be building a water distribution system to use recycled water for irrigation at some of the City's parks and other municipally owned landscaped areas. Larger commercial developments on the east side of U.S. 101 are required to extend water lines for non-potable irrigation water to support their required landscaping. The Burlingame Municipal code requires that any new landscape installation shall include water conservation measures, and this is implemented by the Department of Public Works. Implementation of these measures will help reduce future demand for water from the SFPUC system (City of Burlingame, 2015 p. 109).

### **Solid Waste**

The City contracts with Recology San Mateo County (Recology) for solid waste pickup, which provides recycling, composting, and garbage collection services for approximately 92,000 residences and 10,000 businesses in San Mateo County. Solid waste collected by Recology is transported to the Shoreway Environmental Center (Shoreway) for processing and shipment. The facility is operated by South Bay Recycling under a 10-year contract with RethinkWaste as of January 1, 2011.

South Bay Recycling ensures compliance with the California Integrated Waste Management Act and its waste reduction mandates. RethinkWaste also provides strategic oversight, support and management of service providers that collect, process, recycle and dispose of materials for the 12 Member Agencies. The primary goal of the RethinkWaste is to provide cost effective waste reduction, recycling, and solid waste programs to member agencies through franchised services and other recyclers to meet and sustain a minimum of 50 percent diversion of waste from landfill as mandated by California State Law, AB 939.

Residential and commercial solid waste recyclable and organic materials that are collected by Recology are taken to the Shoreway for processing, staging, and shipment. Shoreway serves as a transfer station for solid waste, construction and demolition (C&D) debris, and organics. Materials are consolidated at Shoreway and loaded into large transfer trailers for shipment offsite to the Ox Mountain Landfill and to recycling facilities for construction and demolition waste, and organic materials. The Ox Mountain Landfill has a total capacity of approximately 60.5 million cubic yards. The current remaining permitted capacity was calculated at 22,030,078 cubic yards, as of December 31, 2016. Based upon current waste disposal rates, average density of the waste, and daily cover usage at the facility, the estimated closure date for the landfill is 2034 (San Mateo County, 2017). Ox Mountain is permitted by the California Integrated Waste Management Board (CIWMB) to receive 3,598 tons per day (CalRecycle, 2017).

From 2013 to 2018, both residents and employees of Burlingame have generated solid waste at a rate below the pounds per person per day (ppd) target rate of 7.1 ppd per resident, and 5.1 ppd per employee (CalRecycle, 2019).

- a, c) **Less than Significant.** Construction of the proposed project buildings would require connection to the City's existing sanitary sewer system. As the City Public Works Department replaces existing sanitary sewer feeder mains in the plan area, most are

replaced with a larger size to increase the hydraulic efficiency of the system (City of Burlingame, 2003). The City indicates that aside from any new sanitary sewer lines that would be required on-site to serve the proposed project, an existing segment of the City's 10-inch existing sanitary sewer main in Old Bayshore Highway would need to be rehabilitated and upsized to the next downstream pipe-segment that has adequate capacity to support the proposed development. With these ongoing improvements, the system is anticipated to be adequate to transport wastewater generated by planned development.

The proposed project would generate an increase in wastewater generation at the project site compared to existing conditions. Using a conservative assumption that that all project potable water demand would result in wastewater, and not discounting for any wastewater generated by the existing uses at the project site, the project could result in a total wastewater generation of approximately 0.023 mgd. With the WWTP operating at 2.7 mgd while having a capacity of 5.5 mgd, this incremental increase in wastewater requiring treatment would be well within the WWTP's available capacity.

In addition, given that the project use and floor area are consistent with the nature and scale previously considered and approved by the City in the Burlingame Bayfront Specific Plan (as addressed in Section 11, *Land Use*), this increase in wastewater treatment demand is within the documented flow rates and the existing capacity of the wastewater treatment plant. Ultimately, the project would not result in the need for new or expanded wastewater treatment facilities or exceed wastewater treatment requirements of the Regional Water Quality Control Board and impacts would be less than significant.

