

Initial Study

141 3rd Avenue Residential Project



Prepared by



In Consultation with



DAVID J. POWERS
& ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

January 2023



MITIGATED NEGATIVE DECLARATION

I. DESCRIPTION OF PROJECT:

Date: January 20, 2023

File Nos. GPA-8-20-14643, ZC-8-20-14633, SUB-8-20-15634, UPR-8-20-14642, DR-8-20-14636

APN: 006-254-030 and 006-254-020

Project Title: 141 3rd Avenue Residential Project

Project Location: The approximately 0.71-acre site is located at 141 3rd Avenue in the City of Daly City.

Project Applicants: Clarum Homes, 412 Olive Avenue, Palo Alto, CA 94306

Project Description: The project proposes a General Plan amendment to Residential – Medium Density (R-MD) to allow for a rezoning of the project site to R-3, Multiple-Family Residential. The project would construct 14 new three-story townhomes, each with a two-car tandem garage. The project would include a 120-foot internal access road, associated private driveways, landscaping, and utility improvements.

II. DETERMINATION

In accordance with the City of Daly City procedures for compliance with the California Environmental Quality Act (CEQA), the City has completed an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City makes the following determination:

- Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are included in the project which will reduce all

Planning Division

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identified potential impacts to less than significant levels, and, therefore, this **MITIGATED NEGATIVE DECLARATION** (MND) has been prepared.

III. CONDITIONS (Mitigation Measures):

A. Air Quality:

MM AIR-3.1: During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor shall implement the following best management practices that are required of all projects:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

MM AIR-3.2: All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM₁₀ and PM_{2.5}). If use of Tier 4 equipment is not

available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 67 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). As another alternative, the use of electrical or non-diesel fueled equipment may be used in substitution of diesel equipment.

B. *Biological Resources:*

MM BIO-1.1: Pre-construction nesting bird surveys shall be completed prior to tree removal if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than 14 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and within 250 feet of the project boundary.

If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Community Development, prior to the removal of trees and issuance of a grading permit or demolition permit.

C. *Cultural Resources:*

MM CUL-2.1: If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City's Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified

cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

MM CUL-2.2: If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of certificate of occupancy. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

MM CUL-3.1: If human remains are discovered during project construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Daly City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Daly City, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

D. Geology and Soils:

MM GEO-6.1: Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

E. Hazards and Hazardous Materials:

MM HAZ-2.1: Prepare a site management plan for review and approval by the San Mateo County Environmental Health Services Division (SMCEHSD). Proof of approval or actions for site work required by the SMCEHSD must be provided to the Director of Community Development prior to the issuance of any demolition or building permits.

F. Noise:

MM NOI-1.1: The applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Construction activities shall be limited to the hours between 8:00 am and 5:00 pm, Monday through Friday, and prohibited on weekends and holidays in accordance with the City's General Plan, unless permission is granted with a development permit or other planning approval.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from nearby receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at nearby receptors. Any enclosure openings or venting shall face away from receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This measure would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- Control noise from construction workers' radios to a point where they are not audible at existing structures bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent land uses so that construction activities can be scheduled to minimize noise disturbance.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will

require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

IV. FINDING

The City of Daly City hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the Initial Study are included in the project which will reduce all identified potential impacts to less than significant levels.

V. LEAD AGENCY REPRESENTATIVE



Michael Van Lonkhuysen, Planning Manager

January 20, 2023

VI. CONTACT INFORMATION

For additional information, please contact Michael Van Lonkhuysen at the City of Daly City Planning Division at (650) 991-8158.

Written comments may be sent to Michael Van Lonkhuysen via email at mvanlonkhuysen@dalycity.org or at City of Daly City Planning Division, 333 90th Street, Daly City, CA 94015.

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SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Daly City, as the Lead Agency, has prepared this Initial Study for the 141 3rd Avenue Residential Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Daly City, California.

The project proposes a General Plan amendment and rezoning to allow the construction of 14 new townhomes at 141 3rd Avenue, Daly City. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Michael Van Lonkhuysen
Planning Manager
Planning Division
333 90th Street
Daly City, CA 94015

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Daly City will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

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

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

141 3rd Avenue Residential (File Nos. GPA-8-20-14643, ZC-8-20-14633, SUB-8-20-15634, UPR-8-20-14642, DR-8-20-14636)

2.2 LEAD AGENCY CONTACT

Michael Van Lonkhuysen
Planning Manager
Planning Division
333 90th Street
Daly City, CA 94015

2.3 PROJECT APPLICANT

Clarum Homes
412 Olive Avenue
Palo Alto, CA 94306

2.4 PROJECT LOCATION

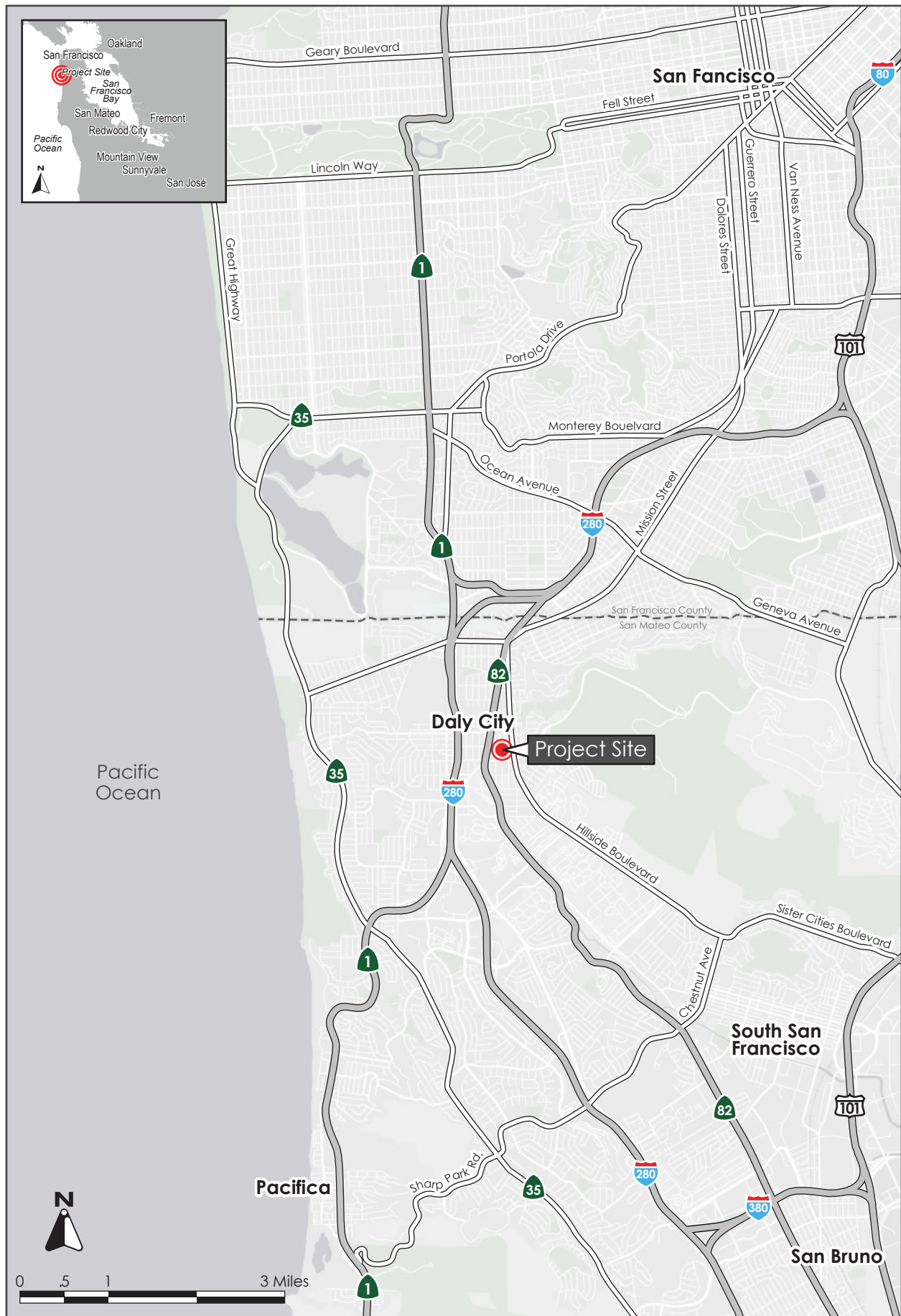
The approximately 0.71-acre site is located at 141 3rd Avenue (Assessor Parcel Numbers 006-254-030 and 006-254-020). A regional map and vicinity map of the project site are shown in Figure 2.6-1 and Figure 2.6-2. An aerial photograph with surrounding land uses is shown on Figure 2.6-3.

2.5 ASSESSOR'S PARCEL NUMBERS

006-254-030 and 006-254-020

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

The project site has a General Plan land use designation of Residential – Low Density (R-LD) and is zoned I-D Interim District.



REGIONAL MAP

FIGURE 2.6-1



VICINITY MAP

FIGURE 2.6-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.6-3

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW AND LOCATION

The approximately 0.71-acre site is located at 141 3rd Avenue (Accessor Parcel Numbers 006-254-030 and 006-254-020) in the City of Daly City. The project site has a General Plan land use designation of Residential – Low Density (R-LD) and is zoned I-D Interim District. The project site is bounded by 3rd Avenue to the west, single family homes to the north and east, and townhouses to the south.