As indicated certain on- and off-site sanitary sewer lines would be required to be installed to serve the project. The developer would also be required to complete a domestic and fire suppression use study to determine if the project will trigger the need to upsize the existing 10-inch asbestos cement (AC) pipe that would serve the proposed development. The project would also require connection to the existing on-site stormwater drainage system; stormwater runoff from the project site would be routed to the municipal stormwater collection system. Finally, the project would also require connection to the existing power, natural gas and telecommunications networks. As discussed in Section 10, *Hydrology and Water Quality*, the applicant would be required to obtain coverage under the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity. Implementation of a SWPPP in compliance with the permit would identify BMPs to ensure that construction of new utilities infrastructure would not result in adverse impacts to water quality. Impacts would be less than significant.

- b) **Less than Significant.** The City of Burlingame purchases all of its potable water from the SFPUC with an Individual Supply Guarantee of 5.23 mgd for normal year deliveries. According to the SFPUC, there is sufficient water supply to meet expected future demand through 2035. In the event of single or sequential drought years, the SFPUC would curtail water supplied. In reduced supply scenarios, the City would initiate its water shortage contingency plan as described in the City's Urban Water Management Plan, which includes

both voluntary and mandatory stages that would allow the City to reduce water deliveries and implement demand reductions. Adherence to the water contingency plan during dry year events would ensure that water supplies to the City, and thus the proposed project, would be satisfied.

The proposed project would generate an increase in potable water demand at the project site compared to existing conditions. The project would demolish 127,200 sf of existing commercial development, and construct approximately 260,346 sf of new commercial development, for a net increase of 133,146 sf. It is assumed that office and retail/restaurant uses would use water demand rates of 0.075 gpd/sf and 0.24 gpd/sf, respectively. As a further conservative approach, the potable water demand analysis does not discount for any water demand generated by the existing uses at the project site. Using these assumptions, the project would generate a potable water demand of approximately 8.35 mg/year, which equates to approximately 0.023 (refer to **Table 2.18-1**).

**TABLE 2.18-1**  
**PROJECT POTABLE WATER DEMAND**

| Scenario 2:<br>Office and Retail/Restaurant Uses |           |  |  |
|--|-----------|--|--|
| Land Use   | Area (sf) | Average Daily<br>Water Demand Rate<br>(gpd/sf) | Average Daily<br>Water Demand<br>(gpd) |
| Office   | 239,830   | 0.075  | 17,987                                 |
| Restaurant                                       | 11,887    | 0.24   | 2,853                                  |
| Retail   | 8,629     | 0.24   | 2,071                                  |
| Total  | 260,346   |  | 22,911 gpd                             |
| <b>Total</b>                                     |           |  | <b>0.023 mgd</b>                       |
| <b>Total</b>                                     |           |  | <b>8.35 mg/yr</b>                      |

SOURCE: Generation Rates from City of Burlingame, 2011.

As described in the setting description, the City has adequate potable water supplies to meet anticipated future demand anticipated under 2009 and 2013 ABAG growth projections, even under dry year conditions. An increase in potable water demand of 8.35 mg/year would not exceed the City's contracted water supply through at least 2030, and through updates to their Urban Water Management Plan, the City would track changes to their forecasted water needs. In addition, as addressed in Section 11 *Land Use*, the density of the project site was considered under the Burlingame Bayfront Specific Plan. The project would thus not require additional potable water beyond that already considered by the City in its current Urban Water Management Plan.

As discussed in the Setting, in light of the potential water supply limitations that may result from the Bay-Delta Plan Amendment, the SFPUC is also increasing and accelerating its efforts to acquire additional water supplies and explore other projects that would increase overall water supply resilience.

The increased potable water demand resulting from the proposed project would not result in the need for new or expanded water supply entitlements. The impact would be less than significant.

- d, e) **Less than Significant.** The proposed project would comply with the City of Burlingame Ordinance No. 1704 (Burlingame Municipal Code Chapter 8.17) regarding the recycling of construction and demolition (C&D) debris. This ordinance requires that 60 percent by weight of all waste generated from C&D be reused and/or recycled. In addition, a minimum 25 percent of structural material (excluding concrete, asphalt, and dirt) must be recycled. Assuming that future employees continue to generate solid waste at existing rates, demand for solid waste disposal services generated by the project would be adequately served by existing capacity at the transfer station and landfill and the project would comply with all applicable regulations related to solid waste; therefore, impacts regarding solid waste disposal are considered less than significant.

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## Wildfire

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--|---|---|---|-------------------------------------|
| <b>19. WILDFIRE</b> — If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:   |   |   |   |                                     |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

## Discussion

- a-d) **No Impact.** Development under the proposed CPHP would not be located in or near a state responsibility area or land classified as a very high fire hazard severity zone. Consequently, there would be no impact associated with the project on wildfire.

## Wind

Although wind is not a topic in the City's standard CEQA checklist, this Initial Study presents a discussion of the project's potential effects with respect to wind because the topic was included in the 2003 Initial Study/Mitigated Negative Declaration (IS/MND) for the Burlingame Bayfront Specific Plan Update (City of Burlingame, 2003). The 2003 IS/MND considered wind conditions in light of the fact that the nearshore area of San Francisco Bay along some portions of the Specific Plan area is a popular recreational destination for windsurfing, and also to ensure that development would not result in hazardous winds for pedestrians and within publicly accessible open spaces.

## Discussion

The Burlingame Bayfront Specific Plan includes the following Community Standards for Wind Impacts that were identified in the 2003 IS/MND to ensure that the impacts of wind within the Burlingame Bayfront Specific Plan would not be significant:

*In order to preserve the wind resource for recreational windsurfers and to improve the wind environment on the Bay Trail, pedestrian pathways and in useable open spaces and parking lots near large buildings, standards should be applied to evaluate changes in wind speed caused by new construction. The following standards shall be considered for all new development in the portions of the Bayfront Planning Area described.*

### *All Areas:*

- *The community standard to be achieved by wind evaluations required shall be that the wind reduction caused by a structure shall reduce the wind speeds compared to existing conditions by no more than 10% at irreplaceable windsurfing launching and landing sites, or reduce wind speed by no more than 10% over large portions of the windsurfing transit routes or primary board sailing areas.*
- *In the evaluation of wind impacts as they relate to hazardous wind conditions in the pedestrian and open space environment, the structures shall result in an increase in wind speed and turbulence in areas adjacent to the buildings of no more than 10% compared to existing conditions.*
- *On properties along the shoreline, types of landscaping that can materially affect wind speeds should be discouraged.*
- *In order to have a minimal impact on wind in the nearby Bay, planting of trees along the Bay trails should be minimized in areas adjacent to recreational uses and key visual access.*
- *Within parks and open space areas located away from the water, small structures and landscaping should be used to reduce winds and provide protected areas.*

### *Shoreline Area:*

- *For any building 80 feet tall or more, a wind analysis should be prepared to evaluate the potential wind effects on bay recreation.*

- *The wind analysis should also include evaluation of wind impacts as they relate to hazardous wind conditions in the pedestrian and open space environment adjacent to these buildings.*

### **Existing Conditions at the Project Site and Vicinity<sup>39</sup>**

The project site is in the Shoreline Area of the Burlingame Bayfront Specific Plan. This area is described in the 2003 Specific Plan IS/MND as a “wind-constrained area.” The existing development in the Plan Area contains commercial buildings with large footprints and building heights that range from two to nine stories. Most of the buildings are surrounded by surface parking or two- to three-story buildings. As described in the 2003 IS/MND:

#### *Wind-related Characteristics of the Bayfront Specific Plan Area*

*Shoreline and Inner Bayshore Areas (along Bayshore Highway). Although there are some taller structures in these subareas, most of the area is developed with low-rise commercial and office buildings that is more densely developed than other parts of the Bayfront Planning Area. Development along the shoreline has included Bay access and open space along the Bay which offers opportunities for employees and visitors to reach the shoreline. The westerly wind is slowed as it passes through this area overland, but it picks up speed again as it reaches the shoreline and open water. Construction of taller buildings along the Shoreline could result in the west wind slowing over water in the area, but buildings would not impact winds from other directions or over water.*

More specifically, the project site is close to three of the taller buildings now in the Shoreline Area:

- Immediately north of the project site is a nine-story office building, One Bay Plaza, at 1350 Bayshore Highway.
- Northwest of the project site is a seven-story office building, Kahala Tower, at 851 Burlway Road.
- West of the project site, directly across Bayshore Highway, is the nine-story Hyatt Regency Hotel, at 1333 Bayshore Highway.

To the southwest of the project site is a two-story office building at 1299 Bayshore Highway, and south of the project site is a three-story Holiday Inn Express, at 1250 Bayshore Highway. In addition, sites adjacent to the taller buildings are occupied by two- and three-story buildings that form a barrier that extends from southwest through north of the project site.