The project proposes a General Plan amendment to Residential – Medium Density (R-MD) to allow for a rezoning of the project site to R-3, Multiple-Family Residential. The project would construct 14 new three-story townhomes, each with a two-car tandem garage. The project would include a 120-foot internal access road, associated private driveways, landscaping, and utility improvements. The project components, including the townhomes, landscaping, site access and parking, and construction details are described below. A conceptual site plan and conceptual elevations are shown in Figure 3.2-1, Figure 3.2-2, and Figure 3.2-3, respectively.

3.2 PROJECT COMPONENTS

3.2.1 General Plan Amendment and Rezoning

The project site has a General Plan land use designation of Residential (R-LD) and is zoned I-D Interim District. In order to develop the proposed project on the 0.71-acre site, the project proposes to amend the General Plan land use designation to Residential – Medium Density (R-MD) and rezone the site to R-3, Multiple-Family Residential. Rezoning would allow the project to develop multi-family housing without a use permit.

3.2.2 Townhomes

The project would construct 14 new three-story townhomes. Each townhome would be approximately 2,055 square feet and would include a two-car tandem garage. Each unit would also include a minimum of 150 square feet of open space. Units directly adjacent to 3rd Avenue would include private front and rear yards, while units set back from 3rd Avenue would only have private rear yards. Each unit would also include a second-story covered patio. All units would contain three bedrooms. The townhomes would have a minimum setback of 15-feet from the western property line on 3rd Avenue and a minimum setback of ten-feet from the eastern property line. The townhomes along the 3rd Avenue frontage would have a 4.5-foot setback from the north property line and an approximately eight-foot setback from the south property line. The rear townhomes would have a three-foot setback from both the north and south property lines. The townhomes would reach a maximum height of 35 feet above ground level.



FIGURE 3.2-1



Source: CKA Architects, July 28, 2022.

NORTH AND EAST ELEVATIONS

FIGURE 3.2-2



Source: CKA Architects, July 28, 2022.

SOUTH AND WEST ELEVATIONS

FIGURE 3.2-3

3.2.3 Landscaping

The project would include landscaping throughout the project site. Landscaping would include streetscape planting with bioretention areas and street trees along 3rd Avenue, low hedges and accent shrubs/trees between the townhomes, vines along either side of the driveway, a screen planting along the northern end of the internal access road, and a bioretention planting along the southern end of the internal access road. Streetscape fencing and internal neighbor fences would also be included.

3.2.4 Site Access and Parking

The project would include one, 26-foot-wide driveway along 3rd Avenue. The project driveway would lead to a 120-foot internal access road perpendicular to the driveway. Each townhome would include a private driveway extending from the internal access road. Townhome driveways would range from approximately five to 13 feet long. Parking would be provided for each unit via two-car tandem garages in each townhome. Each unit would include at least one electric vehicle (EV) ready space. Additionally, there are seven existing street parking spaces in front of the project site along 3rd Avenue.

Pedestrian access would be provided to the front townhomes via private, gated walkways extending from the 3rd Avenue sidewalk. A five-foot wide, gated sidewalk would run adjacent to the project driveway and provide pedestrian access to the remainder of the townhomes.

3.2.5 Utility Improvements

The project would connect to existing sewer, electrical, and storm drain utilities on 3rd Avenue. All above-ground utilities would be placed below ground. On-site stormwater treatment would occur through the use of flow-through planters and bio-retention areas. The project would include modifications to the existing water system. The project would upsize an approximately 480 feet of the existing four-inch diameter water pipe in 3rd Avenue to an eight-inch water pipe from Castle Street to Habitat Way. The existing four-inch pipe is partially under the sidewalk and would be abandoned. The new eight-inch diameter water pipe would be constructed in the street right-of-way. All water connections currently served by the existing four-inch pipe would be transferred to the new eight-inch pipe.

There is an existing well buried on-site that was likely used for prior greenhouse irrigation purposes. The project will abandon and/or destroy the existing well.

3.2.6 Green Building Measures

The project would include green building measures to reduce energy use and project-generated greenhouse gas emissions. The green building measures proposed by the project include:

- Rooftop solar panels
- All-electric buildings
- Water-efficient landscaping

3.2.7 Construction

Construction, which includes demolition, site preparation, and construction of the project, is estimated to take approximately nine months to complete.

3.3 USES OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This Initial Study/MND provides decision makers in the City of Daly City (the Lead Agency), responsible agencies, and the general public with relevant environmental information to use in considering the proposed project. It is intended that this Initial Study be used for discretionary approvals necessary to implement the project, as proposed. These discretionary actions may include, but are not limited to, the following:

- General Plan Amendment
- Rezoning
- Major Subdivision
- Design Review Permit
- Use Permit
- Grading Permit
- Demolition Permit
- Building Permit
- Well Destruction Permit - San Mateo County Environmental Health Services

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

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

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

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project’s impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.1 refers to the first mitigation measure for the first impact in the Biological Resources section.

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Senate Bill 743

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

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a transit priority area.¹

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process. The project site is located within a transit priority area.

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. State laws governing the Scenic Highway Program are found in the Streets and Highway Code, Sections 260 through 263. There are three eligible State scenic highways within the City of Daly City, although none are officially designated; they include Skyline Boulevard (State Route (SR) 35), Cabrillo Highway (SR 1), and Junipero Serra (I-280).

Local

Daly City 2030 General Plan

The Daly City 2030 General Plan (General Plan) includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to aesthetics and are applicable to the proposed project.

¹ An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Office of Planning and Research. "Changes to CEQA for Transit Oriented Development – FAQ." October 14, 2014. Accessed November 11, 2020. <http://www.opr.ca.gov/ceqa/updates/sb-743/transit-oriented.html>.

Policy/Task	Description
Task CE-20.7	As a part of all new development, require, where appropriate, the provision of pedestrian-oriented signs, pedestrian-scaled lighting, benches, and other street furniture so as to make non-motorized forms of travel comfortable and attractive alternatives to the automobile. Where necessary in new development, the City may require additional sidewalk and/or right-of-way width to accommodate these amenities.
Policy LU-16	Regulate the size, quantity, and location of signs to maintain and enhance the visual appearance of Daly City.
Policy RME-20	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly.
Task RME-20.4	Incorporate design features in new development that reflect the character of the neighborhood, to ensure that new construction is compatible with existing development.
Policy LU-17	Ensure that private development is responsible for providing any on-or off-site improvements related to and/or mitigating the impacts it causes.

Design Review Ordinance

Chapter 17.45 of the Daly City Zoning Ordinance requires that certain projects undergo design review prior to issuance of any construction permits. A design review committee, as appointed by the mayor, shall evaluate the project's design, layout, and other features to ensure they are compatible with the existing setting. Projects required to undergo design review include residential projects consisting of four or more dwelling units.

4.1.1.2 Existing Conditions

The project site consists primarily of a vacant lot covered in grass and weeds. There is also a two-story single-family residence on the northwestern corner of the project site. There is various debris adjacent to the single-family residence on the project site. The surrounding residences to the east, south, and west across 3rd Avenue primarily consist of two-story, zero lot line single-family residences. The surrounding residences vary in color and architectural style. Although the surrounding residences are all similar in height, the roof lines have a stair-like appearance due to the slope of the vicinity. Views from the project site include the surrounding residences, San Bruno Mountain to the east, and hills to the south. Views of the project site are shown in Photos 1-4, below.

The nearest officially designated State Scenic Highway is Interstate 280 (I-280). The segment that is designated as scenic ends in San Bruno, adjacent to Valleywood Drive², approximately four miles south of the project site.

² CalTrans. California State Scenic Highway System Map. Accessed November 11, 2020.
<https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>



Photo 1: View of the northern portion of the project site from the east side of 3rd Avenue.



Photo 2: View of the existing single-family residence on the project site.



Photo 3: View of the project site, looking east from 3rd Avenue.



Photo 4: View of the project site and adjacent residences, looking south from the center of the project site.

4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? ³ 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"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact AES-1: The project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

The General Plan identifies three scenic vistas within Daly City: the coastline, San Bruno Mountain, and scenic corridors. The project site is not visible from the coastline due to distance and surrounding development. Scenic corridors identified in the General Plan include Route 35, I-280, Route 1, Guadalupe Canyon Parkway, Mission Street, John Daly Boulevard, and Lake Merced Boulevard. The nearest of these scenic corridors is Mission Street. The project site is not visible from Mission Street due to surrounding development. The project site would not be visible from the other scenic corridors due to surrounding development and distance.

The project site may be visible from San Bruno Mountain. However, the project would consist of infill development in a residential neighborhood. The proposed townhomes would not be substantially taller than the surrounding buildings and would not be noticeable from San Bruno Mountain because they would be part of larger views of urban development in Daly City. Based on its location and the existing urban development in the surrounding area, the project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

Impact AES-2: The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

³ Public views are those that are experienced from publicly accessible vantage points.

There are no designated State Scenic Highways within Daly City. As discussed in Section 4.1.1.2 Existing Conditions, the nearest segment of an officially designated State Scenic Highway is four miles south of the project site on I-280. The project site would not be visible from this segment of I-280 and, therefore, the project would not substantially damage scenic resources within a state scenic highway. **(No Impact)**

Impact AES-3:	The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project would not conflict with applicable zoning and other regulations governing scenic quality. (Less than Significant Impact)
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The project site is currently undeveloped, with the exception of an unoccupied single-family residence in the northwestern corner. The proposed townhomes would be consistent with the surrounding residential neighborhood, which is primarily made up of existing zero lot line single family residences. The conceptual renderings of the proposed project show use of largely neutral colors on the exterior stucco and siding along with incorporation of a modern architectural design. The upper floors of the buildings would step back from the lower floors and recessed windows and entrances would provide variation in the building facades. The project would also include streetscape plantings and street trees along 3rd Avenue to improve the visual quality of the site. The project would partially block the existing view of San Bruno Mountain from the public street, however, 3rd Avenue is not a designated scenic corridor and intermittent views of San Bruno Mountain would continue to be provided in the area. The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

The project would be consistent with the guidelines for R-3 Medium Density in the Zoning Code as well as the Daly City Design Guidelines. The project would be required to obtain a Design Review Permit pursuant to Chapter 17.45 of the Daly City Zoning Ordinance. The project would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Less than Significant Impact)
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The proposed townhomes would primarily consist of stucco exteriors. Glass windows and metal railings would have the potential to increase daytime glare. The project would also include exterior nighttime lighting. The glare and lighting generated by the project would be similar to that generated by surrounding development. Compliance with the Design Review process and the General Plan policies would ensure that light and glare impacts are less than significant. The project, therefore, would not create a new substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

4.2 AGRICULTURE AND FORESTRY RESOURCES

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.⁴

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.⁵

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.⁶ Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.⁷

4.2.1.2 *Existing Conditions*

The project site is currently a primarily vacant lot surrounded by a residential neighborhood. The project site is zoned I-D, Interim District. The project site is not zoned for agriculture, not covered by a Williamson Act contract, and is not used or zoned for timber or agricultural production.

⁴ California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed November 12, 2020. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

⁵ California Department of Conservation. "Williamson Act." Accessed November 12, 2020. <http://www.conservation.ca.gov/dlrp/lca>.

⁶ Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).

⁷ California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed November 12, 2020. <http://frap.fire.ca.gov/>.

4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

According to the Department of Conservation, the project site is designated as Urban and Built-Up Land.⁸ The project site is not designated for farmland. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. **(No Impact)**

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

The project site is currently zoned I-D, Interim District. The project site is not under a Williamson Act contract. **(No Impact)**

⁸ California Department of Conservation. "California Important Farmland Finder." Accessed November 12, 2020. <https://maps.conservation.ca.gov/DLRP/CIFF/>

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. (No Impact)
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The project site is not designated or zoned as timberland or forest land. For this reason, the project would have not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. (No Impact)
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The project site does not contain any forest land. The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

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

4.3 AIR QUALITY

The following discussion is based, in part, on a Construction Community Risk Assessment prepared for the project by Illingworth & Rodkin, Inc. in January 2021. A copy of the report is included as Appendix A in this Initial Study.

4.3.1 Environmental Setting

4.3.1.1 *Background information*

Criteria Pollutants

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O₃), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.⁹ Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 4.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

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

High O₃ levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O₃ levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

⁹ The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

reduce O₃ levels. The highest O₃ levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant in the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM₁₀) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM_{2.5}). Elevated concentrations of PM₁₀ and PM_{2.5} are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants

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

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).¹⁰ Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

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

4.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O₃, CO, SO_x, NO_x, and lead.

¹⁰ California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed November 17, 2020. <https://www.arb.ca.gov/research/diesel/diesel-health.htm>.

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

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce diesel particulate matter (DPM) (in addition to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_x.

Regional

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.¹¹

CEQA Air Quality Guidelines

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

¹¹ BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

Daly City 2030 General Plan

The Daly City 2030 General Plan (General Plan) includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to air quality and are applicable to the proposed project.

Policy/Task	Description
Policy RME-5	Assess projected air emissions from new development and associated construction and demolition activities in conformance with the BAAQMD CEQA Guidelines, and relative to state and federal standards.
Task RME-5.1	Amend the Planning Division's development review procedures to include a formal step that would help identify how a development project can incorporate design or functional changes that will minimize air quality impacts.
Task RME-5.3	Consider cumulative air quality impacts consistent with the region's Clean Air Plan and State law.
Task RME-5.4	Require the preparation of a Transportation Systems Management plan for new development that has been determined to contribute to a reduction in location air quality.
Task RME-5.5	Consult with BAAQMD to identify stationary and mobile TAC sources and determine the need for and requirements of a health risk assessment for proposed developments.
Policy RME-6	Minimize exposure of residents to objectionable smoke and odors by proactively regulating potential sources.
Task RME-6.2	Require new residential development projects and projects categorized as sensitive receptors to be located an adequate distance from facilities that are existing and potential sources of odor. An adequate separate distance will be determined based upon the type, size and operations of the facility.

4.3.1.3 *Existing Conditions*

The Bay Area is considered a non-attainment area for ground-level O₃ and PM_{2.5} under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM₁₀ under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O₃ and PM₁₀, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O₃ precursor pollutants (ROG and NO_x), PM₁₀, and PM_{2.5}, and apply to both construction period and operational period impacts.

The project site is currently vacant and, therefore, not a substantial source of air pollutant emissions. The closest sensitive receptors to the project site are in the single- and multi-family residences adjacent to and surrounding the project site. There are also students at the nearby Thornton High School (14 years and older) approximately 330 feet to the west of the site and Milestone Academy Preschool (2 years and older) approximately 450 feet to the southeast of the site.

4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.3.2.1 *Thresholds of Significance*

Impacts from the Project

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

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

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan. (Less than Significant Impact)

The proposed project would not conflict with the 2017 CAP because it would be smaller than the BAAQMD CEQA Air Quality Guidelines Operational Criteria Pollutant Screening Size. The 2011 BAAQMD CEQA Air Quality Guidelines contain a screening table that lists the minimum unit count for residential projects, below which the project would not result in the generation of operational criteria air pollutants that exceed the threshold of significance. The screening threshold for townhouses is 451 dwelling units for operational criteria pollutants and 240 dwelling units for construction criteria air pollutants. The project, proposing 14 new townhomes, is well below this screening threshold.

Given that the project would not exceed the BAAQMD screening criteria, it would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the thresholds shown in Table 4.3-2. Thus, the project is not required to incorporate project-specific control measures listed in the 2017 CAP. Further, implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less than Significant Impact)**

Impact AIR-2: The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)**

As discussed in Impact AIR-1 above, the project falls below the BAAQMD screening thresholds and thus, would not generate a significant amount of criteria air pollutants during operation or construction. **(Less than Significant Impact)**

Impact AIR-3: The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact with Mitigation Incorporated)**

Sensitive receptors in the project vicinity include surrounding residences, Milestone Academy Preschool, and Thornton High School. The maximally exposed individual (MEI) was identified at a residence adjacent to the project's eastern boundary. Figure 4.3-1 shows the location of all sensitive receptors that the project would have potential to affect. These receptors would be exposed to TAC emissions associated with project construction (i.e., on-site construction and truck hauling emissions). Dispersion modeling was used to identify on-site and off-site concentrations of particulate matter and evaluate the health risks associated with the construction TAC emissions.

Community risk impacts are addressed by predicting increased lifetime cancer risk, the increase in annual PM_{2.5} concentrations, and computing the Hazard Index (HI) for non-cancer health risks. Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. The results of the health risk assessment for the MEI and the most affected school (Milestone Academy Preschool) are summarized below in Table 4.3-3. To provide the most conservative analysis, the MEI was assumed to be an infant.

Table 4.3-3: Construction Risk Impacts			
Source	Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
BAAQMD Single-Source Threshold	>10.0	>0.3	>1.0
MEI (Adjacent residence)			
Project construction – unmitigated	30.5 (infant)	0.23	0.03
Project construction - mitigated*	1.7 (infant)	0.04	<0.01
Exceed Threshold? (unmitigated)	Yes	No	No
Exceed Threshold? (mitigated)	No	No	No
Milestone Academy Preschool			
Project construction - unmitigated	0.9 (child)	0.02	<0.01
Exceed Threshold? (unmitigated)	No	No	No
*Project to include mitigation as described in MM AIR-3.2 below.			

As shown in Table 4.3-3, unmitigated project construction would exceed the BAAQMD single-source threshold for cancer risk at the location of the MEI. Additionally, project construction would generate diesel particulates and fugitive dust in the form of PM₁₀ and PM_{2.5}, which would contribute to health risks but would not exceed BAAQMD thresholds.

Mitigation Measures: To reduce construction-period TAC emissions, the project shall implement the following mitigation measures:

- MM AIR-3.1:** BAAQMD Best Management Practices. During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor shall implement the following best management practices that are required of all projects:
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.



LOCATIONS OF SENSITIVE RECEPTORS AND MEI

FIGURE 4.3-1

MM AIR-3.2: Tier 4 Emission Equipment. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM₁₀ and PM_{2.5}). If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 67 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). As another alternative, the use of electrical or non-diesel fueled equipment may be used in substitution of diesel equipment.

With implementation of the best management practices (BMPs) listed in MM AIR-3.1, fugitive dust impacts from construction would be reduced to a less than significant level. Implementation of MM AIR-3.2 would reduce the project's cancer risk impacts to below the BAAQMD single-source threshold. **(Less than Significant Impact with Mitigation Incorporated)**

Cumulative Community Health Risks

The community health impacts of the project when combined with existing sources of TACs with 1,000 feet of the project site were also analyzed. Existing TAC sources in the project vicinity include Mission Street (SR 82), the Shell gas station located at 950 Hillside Boulevard, and three auto body shops located along Mission Street. The results of the cumulative community health risks assessment are summarized below in Table 4.3-4.