The result of the existing nearby development is to slow and to increase the turbulence of the N, NNW, NW, WNW, W, WSW, and SW winds that approach the project site. Winds from these directions also must pass over thousands of feet of similar commercial and industrial development before reaching the site vicinity.

<sup>39</sup> Wind convention acronyms used herein are as follow: N = north; NW = northwest; NNW = north-northwest; WNW = west-northwest; W = west; WSW = west-southwest; S = south; and SW = southwest; ENE = east-northeast; and SE = southeast.



Experience shows that, typically, a building may cause wind speed reductions over a downwind distance of approximately eight to ten times the height of the building, with the effects decreasing with distance. For the proposed project, with a height of approximately 100 feet, the wind speed could be affected for a distance of up to 0.2 miles (approximately 1,000 feet) downwind; beyond that, there would be essentially no effect on wind speed.

In the Burlingame Bayfront Specific Plan area, the W wind is one of the prevailing wind directions, and also has the highest wind speed. The W wind provides desired winds for board sailing, which primarily occurs in the Bay north of the beach at the Coyote Point Recreation Area. Due to the geography of the area, only the wind from due west could possibly be affected by the project before the wind reaches the board sailing area. However, because the project site is approximately two miles due west of the Coyote Point Recreation Area, the proposed project would be too distant to have any effect on W wind in the Bay at the Coyote Point Recreation Area. Board sailing is less likely to occur in the Bay north of the Shoreline or Anza Extension areas (including near the project site) because wind conditions there are degraded by nearby existing development, as well as the lands and structures of the San Francisco International Airport.

The major recreational amenity in the project site vicinity is the San Francisco Bay Trail (Bay Trail). Under the proposed project, the Bay Trail would be extended within this public access area of the project site along the shoreline and the west side of Easton Creek, terminating at Old Bayshore Highway. In addition, up to two pedestrian bridges across the Easton Creek open channel segment within the project site would be constructed, in which case the Bay Trail would extend east across the northern crossing of the creek channel.

The recreational use of the Bay Trail is generally insensitive to the wind conditions or to changes in the winds. However, pedestrians tend to prefer shelter in very windy conditions. The Burlingame Bayfront Specific Plan recognizes this and seeks to provide localized near-ground wind shelters that would improve wind conditions for pedestrians without compromising winds in board sailing areas in the Bay. The effect of the project on winds on the Bay Trail is discussed, under *Effects of the Project*.

### ***Effects of the Project***

The project building would demolish several two-story commercial buildings and a former movie theater and construct a project composed of two structures, connected by screens to make them appear to be a single building. Building A would be north of the Easton Creek channel and Building B would be south of Easton Creek. Both buildings would be eight stories, and would measure approximately 99 feet to the top of their roofs. The upper floors (floors 5 through 8) of the north end of Building A and south end of Building B would step back with successive floors from. The footprint of the building would be shaped like a segment of a ring. As such, the southwest, west, northwest, and north street-side façades of the building would form a convex curve, while the façade that faces the interior open space and the Bay, would be a concave curve (refer to **Figure 1-3**).

Because the convex curved building façade would face into each of the predominant wind directions, winds that strike the face of the building would not build up the same vertical pressure

profile that occurs on the flat face of a rectangular building of similar height. Although a part of the wind would flow down the face of the project building to the ground, most of the wind that strikes the cylindrical façade would divide and flow horizontally away from the point of contact, following the curve of the façade around the building. Because much of the flow would be redirected horizontally, rather than being directed down toward the ground, the resulting winds at the base of the building would not be expected to be as strong as would be expected at the base of a rectangular building of similar height.

In general, winds in the project open space on the east side of the building would be expected to be substantially reduced, since the enclosing buildings would provide shelter. Because the corresponding facades would be curved, this phenomenon would occur for each of the major wind directions—from N through WSW—that approach the project site. However, some of these winds would be able to flow through the relatively large proposed entrance opening between the project buildings and directly into the project open space. Because the opening would be relatively wide and up to 47.5 feet in height, the air flow through it could be substantial, especially for the WSW winds that would strike the face of the building squarely (at 90 degrees), and the W and SW winds that are closest (at 68 degrees). These W, WSW, and SW winds would be expected to move freely through this opening, but would not be accelerated by the building. These winds also would move through the perforations in the proposed screen that would span between Buildings A and B, but would be slowed as they did. Considering the relatively protected wind conditions expected otherwise in the east-side open space, the wind flowing freely through the building entrance and through the screen would seem strong by contrast. However, the wind flow would decrease as it moves eastward, toward the Bay.