Table 4.3-4: Cumulative Community Health Risks Impacts			
Source	Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
Project Construction			
Unmitigated	30.5 (infant)	0.23	0.03
Mitigated	1.7 (infant)	0.04	<0.01
Cumulative Sources			
Mission Street (SR 82)	5.1	0.17	--
Colma Auto Body Shop, Inc.	--	--	<0.01
D&J Auto Body Specialists, Inc.	--	--	<0.01
19 th Auto Body Center	--	--	<0.01
Hillside Shell station	4.0	--	0.02
Combined Sources			
Unmitigated	39.6 (infant)	0.40	<0.08
Mitigated	10.8 (infant)	0.21	<0.06

Table 4.3-4: Cumulative Community Health Risks Impacts			
Source	Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Hazard Index
BAAQMD Cumulative Source Threshold	>100	>0.8	>10.0
Exceed Threshold? (unmitigated)	No	No	No
Exceed Threshold? (mitigated)	No	No	No

As seen in Table 4.3-4, the project would not exceed BAAQMD thresholds for cumulative community health risk impact when combined with existing TAC sources in the project vicinity. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact)**

Impact AIR-4:	The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. (Less than Significant Impact)
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The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be localized and not likely to adversely affect people off-site or result in odor complaints. Residential development is not identified by BAAQMD as a substantial source of odors. The proposed project, therefore, would not generate odors that would affect a substantial number of people. **(Less Than Significant Impact)**

4.3.3 Non-CEQA Effects

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

The project would introduce new residences near existing sources of TAC emissions. As mentioned under Impact AIR-3, existing TAC sources include Mission Street (SR 82), the Shell station located at 950 Hillside Boulevard, and several auto body shops located along Mission Street. The health risk impacts from each TAC source on the proposed new residents both individually and cumulatively have been analyzed. The results of this analysis are summarized in Table 4.3-5, below.

Table 4.3-5: Community Risk Impacts Upon the On-site Sensitive Receptors			
Source	Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Hazard Index
Mission Street (SR-82)	5.4	0.18	--
Colma Auto Body Shop, Inc.	--	--	<0.01

Table 4.3-5: Community Risk Impacts Upon the On-site Sensitive Receptors			
Source	Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
D&J Auto Body Specialists, Inc.	--	--	<0.01
19 th Auto Body Center	--	--	<0.01
Hillside Shell station	0.6	--	<0.01
BAAQMD Single-Source Threshold	>10.0	>0.3	>1.0
Exceed Threshold?	No	No	No
Cumulative Total	6.0	0.18	<0.04
BAAQMD Cumulative Source Threshold	>100	>0.8	>10.0
Exceed Threshold?	No	No	No

The existing TAC sources would not expose sensitive receptors on-site to substantial levels of pollutant concentrations. The community health risk impacts on residences generated by the project would be less than significant. **(Less than Significant Impact)**

4.4 BIOLOGICAL RESOURCES

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

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

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

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.¹² Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

¹² United States Department of the Interior. “Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take.” Accessed November 17, 2020. <https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf>.

Regional and Local

San Bruno Mountain Habitat Conservation Plan

The San Bruno Area Habitat Conservation Plan (HCP) was executed as an Agreement in November 1982 with the US Fish and Wildlife Service, California Department of Fish and Game, County of San Mateo, the cities of Brisbane, Daly City and South San Francisco, and several private property owners. The HCP was created to provide for the indefinite perpetuation of the Mission blue butterfly and to protect habitat of the other Species of Concern. It includes the establishment of public ownership of sufficient habitat area to support the species as well as funding for the ongoing maintenance of the habitat. Funding is provided by limited development that was excluded from such habitat area and devoted to urban uses, including, among others, residential, community service, commercial and recreational uses.

Given that the San Bruno Mountain encompasses approximately 3,600 acres, with various ownerships and within various cities, the HCP presents a single unifying and coordinating document to provide protection, enhancement and funding for the entire San Bruno Mountain ecological community. The HCP provides for the perpetuation of conserved habitat areas through eradication of exotic species; re-vegetation with grassland species; effective yearly monitoring of the species of concern to control reintroduction of exotics; and patrol of the area to discourage destructive human activities.

Portions of three of the four HCP planning areas are located within the jurisdiction of Daly City (Saddle, Radio Ridge, and Guadalupe Hills). Within those areas, all designated development has been completed including Point Pacific, Village in the Park, South Hills Estates, Linda Vista, and Bay Ridge. All of this development resulted in a net gain of available habitat either through dedication, easements, or on-site restoration. Furthermore, all of these projects continue to contribute to a trust fund that is used to maintain and monitor the habitat in perpetuity.

Municipal Code Chapter 12.40 – Urban Forestry

The Municipal Code provides regulations to optimize the use of trees and other landscaping within the city. Chapter 12.40 requires plans submitted to the City for the construction, repair, or alteration of any building, housing, or structure to include provisions for sufficient guards or protectors to prevent injury to any existing publicly owned trees, shrubs, flowers, or vines. It also imposes conditions regarding the displacement of public trees, where a comparable size tree shall be planted, or a fee is paid to the City to cover the cost of replacing a removed tree.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to biological resources and are applicable to the proposed project.

Policy/Task	Description
Policy LU-17	Ensure that private development is responsible for providing any on- or off-site improvements related to and/or mitigating the impacts it causes.

- Policy LU-18 Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.
- Policy RME-16 The City shall continue to recognize the importance of the San Bruno Mountain HCP, uphold the integrity of the concepts behind the plan, and respect the agreements that serve to implement it.

4.4.1.2 *Existing Conditions*

There are a total of three trees on the project site, one in the front yard and two in the rear yard of the existing single-family residence. The tree species and sizes have not been identified. There is also a large cactus in the rear yard. The rest of the project site is covered with grass, weeds, and bare dirt. There are no special status species known to occur on-site and there is no suitable habitat for special status species.

4.4.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact BIO-1: The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

There are no candidate, sensitive, or special status species present on the project site. The proposed project would not have any effect, directly or indirectly, on species identified by any plans, policies, regulations, or by the CDFW or USFWS.

The mature trees on and adjacent to the project site could provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800.

Construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact.

Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

Mitigation Measure: The project will be required to implement the following mitigation measures to reduce impacts to raptors and nesting birds to a less than significant level:

MM BIO-1.1: Pre-construction nesting bird surveys shall be completed prior to tree removal if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than 14 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and within 250 feet of the project boundary.

If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until

the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Community Development, prior to the removal of trees and issuance of a grading permit or demolition permit.

Conformance to State and federal law protecting nesting birds through implementation of mitigation measure MM BIO-1.1 would reduce potential impacts to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact BIO-2:	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. (No Impact)
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The project site is located in a developed, urban area of Daly City. There is no riparian habitat or other sensitive habitat areas on or adjacent to the project site. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)**

Impact BIO-3:	The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. (No Impact)
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There are no federally protected wetlands on or adjacent to the project site. **(No Impact)**

Impact BIO-4:	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Less than Significant Impact)
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The project site is surrounded by developed, urban land uses. The project site is not part of an established native or migratory wildlife corridor or nursery site. The project would not interfere substantially with the movement of any native resident or migratory wildlife species. **(Less than Significant Impact)**

Impact BIO-5:	The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less than Significant Impact)
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The project would remove the three existing trees on-site and plant approximately 20 new trees on-site. The project would not remove any trees in the public right-of-way. The new tree plantings would be subject to the following standard conditions pursuant to Section 12.40.150 of the Daly City Municipal Code:

- New tree plantings on private property that result from use permits, zone changes, subdivisions and related activities shall require a one-year establishment period to ensure the health and vigor of the tree. Establishment period will commence upon city's acceptance of the planting. Tree replacement shall be required if the tree dies during the establishment period. A new establishment period will be determined at the time of replanting.
- All trees planted by property owners or contractors shall be inspected by a city representative prior to planting and planted in accordance with current city planting specifications.

The project would be in compliance with the City's policies regarding tree planting and therefore, would have a less than significant impact. **(Less than Significant Impact)**

Impact BIO-6: The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

The project site is not within the boundaries of the San Bruno Mountain HCP or any other conservation plan. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan or other approved conservation plan. **(No Impact)**

4.5 CULTURAL RESOURCES

The following discussion is based, in part, on a Historic Resources Evaluation prepared for the project by TreanorHL (Treanor) in January 2021. A copy of the report is included as Appendix B of this Initial Study.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

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

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.¹³

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

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

¹³ California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” Accessed November 17, 2020.
<http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.

Senate Bill 18

The intent of SB 18 is to aid in the protection of traditional tribal cultural places through local land use planning by requiring city governments to consult with California Native American tribes on projects which include adoption or amendment of general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.). SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process.

California Native American Historical, Cultural, and Sacred Sites Act

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

Public Resources Code Sections 5097 and 5097.98

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

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

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to cultural resources and are applicable to the proposed project.

Policy/Task	Description
Policy LU-19.1	Archeological resources should be preserved where possible.
Task LU-19.1	Archeological resources are a valuable educational resource for the residents of the city. Every effort should be made to preserve them in their natural state when found or be excavated by professional archeologists for display in a museum.
Policy RME-19	Undertake measures to protect and preserve historic and archaeological resources.
Task RME-19.1	Comply with State statutes related to historical and archaeological resources.

- Task RME-19.1 Serve as a leader in historic preservation by preserving, restoring, and reusing City-owned historic resources where feasible.

4.5.1.2 *Existing Conditions*

The project site has not been identified on any national, state, county, or city historic resources inventory. Treanor prepared a Historic Resources Evaluation to determine whether the existing single-family house on the project site is eligible for listing as a historic resource. Treanor conducted an online records search as well as a site visit on December 9, 2020 to assess the history of the project site. Their findings are summarized below.

The single-family house on the project site was constructed circa 1908. A series of greenhouses, a small one-story accessory structure, and a two-story water tank were developed by 1926 to the east and south of the single-family house. A boiler house for heating the greenhouses was constructed in 1946. The greenhouses were removed by 1980 and this portion of the project site has remained vacant since that time.

The project site was associated with Italian-immigrant Valentino Tosetti from at least 1920 to 1945. Although Tosetti sold the property in 1940, it is possible that he continued to rent or operate the greenhouses through the 1940s. Flower growing was a highly profitable industry in the Daly City area in the early 20th century and could be considered a historically significant event on a local level. Italian American growers were a leading group in the industry, founding the San Francisco Growers Association in 1923. The project sites association with the Italian flower growers in Daly City could make the project site eligible for listing on the CRHR. However, the project site does not retain any integrity of this historic association given that the greenhouses and associated accessory structures were removed after 1975.

Although the single-family house was constructed circa 1908, the house is of common construction and materials with no notable or significant attributes. The house does not embody the distinctive characteristics of an architectural style and is not associated with any significant design professionals. Therefore, the project site is not eligible for listing on the CRHR and there are no historic resources on-site.

4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact CUL-1: The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(No Impact)**

The project site and adjacent properties have not been identified on any national, state, county, or city historic resources inventory. Despite the project site's historic association with Italian flower growing in Daly City from approximately 1920 to 1945, the project site is not eligible for listing on the CRHR due to a lack of historic integrity. The single-family house is not eligible for listing on the CRHR due to a lack of architectural significance. Therefore, there are no historical resources on the project site. There are no historical resources adjacent to the site that would be affected by the project. **(No Impact)**

Impact CUL-2: The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

According to the General Plan EIR, there are no known archaeological resources within the project site. However, project-related grading during construction could result in the discovery of unknown archaeological resources. The following mitigation measure would ensure that the proper precautions are taken during an inadvertent archaeological discovery.

Mitigation Measures: The project will be required to implement the following mitigation measures to reduce potential impacts to archaeological resources to a less than significant level:

MM CUL-2.1: Undiscovered Archaeological Resources. If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City's Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

MM CUL-2.2: Report of Archaeological Resources. If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of certificate of occupancy. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

With implementation of MM CUL-2.1 and MM CUL-2.2, impacts to any incidental discoveries of archaeological resources would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Impact CUL-3: The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

As described above, the site has no known archaeological resources, including human remains. In the unlikely event human remains are unearthed during project construction, damage to or destruction of significant archaeological remains would be a potentially significant impact.

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

MM CUL-3.1: Human Remains. If human remains are discovered during project construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Daly City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Daly City, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

With implementation of MM CUL-3.1, any potential impacts from incidental discoveries of human remains would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

4.6 ENERGY

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

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

Renewables Portfolio Standard Program

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

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO₂ from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.¹⁴ Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.¹⁵

¹⁴ California Building Standards Commission. "California Building Standards Code." Accessed November 17, 2020. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

¹⁵ California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed November 17, 2020. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>.

California Green Building Standards Code (CALGreen)

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality. CALGreen requires that construction projects recycle or salvage 65 percent of non-hazardous construction and demolition waste.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.¹⁶

Local

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to energy and are applicable to the proposed project.

Policy/Task	Description
Policy HE-25	Mandate the inclusion of green building techniques into most new construction.
Task HE-28.2	Adopt progressive energy efficiency strategies similar to those adopted by the California Public Utilities Commission: <ol style="list-style-type: none">1. All new residential construction in California will be zero net energy by 2020;2. All new commercial construction in California will be zero net energy by 2030;3. Heating, ventilation, and air conditioning (HVAC) will be transformed to ensure that its energy performance is optimal for California's climate; and4. All eligible low-income customers will be given the opportunity to participate in the low-income energy efficiency program by 2020.

Daly City's Green Vision

Daly City's Green Vision, A Climate Action Plan (CAP) for 2011-2020 and Beyond, was adopted in December 2010. Daly City's Green Vision guides the City towards a sustainable future that reduces GHG emissions from current levels, while promoting economic prosperity for present and future generations. The Green Vision identifies ten goals and seeks to achieve these goals through cost-

¹⁶ California Air Resources Board. "The Advanced Clean Cars Program." Accessed November 17, 2020. <https://www.arb.ca.gov/msprog/acc/acc.htm>.

effective strategies by the year 2020. The GHG reduction goals include adopting a general plan with measurable policies for sustainable development, reducing energy use in buildings, reducing transportation emissions, reducing solid waste disposal, and GHG emissions reductions from municipal operations. Daly City completed an update to the General Plan which incorporated these goals in March 2013.

4.6.1.2 Existing Conditions

Total energy usage in California was approximately 6,957 trillion British thermal units (Btu) in the year 2020, the most recent year for which this data was available.¹⁷ Out of the 50 states, California is ranked second in total energy consumption and 49th in energy consumption per capita. The breakdown by sector was approximately 22 percent (1,508 trillion Btu) for residential uses, 19 percent (1,358 trillion Btu) for commercial uses, 25 percent (1,701 trillion Btu) for industrial uses, and 34 percent (2,356 trillion Btu) for transportation.¹⁸ This energy is primarily supplied in the form of natural gas, petroleum, biomass, nuclear electric power, and hydroelectric power.

Electricity

Electricity in San Mateo County in 2021 was consumed primarily by the non-residential sector (60 percent), with the residential sector consuming 40 percent. In 2020, a total of approximately 4,157 GWh of electricity was consumed in San Mateo County.¹⁹

Peninsula Clean Energy (PCE) is a public and locally controlled electricity provider for the County of San Mateo. Electricity provided by PCE is delivered through PG&E transmission lines. Commercial and residential customers in San Mateo County are included in the PCE service area and can choose to have 50 to 100 percent of their electricity supplied from renewable and carbon-free sources. Customers are automatically enrolled in the ECO plus plan, which generates its electricity from 100 percent carbon-free sources, with at least 50 percent from renewable sources. Customers have the option to enroll in the ECO100 plan, which generates its electricity from 100 percent carbon-free, renewable sources.²⁰

Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.²¹ The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 25.4 mpg in 2020.²² Federal

¹⁷ United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed October 26, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

¹⁸ Ibid

¹⁹ California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed December 21, 2022. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

²⁰ Sources: 1) Peninsula Clean Energy. "Frequently Asked Questions." Accessed April 10, 2021. <https://www.peninsulacleanenergy.com/faq/>. 2) Peninsula Clean Energy. "Energy Choices." Accessed April 10, 2021. <https://www.peninsulacleanenergy.com/faq/>.

²¹ California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed December 8, 2020. <https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

²² United States Environmental Protection Agency. "The 2021 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1010U68.pdf>

fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.^{23,24}

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in a 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"/>
2) 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"/>
<hr/>				
Impact EN-1:	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. (Less than Significant Impact)			

Energy would be consumed during both the construction and operational phases of the proposed project. Energy requirements throughout the construction phase include energy for the manufacturing and transportation of building materials, preparation of the site, and operation of construction equipment. The operation of the project would consume electricity for building heating and cooling, lighting, cooking, appliances, and water heating. In compliance with the City's Reach Code, the project would be 100 percent electric and would not utilize any natural gas. Fuel would also be consumed during vehicle trips to and from the project site.

The project proposes to be constructed in compliance with the 2019 California Green Building Standards Code (Title 24, Part 11 or CALGreen), which requires features that reduce water and energy consumption. The project proposes rooftop solar panels on all dwelling units. In compliance with CALGreen, the project would also recycle or salvage 65 percent of non-hazardous construction and demolition waste.

Given the infill location of the project site, the existing pedestrian, bicycle, and transit services in the project area, and the project's compliance with the 2019 CALGreen Code, the proposed project would not result in a wasteful, inefficient, and unnecessary consumption of energy. **(Less Than Significant Impact)**

²³ United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed October 26, 2022. <http://www.afdc.energy.gov/laws/eisa>.

²⁴ United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed October 26, 2022. <https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026>

Impact EN-2: The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

According to the 2019 Integrated Energy Policy Report, the state is working towards decarbonizing the energy system and moving towards a 100 percent carbon-free system by 2045.²⁵ The project would obtain energy from the PCE which provides 50 to 100 percent carbon free electricity to the project site. The project also proposes rooftop solar panels on all dwelling units. The project would result in an increase in demand on existing energy resources; however, the project is required to comply with applicable regulations and City policies that would conserve energy and water, and reduce fuel consumption and waste generation. For these reasons, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less Than Significant Impact)**

²⁵ California Energy Commission. *2019 Integrated Energy Policy Report*. 2019.

4.7 GEOLOGY AND SOILS

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

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

Seismic Hazards Mapping Act

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

California Building Standards Code

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

California Division of Occupational Safety and Health Regulations

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

Public Resources Code Section 5097.5

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

Local

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to geology and soils and are applicable to the proposed project.