Winds that approach the site from the ENE through SE would approach from over the airport runways and the Bay and would be relatively unimpeded. The stronger winds that occur from these directions typically occur during storm events. For these winds, the concave surface of the façade would tend to gather, rather than divide, the approaching wind flow. However, the resulting ground-level winds would be similar to the winds at the base of a rectangular building of similar height.

Winds from the SE through SW would be slowed by the existing three-story Holiday Inn Express located at 1250 Bayshore Highway and the two-story office building at 1299 Bayshore Highway. The existing Holiday Inn Express building would serve to shelter the project open space as well as the lower floors of the project building from SE and S winds, while the 1299 Bayshore Highway building would tend to shelter the project open space as well as the lower floors of the project building from WSW winds.

Due to the conditions and characteristics discussed previously, the following are the anticipated wind effects of the proposed project buildings.

### **Old Bayshore Highway Sidewalks**

Because the proposed buildings would be set back from the sidewalks and because winds at the base of the buildings are not anticipated to be substantial, wind conditions should be less than or remain the same as under existing conditions on the sidewalks.

### **Opening Between Proposed Buildings**

The W, WSW, and SW winds that currently occur at this site location would continue to flow freely through the opening between the buildings, but are not expected to be accelerated by the buildings. These winds would flow into the otherwise protected space east of the buildings, but would lose speed as they mix with the more-calm mass of air east of the buildings. These winds are not expected to be strong enough to be hazardous. Structures or plantings could be developed after the building is constructed to reduce wind speeds at specific locations should uncomfortable winds arise.

### **Project Open Space**

This area east of the project buildings, including the proposed Bay Trail segment on the project site, should experience general reductions in wind speed, with the exception of near the opening between the buildings, where winds would be similar to those under existing conditions, albeit stronger than the nearby calm, sheltered conditions.

### **Proposed Building Terraces**

The open areas on the terraces would be exposed to higher wind speeds than occur at ground level. These winds should be similar to winds that occur on the roofs of several nearby parking structures. Wind screens could be added if necessary to increase comfort for building users.

### **Bay Trail**

Because most of the Bay Trail would be relatively distant from the buildings, the buildings' wind sheltering effects would not be strongly felt by people on the Bay Trail.

At the water's edge and north of the project buildings, wind conditions would remain similar to the existing wind conditions. Wind conditions close to the north end of the Building A would change when the project is built, because the project would then provide shelter for the Bay Trail.

There would be a general reduction in wind speed on the project site near the water's edge, from the north end of Building A to the Easton Creek channel, for N, NNW, NW, WNW, W, and WSW winds. Along the Easton Creek channel, close to the building, wind speeds would recover to values that now occur in the open along the Bay Trail.

The project would have no effect on winds from the ENE through SE, since the Bay Trail would be upwind of the buildings. The project would have little to no effect on winds from the SE through SW, since the Bay Trail would be cross-wind of the buildings.

### **Board Sailing and Bay Recreation**

Because it is approximately two miles due west of the Coyote Point Recreation Area, the project would be too distant to have any effect on wind in the Bay at the Coyote Point Recreation Area. As a result, the effects on board sailing or other wind-dependent recreation would be less than significant.

The predominant board sailing winds, which center around the W wind, all must pass over the surrounding development, including the taller buildings described previously, so are already slowed,

with already increased turbulence. As noted in the Burlingame Bayfront Specific Plan, “Construction of taller buildings along the Shoreline could result in the west wind slowing over water in the area, but buildings would not impact winds from other directions or over water.”

The project site fronts a part of the Bay that is in the wind shadow of SFO and substantial development already exists upwind of the site. For these reasons, the segment of the Bay adjacent to the site is not considered to include “windsurfing transit routes or primary board sailing areas.” As a result, it is judged that the effects on board sailing or other wind-dependent recreation would be less than significant.

## Shadow

Although it is not required under CEQA, this Initial Study presents a discussion of the project’s potential effects with respect to shadow conditions for informational purposes. The discussion in this section is provided to allow for consideration of the pedestrian environment in publicly accessible areas on and near the project site.