Policy/Task	Description
Policy SE-1.1	Continue to investigate the potential for seismic and geologic hazards as part of the development review process and maintain this information for the public record. Update Safety Element maps as appropriate.
Policy SE-1.2	Require site specific geotechnical, soils, and foundation reports for development proposed on sites identified in the Safety Element and its Geologic and Hazard Maps as having moderate or high potential for ground failure.
Policy SE-1.3	Permit development in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, nor contribute to, the hazardous condition on the site or on adjacent properties. All proposed development is subject to the City's Zoning Ordinance and Building Codes.
Policy SE-1.4	Prohibit development—including any land alteration, grading for roads and structural development—in areas of slope instability or other geologic concerns unless mitigation measures are taken to limit potential damage to levels of acceptable risk.
Policy SE-6.1	Regulate building construction practices to prevent hazardous structures and assure structural safety. Measures may include requiring conformance to an accepted set of construction standards, authorizing inspection of suspected dangerous structures, discontinuing improper construction activities, and eliminating hazardous conditions.

4.7.1.2 *Existing Conditions*

Regional Geological Conditions

The project site and the surrounding parts of Daly City lie on the San Francisco Peninsula which is set within the Coast Ranges Geomorphic Province. The San Francisco Peninsula lies north of the Santa Cruz Mountains where it is flanked by the Pacific Ocean and San Francisco Bay to the west and east, respectively. The Coast Ranges Geomorphic Province is typified by northwest-southeast

trending mountain ranges that stretch from the Oregon border in the north to Point Conception in the south.

On-Site Geological Conditions

Seismicity

There are several major fault zones present in the Bay Area. The closest of which is the San Andreas Fault Line, approximately 2.12 miles southwest of the project site. According to the City’s General Plan EIR, Daly City would be subject to violent levels of shaking in the event of an earthquake.

Liquefaction

Liquefaction is a result of seismic activity characterized by the transformation of loose water-saturated soils from a solid state to a liquid state during ground shaking. The project site has a low potential for liquefaction.²⁶

Landslide and Lateral Spreading

The potential for landslides or downslope movement is dependent on slope geometry, subsurface soil and groundwater conditions, prior slope behavior, and severity of ground shaking. According to the General Plan EIR, there is a low potential for landslide risk in the project area. The project site is labeled “Flatland – Not Landslide Prone”.

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying soil material toward an open face, such as the steep bank of a stream channel. The project site does not contain any features susceptible to lateral spreading.

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
– Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

²⁶ U.S. Geological Survey. “Map of Quaternary Deposits and Liquefaction Susceptibility in the Central San Francisco Bay Region, California: Liquefaction Susceptibility”. Map. 2006.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
- Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the site. Therefore, the project would conform to the standard engineering and building practices and techniques specified in the CBC. The proposed buildings, streets, and utilities would be designed and constructed in accordance with the recommendations of a geotechnical report prepared for the site, which identifies the specific design features related to geologic and seismic conditions.

As described in Section 4.7.1.2 Existing Conditions, the project site is in an area of low risk for liquefaction, landslides, and lateral spreading. The project, in conformance with applicable regulations and with the implementation of the recommendations in the geotechnical report, would not result in significant impacts from seismicity and seismic-related hazards. **(Less Than Significant Impact)**

Impact GEO-2: The project would not result in substantial soil erosion or the loss of topsoil. **(Less than Significant Impact)**

Daly City requires project applicants to submit a stormwater management plan that illustrates full compliance with the Municipal Regional Stormwater NPDES Permit (MRP). This will require the project to include stormwater controls, including site design measures, source controls, treatment measures, low impact development, hydromodification management, and construction best management practices to limit erosion. These measures would help to control erosion and are discussed further in Section 4.9 Hydrology and Water Quality. **(Less Than Significant Impact)**

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

As discussed above in Impact GEO-1, the project site has a low potential for liquefaction and related hazards. A geotechnical report would be prepared for the project to assess current soil conditions and recommend site specific designs. The proposed construction would not result in instability of soil or another geologic unit on-site or off-site. **(Less than Significant Impact)**

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

The project site is not located within an area identified as having a high soil expansion potential.²⁷ The geotechnical report would address expansive soil potential. The proposed project would not create a substantial risk to life or property due to expansive soils. **(Less than Significant Impacts)**

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

The proposed project would be served by existing municipal sanitary sewers. There would be no need for alternative wastewater disposal systems, such as septic tanks, on-site. Therefore, there would be no impact due to soils incapable of supporting alternative wastewater disposal systems. **(No Impact)**

Impact GEO-6: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

The project site is not known to contain any subsurface paleontological resources or geological features. Although unlikely, grading of the project site could result in the disturbance of previously undiscovered paleontological resources. The following mitigation measure would ensure that the proper precautions are taken during an inadvertent paleontological discovery.

²⁷ City of Daly City. General Plan Update EIR. Figure 3.5-6 Soil Erosion and Shrink Swell Potential. October 2012.

Mitigation Measure: The project will be required to implement the following mitigation measure to reduce potential impacts to paleontological resources to a less than significant level:

MM GEO-6.1: Unique Paleontological and/or Geologic Features and Reporting. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

With implementation of MM GEO-6.1, impacts to undiscovered paleontological resources would be reduced to a less than significant level. **(Less than Significant with Mitigation Incorporated)**

4.8 GREENHOUSE GAS EMISSIONS

4.8.1 Environmental Setting

4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO₂ equivalents (CO₂e). The most common GHGs are carbon dioxide (CO₂) and water vapor but there are also several others, most importantly methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO₂ and N₂O are byproducts of fossil fuel combustion.
- N₂O is associated with agricultural operations such as fertilization of crops.
- CH₄ is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF₆ emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

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

4.8.1.2 *Regulatory Framework*

State

Assembly Bill 32

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

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO₂e (MMTCO₂e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO₂e.

Senate Bill 375

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

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2040. Plan Bay Area 2040 establishes a course for reducing per capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

Regional and Local

2017 Clean Air Plan

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

CEQA Air Quality Guidelines

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

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to greenhouse gases and are applicable to the proposed project.

Policies	Description
Policy HE-24	Gradually increase energy and water efficiency standards for all new and existing housing while minimizing the costs of such standards.
Task HE-24.1	Develop enhanced residential energy efficiency standards (Title 24, California Administrative Code) in all new residential construction which exceeds State-mandated requirements by five percent in 2015, ten percent in 2020, and twenty percent in 2030.
Policy HE-25	Mandate the inclusion of green building techniques into most new construction.
Policy HE-29	Promote alternative sources of energy in all homes.
Task HE-29.1	Encourage, incentivize, or require all new major construction projects to pre-plumb for solar hot water and pre-wire for solar electric systems

Daly City's Green Vision

Daly City's Green Vision, A Climate Action Plan (CAP) for 2011-2020 and Beyond, was adopted in December 2010. Daly City's Green Vision guides the City towards a sustainable future that reduces GHG emissions from current levels, while promoting economic prosperity for present and future generations. The Green Vision identifies ten goals and seeks to achieve these goals through cost-effective strategies by the year 2020. The GHG reduction goals include adopting a general plan with measurable policies for sustainable development, reducing energy use in buildings, reducing transportation emissions, reducing solid waste disposal, and GHG emissions reductions from municipal operations. Daly City completed an update to the General Plan which incorporated these goals in March 2013.

Daly City Municipal Code

Consistent with the goals of Daly City's Green Vision, the City Council adopted the Green Building Standards Code in order to protect the environment and health of the community. Chapter 15.22 of the Municipal Code 15.22 incorporates the California Green Building Standards Code, 2019 edition, for the protection of the public health and safety of its inhabitants.

Daly City Reach Code

In April 2021, the City Council of Daly City adopted a reach code ordinance to electrify buildings and vehicles in new construction. The new requirements are intended to result in safer and more comfortable buildings, increase electric vehicle charging infrastructure, and reduce carbon emissions. The ordinance requires all new buildings to be all-electric with some exceptions such as non-residential buildings containing a commercial kitchen may contain non-electric cooking appliances. The ordinance also requires electric vehicle charging infrastructure beyond that required in the 2019 California Green Building Standards Code.

4.8.1.3 Existing Conditions

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

changes in weather patterns. The existing single-family residence on the project site would result in limited GHG emissions.

4.8.2 **Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.8.2.1 ***Thresholds of Significance***

In April of 2022, BAAQMD updated its thresholds of significance for evaluating a project's GHG impacts under CEQA. Under these updated thresholds, projects must meet either criteria A or B of the following:

A. Projects must include, at a minimum, the following project design elements:

1. Buildings

- a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation

- a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee
 - iii. Retail projects: no net increase in existing VMT
- b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

B. Be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

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

Construction Emissions

GHG emissions associated with project construction activities (including operation of construction equipment, hauling truck trips, vendor truck trips, and worker trips) were estimated to be 107 MT of carbon dioxide equivalents (CO₂e) during nine months of construction (refer to Appendix A). Neither the City nor BAAQMD have an adopted threshold of significance for construction-related GHG emissions, though BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction.