## Discussion

Shadow analysis relies on the predictable repetition of shadows over the course of a solar year, which is the time interval between subsequent solar events, such as between one summer solstice and the next. Because a solar year is comprised of two mirror halves, it is only necessary to study the shadow characteristics for half of the solar year to determine the extent and duration of shadow during the entire year.

The distance a project shadow can reach is determined by the height of the building and the elevation of the sun in the sky. Close to sunrise and close to sunset, the sun can be so low in the sky that shadows cast by short objects can be extremely long and shadow lengths change very quickly; also, shading is nearly complete in highly developed areas. For this reason, it is more practical to consider the shadows that occur between one hour after sunrise to one hour before sunset, a period that represents most of the daylight hours during which shadow lengths change relatively slowly. Within this framework, the longest shadows would occur at one hour after sunrise and one hour before sunset. At these times, a 100-foot-tall building would cast shadow approximately 550 to 675 feet in length, depending on time of year.

## ***Effects of the Project***

The project buildings would increase shadow cast on and in the vicinity of the project site.

In December, project shadow would begin to the northwest, on the west sidewalk of Old Bayshore Highway, and would shorten and recede, moving to the southeast, until it clears the east sidewalk by 10:30 a.m. The shadow would move eastward until it first reaches the Bay Trail on the northern portion of the project site after 1:00 p.m. and cover that portion after 2:00 p.m. Project shadow would continue moving and would reach and would reach and cover the Bay Trail on the southern portion of the project site after 3:00 p.m.

In March, project shadow would begin far west of Old Bayshore and would shorten and recede, moving eastward, until it clears the eastern sidewalk by 12:00 noon. Over the course of the afternoon, shadow would move eastward until it reaches the Bay Trail on the northern portion of the project site by 5:00 p.m. and cover it within a half-hour. The project shadow would continue moving and would reach and cover the Bay Trail on the southern portion of the project site by 6:00 p.m., a time when other existing buildings also shadow the Bay Trail.

In June, project shadow would begin far to the west of Old Bayshore and would shorten and recede, moving east-northeast, until it clears the east sidewalk by 12:00 noon. Over the course of the afternoon, shadow would move east-southeast until it reaches the Bay Trail after 5:30 p.m. and cover the Bay Trail by 7:00 p.m.

Throughout the year, the project's "courtyard" open space would remain in full sunlight in the morning and would begin to be covered by the project building's advancing shadow after 12:00 noon, with approximately half of the "courtyard" in shade by 2:30 p.m. in the winter and by 5:00 p.m. in spring and summer.

As described previously, the proposed project would cast new shadow on existing open spaces including sidewalks in the project vicinity, and on proposed extensions to the Bay Trail and new project constructed open space. However, the extent and duration of the increased shadow coverage would be limited and would not be expected to adversely affect the use of these areas.

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## Mandatory Findings of Significance

| <i>Issues (and Supporting Information Sources):</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| <b>20. MANDATORY FINDINGS OF SIGNIFICANCE —</b>  |                                       |   |                                     |                          |
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |

## Discussion

- a) **Less than Significant with Mitigation.** Based upon background research, site visits, and the analysis contained herein, with implementation of mitigation measures identified in this Initial Study, the project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Any potential short-term increases in potential effects to the environment during construction, and long-term effects on the environment during project operation, are mitigated to a less-than-significant level, as described throughout the Initial Study.
- b) **Less than Significant with Mitigation.** In accordance with CEQA Guidelines Section 15183, the environmental analysis in this Initial Study was conducted to determine if there were any project-specific effects that are peculiar to the project or its site. No project-specific significant effects peculiar to the project or its site were identified that could not be mitigated to a less-than-significant level. The proposed project would contribute to environmental effects in the areas of biological resources, cultural resources, air quality, temporary increases in construction-generated dust and noise, a temporary increase in sedimentation and water quality effects during construction, potential hazardous materials considerations with new development, and short-term traffic impacts during demolition and construction. Mitigation measures incorporated herein mitigate any potential contribution to cumulative impacts associated with these environmental issues to a less-than-significant level, and would preclude the project from making a substantial

contribution to cumulative impacts. Therefore, the proposed project does not have impacts that are individually limited, but cumulatively considerable.

- c) **Less than Significant with Mitigation.** The project may have significant adverse effects on human beings in the areas of air quality and noise during construction. Mitigation measures identified in this Initial Study would reduce the effects to less-than-significant level.

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