BAAQMD also encourages the incorporation of best management practices, including recycling and reusing construction waste or demolition materials, and using local building materials of at least ten percent. The project, in compliance with CALGreen would recycle at least 65 percent of construction waste or demolition materials. Additionally, the project would limit equipment idling times either by shutting equipment off when not in use or reducing the maximum idling time to five minutes, as described in MM AIR-3.1. Thus, the project would not generate significant GHG emissions during construction. **(Less than Significant Impact)**

Operational Emissions

In April of 2022, BAAQMD updated its thresholds of significance for evaluating a project's GHG impacts under CEQA. Under these recently updated thresholds, projects must demonstrate either A) specific building design and transportation elements or B) consistency with a local GHG reduction strategy. The City of Daly City does not currently have a certified GHG reduction strategy. Consistent with the BAAQMD thresholds and the City's Reach Code, the project would be 100 percent electric and would not utilize any natural gas. As described in Section 4.6 Energy, the project would not result in any wasteful, inefficient, or unnecessary energy usage. As discussed further in Section 4.17 Transportation, the project would result in a low number of VMT and thus, would not generate a significant amount of GHG emissions from automobiles. Each of the proposed townhomes would include one EV Ready Space²⁸, in compliance with CALGreen. Additionally, the proposed townhome buildings would be built in accordance with the California Green Building Standards Code and would include rooftop solar panels on all dwelling units to further reduce its GHG impact. Therefore, the project would result in a less than significant level of GHG emissions. **(Less than Significant Impact)**

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

The project would be consistent with the City's General Plan policies [specifically Policy HE-23 of increasing energy efficiency standards in new and existing housing developments], Green Vision, and the current CALGreen Code, which requires efficient windows, insulation, lighting, ventilation

²⁸ EV Ready Space: A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger

systems, and other features that reduce water and energy consumption. Compliance with the CALGreen Code would ensure the project incorporates various measures to reduce GHG emissions. Consistent with the City's Reach Code, the project would be 100 percent electric and would not utilize any natural gas. For this reason, the project would be consistent with applicable plans, policies, and regulations adopted for the purpose of reducing emissions of GHGs. **(Less Than Significant Impact)**

4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on a Phase I Environmental Site Assessment (Phase I) prepared by AEI Consultants in October 2020 and a Phase II Subsurface Investigation (Phase II) prepared by Creative Environmental Solutions (ICES) in November 2020. Copies of these reports are included as Appendix C and Appendix D, respectively, of this Initial Study.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

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

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

Federal and State

Federal Aviation Regulations Part 77

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

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, \$1.6 billion was collected and the tax went to a trust fund for cleaning

up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

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

The law authorizes two kinds of response actions:

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

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.²⁹

Resource Conservation and Recovery Act

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

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.³⁰

²⁹ United States Environmental Protection Agency. “Superfund: CERCLA Overview.” Accessed May 11, 2020. <https://www.epa.gov/superfund/superfund-cercla-overview>.

³⁰ United States Environmental Protection Agency. “Summary of the Resource Conservation and Recovery Act.” Accessed May 11, 2020. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).³¹

Toxic Substances Control Act

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

California Accidental Release Prevention Program

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

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

³¹ California Environmental Protection Agency. "Cortese List Data Resources." Accessed May 28, 2020. <https://calepa.ca.gov/sitecleanup/corteselist/>.

Regional and Local

San Francisco International Airport Land Use Compatibility Plan

The project site is located within the jurisdiction of the San Francisco International (SFO) Airport Land Use Compatibility Plan (ALUCP). The ALUCP identifies potential conflicting land uses within the Airport Influence Area (AIA) of SFO.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to hazards and hazardous materials and are applicable to the proposed project.

Policy/Task	Description
Policy LU-18	Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.
Task LU-18.1	Ensure that potentially significant environmental impacts associated with development proposals are properly mitigated through conditions of approval, mitigation measures, project design, or project denial. In cases where the impacts may not be completely preventable but will not significantly disrupt the community, the City may recognize that the benefits of a project may outweigh the environmental consequences. In no case shall the City approve a project that endangers the health, safety, or welfare of the public.
Policy SE-4.1	Support efforts to locate, regulate, and maintain information regarding hazardous materials located or transported within the City.
Policy SE-4.2	Cooperate with the County of San Mateo in the regulation of hazardous materials and transportation in the Fire Prevention Services Bureau within the City.
Policy SE-4.6	Require the preparation of a risk assessment to determine site suitability for applications for hazardous materials waste management facilities. Establish the distance requirements for these facilities from public assembly, residential or immobile population and recreation areas and structures. Access impacts from seismic, geologic, and flood hazards, impacts on wetlands, endangered species, air quality and emergency response capabilities; and proximity to major transport routes.

4.9.1.2 *Existing Conditions*

On-Site Conditions

Historic Uses

Based on a review of historic aerial photographs, the first known development on-site was the single-family residence located on the northwestern corner of the project site. The residence was constructed around 1908. By 1926, numerous greenhouses were developed on the property, and by 1946, a boiler room was developed on the southwestern corner of the project site. By 1980, the greenhouses and boiler room were no longer present on-site.

Soil Conditions

Five soil samples were collected from four test pit locations on-site. The soil samples were analyzed for organochlorine pesticides, arsenic, lead, mercury, and soluble lead. The soil analysis indicated that the soil samples contained organochlorine pesticide concentrations that were below the RWQCB's Direct Exposure Human Health Screening Levels (DEHHSL) for residential land use. Arsenic concentrations ranged from 2.9 mg/kg to 4.6 mg/kg, exceeding the DEHHSL of 0.067 mg/kg, but were below the background upper level of 11 mg/kg. The RWQCB considers background levels to be acceptable for contaminants where the DEHHSL are less than typical background levels. The lead concentrations contained in the samples were generally within typical background levels and below their respective residential DEHHSL, with the exception of one sample. The lead concentration was found to be 92 mg/kg, exceeding the residential DEHHSL of 80 mg/kg.

Concentrations of mercury detected in the samples were below their respective residential DEHHSL and within typical background levels. Soluble lead was found at a concentration of 4.3 mg/L, which is below the Soluble Threshold Limit Concentration (STLC) of 5.0 mg/L. Soil containing a soluble lead concentration below the STLC is characterized as non-hazardous waste.

Asbestos and Lead-Based Paint (LBP)

Due to the age of the existing residence, there is potential that ACMs and LBP are present in building materials.

Surrounding Conditions

Based on a records search, the south adjoining property at 165 3rd Avenue was also historically developed with greenhouses from at least 1943 to 2002. Prior to redevelopment of this property with the current townhouses, elevated concentrations of pesticides in soils were identified in the area of the former greenhouses, including dichlorodiphenyltrichloroethane (DDT), dieldrin, dichlorodiphenyl-dichloroethylene (DDE), and dichlorodiphenyldichloroethane (DDD). Some of the highest concentrations were identified along the border shared with the project site. Thus, there is potential that the project site has some soils impacted by pesticide contamination, particularly in the southern portion of the site.

Other Hazards

Airports

The San Francisco International Airport is located approximately 6.6 miles southeast of the project site. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (FAR Part 77), requires that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any structure exceeding 200 feet in height above ground would require submittal to the FAA for airspace safety review.

Any proposed land use policy actions, including the proposed General Plan amendment/rezoning, that affect properties within the ALUCP Area B boundary in Daly City (such as the project site) must

be referred to the C/CAG Board for an ALUCP consistency review and determination. The Plan would first go to the C/CAG Airport Land Use Committee for review and a recommendation to the C/CAG Board. The Board will consider the ALUC recommendation and evaluate the consistency of the General Plan amendment with the relevant airport/land use compatibility policies and criteria contained in the adopted ALUCP. The C/CAG Board consistency determination must occur before the City Council can approve the proposed project. If the C/CAG Board determines the project inconsistent, the City Council can override the Board's determination with a supermajority vote upon making necessary findings.

Wildland Fire Hazards

The project site is not located within a Very-High Fire Hazard Severity Zone for wildland fires.³²

4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³² CAL FIRE. San Mateo County Fire Hazard Severity Zones. Map. November 6, 2007.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact HAZ-1: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

Operation of the proposed townhomes would likely include the use and storage of cleaning supplies and maintenance chemicals in small quantities on-site. The small quantities of cleaning supplies and maintenance chemicals used on-site would be comparable to the operations of adjacent residential uses and would not pose a risk to adjacent land uses. **(Less Than Significant Impact)**

Impact HAZ-2: The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact with Mitigation Incorporated)**

On-Site Soils

As discussed in Section 4.9.1.2 Existing Conditions, lead was detected in the on-site soils in excess of the RWQCB's DEHHSL. Additionally, the adjacent site at 165 3rd Avenue was known to have elevated levels of pesticide contamination prior to development of the current townhomes. Soil sampling on the project site did not identify elevated concentrations of organochlorine pesticides in on-site soils. The project could result in the release soil contaminants into the environment if appropriate control measures are not implemented.

Impact HAZ-2: Disturbance of hazardous materials could expose works and nearby sensitive receptors to hazardous materials during construction.

Mitigation Measures: The following mitigation measures would reduce impacts to workers and nearby sensitive receptors to a less than significant level:

MM HAZ-2.1: Prepare a site management plan for review and approval by the San Mateo County Environmental Health Services Division (SMCEHSD). Proof of approval or actions for site work required by the SMCEHSD must be provided to the Director of Community Development prior to the issuance of any demolition or building permits.

With implementation of mitigation measure MM HAZ-2.1, the impacts from on-site contamination would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Asbestos and Lead Based Paint

Based on the estimated age of the existing on-site building, ACMs and LBP may be present in some building materials. Building demolition could result in the release of these materials to the environment. The project will, however, be required to comply with local, state, and federal laws, which require an ACM and LBP building survey be completed by a qualified professional to determine the presence of ACMs and/or LBP on the residence proposed for demolition.

Demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations Sections 1528 and 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations. To comply with these regulatory requirements, a registered asbestos abatement contractor will be retained to remove and dispose of all potentially friable ACMs, in accordance with the National Emissions Standards for Hazardous Air Pollutants guidelines, prior to building demolition that may disturb the materials. Materials containing LBP will be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed. **(Less Than Significant Impact)**

Impact HAZ-3:	The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Less than Significant Impact)
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The nearest school is Thornton High School, located at 115 1st Avenue, approximately 0.07 miles west of the project site. As discussed in Impact HAZ-1, project operation would involve the storage and use of limited quantities of common residential cleaning and maintenance chemicals. Construction emissions are addressed in Section 4.3 Air Quality. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. **(Less than Significant Impact)**

Impact HAZ-4:	The project would not 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, create a significant hazard to the public or the environment. (No Impact)
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The project site is not included on a list of hazardous materials sites pursuant to Government Code Section 65962.5.³³ **(No Impact)**

Impact HAZ-5:	The project would be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. (Less than Significant Impact)
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³³ CalEPA. Cortese List Data Resources. Accessed December 1, 2020. <https://calepa.ca.gov/sitecleanup/corteselist/>

The project site is located approximately 6.6 miles northwest of SFO. The proposed project would be located within the SFO AIA. As a result, it would be required to comply with applicable policies of the SFO ALUCP. The project has been reviewed by the C/CAG Board and was determined to be consistent with the ALUCP.³⁴ The project site is not located inside the CNEL noise contours identified in the SFO ALUCP, indicating airport related noise levels are below 65 dB at the project site, a level compatible with residential uses.

The proposed project will be 35 feet in height; therefore, the total height of the townhomes would not exceed 200 feet above ground level and, therefore, would not require submittal to the FAA for airspace safety review. Although the project site is located within the jurisdiction of the SFO ALUCP, there are no safety hazards or excessive noise levels which would result in a significant impact. **(Less than Significant Impact)**

Impact HAZ-6:	The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant Impact)
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The proposed project would not impair or physically interfere with any adopted emergency response or evacuation plan. The proposed project would be constructed to comply with all applicable building and fire codes. During construction and operation of any future project, roadways would not be blocked such that emergency vehicles would be unable to access the site or surrounding properties. During operation, emergency ingress and egress to the project site would be provided by the surrounding roadways. The alignments of the drive aisles on-site and the radii of the corners and curbs would be adequate to accommodate the circulation of emergency vehicles. **(Less than Significant Impact)**

Impact HAZ-7:	The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. (Less than Significant Impact)
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The project vicinity is entirely urbanized and is not located within a wildlands hazard area.³⁵ Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. **(Less than Significant Impact)**

³⁴ C/CAG Board of Directors. *Resolution 22-107*. December 8, 2022.

³⁵ CAL FIRE. San Mateo County Fire Hazard Severity Zones. Map. November 6, 2007.

4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

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

National Flood Insurance Program

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

Statewide Construction General Permit

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

Regional and Local

San Francisco Bay Basin Plan

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

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

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the MRP in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.³⁶ Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Construction Dewatering Waste Discharge Requirements

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

Daly City Municipal Code

Chapter 14.04 of the Daly City Municipal Code, also known as the Daly City Stormwater Management and Discharge Control Ordinance prohibits non-stormwater discharges to the City storm drain system. The purpose of the Ordinance is to eliminate non-stormwater discharges to the municipal separate storm drain system, control the discharge of spills, dumping or disposal of materials other than stormwater, and reduce pollutants in stormwater discharges into the storm drain system to the maximum extent practicable. Chapter 14.12 gives the City the authority to inspect projects to enforce any of the provisions of Title 14.

Chapter 15.62 of the Daly City Municipal Code, also known as the City of Daly City Grading, Erosion and Sediment Control Ordinance sets forth rules and regulations to control site clearing, vegetation disturbances, land-fills, land excavations, soil storage, and other such activities which may cause sediments and other pollutants to enter the public drainage facilities. The chapter establishes the regulations, permit requirements, procedures for administration and enforcement of permits to properly control the aforementioned activities to preserve and enhance public health, safety and

³⁶ MRP Number CAS612008

environment. Section 15.62.230 requires the permittee to maintain a copy of the permit, approved plans and reports and make these available for city inspection. Section 15.62.270 gives the City engineer authority to suspend or revoke a permit for violation or non-compliance with Chapter 15.62.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to hydrology and water quality and are applicable to the proposed project.

Policy/Task	Description
Policy RME-8	Through the development of a Stormwater Management Program, ensure that all new development complies with the applicable Municipal Regional Stormwater Permit by incorporating controls that reduce water quality impacts over the life of the project in ways that are both technically and economically feasible, and reduce pollutants in stormwater discharges to the maximum extent practicable.
Task RME-8.5	Ensure the regular inspection of stormwater treatment facilities as required by the Municipal Regional Stormwater NPDES Permit.
Policy RME-9	Balance stormwater mitigation measures with the other inherent benefits of higher density development that is in close proximity to public transit, i.e., reduction of Vehicle Miles Traveled (VMT) on local and regional roadways to the extent permitted under the Municipal Regional Stormwater Permit.
Task RME-9.1	Continue to explore low-impact development credits for high density transit-oriented development within the City's established Priority Development Areas with the Regional Water Quality Control Board.
Policy SE-2.1	Protect the City of Daly City from unreasonable risk to life and property caused by flood hazards by designing and constructing drainage facilities to improve the flow capacity of the City's water system in order to accommodate the storm water runoff generated by a 100-year storm.

4.10.1.2 *Existing Conditions*

Stormwater

The project site is located within the Colma Creek Watershed which extends from San Bruno Mountain to its outlet at the San Francisco Bay just north of the San Francisco Airport and south of Point San Bruno. The project site is primarily unpaved, with the exception of the existing single-family residence and associated driveway. Approximately 1,700 square feet (5.5 percent) of the 31,140 square-foot site is made up of impervious surface area while the remainder of the project site (94.5 percent) contains pervious surfaces. Stormwater not absorbed within the project site is directed to the curb inlets and conveyed into the existing 12-inch stormwater line in 3rd Avenue.

Groundwater

The aquifer that underlies most of Daly City is within the Westside Groundwater Basin (Westside Basin). The Westside Basin underlies parts of San Francisco and northern San Mateo counties. The basin extends from Golden Gate Park in the north and past the San Francisco International Airport in the south. The basin extends to the west beneath the Pacific Ocean at least as far as the San Andreas Fault and to the east an unknown distance beneath San Francisco Bay. The Westside Basin is a buried valley, where the walls and floor of the valley are formed by rock with a mixture of coarse- and fine-grained sediments as much as 3,700 feet thick in parts of the basin fill. The coarse-grained sediments consist of sand and gravel and the fine-grained sediments consist of silt and clay. Sand and gravel can transmit substantial quantities of water to wells, whereas silt and clay impede the movement of groundwater. Where silt and clay deposits form semi-continuous beds, they can effectively isolate the water table from underlying aquifer. Groundwater in the shallow water table aquifer is referred to as “unconfined” and the underlying aquifer separated from the water table by continuous and semi-continuous fine-grained silt and clay strata are referred to as “confined.” Both unconfined and confined conditions occur in the Westside Basin. The project site is not located within a designated recharge area.³⁷ Groundwater on-site is estimated to be 16 to 17 feet below ground surface (bgs) and flow westward.³⁸

There is an existing, buried well on-site that was likely associated with prior greenhouse irrigation. The depth of the well on-site is not currently known, but other wells in the project area are known to reach depths up to hundreds of feet deep.

Flooding Hazards

FEMA has developed a Flood Hazard Boundary Map (FHBM) and has designated Daly City as a Non-Special Flood Hazard Area (NSFHA). The project site is not located in a 100-year floodplain.

Dam Inundation, Seiches, Tsunamis, and Mudflow Hazards

No areas in the city are subject to dam inundation. There are no water bodies in Daly City so there is no threat of seiches. A tsunami inundation map prepared by the California Department of Conservation shows a portion of the coast in Daly City as a tsunami inundation area. However, the project site is outside of the tsunami inundation area.³⁹

³⁷ City of Daly City. *General Plan Environmental Impact Report, Hydrology*. 2012.

³⁸ AEI Consultants. Phase I Environmental Site Assessment. October 1, 2020.

³⁹ California Department of Conservation. California Official Tsunami Inundation Maps. Accessed December 3, 2020.

4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) 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"/>
<hr/>				
Impact HYD-1:	The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. (Less than Significant Impact)			

Construction Water Quality Impacts

Potential impacts related to water quality are constrained by existing regulatory systems from the federal to the local level. The Clean Water Act sets minimum water quality standards for all surface waters in the U.S. and requires that industrial, municipal, and construction-related sources of pollution are regulated through the NPDES. The City requires project applicants to submit a

stormwater management plan that illustrates full compliance with the MRP. The project would be required to include stormwater controls and construction best management practices. Compliance with the MRP would ensure that project construction would not substantially degrade surface water or ground water quality. **(Less than Significant Impact)**

Post-Construction Water Quality Impacts

The proposed project would result in approximately 15,850 square feet (51 percent) of impervious surface area and 15,290 square feet (49 percent) of pervious surface area on the site. Overall, the project would result in a net increase of 14,150 square feet of impervious surface area. Pervious surface area provided by the project would include pervious concrete for the driveway, landscaping areas, and bioretention areas. The drainage system on-site would connect to the existing 12-inch stormwater line in 3rd Avenue. With the implementation of stormwater treatment measures, the project would result in a less than significant impact to water quality. **(Less than Significant Impact)**

Impact HYD-2:	The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. (Less than Significant Impact)
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Daly City receives a large portion of its water supply from the San Francisco Public Utilities Commission (SFPUC) and supplements the SFPUC supply with groundwater pumped from six local wells. During dry periods, groundwater makes up a larger proportion (up to 45 percent) of the City's supply. The proposed project, consisting of 14 townhomes, would not result in the need for excessive groundwater pumping from the local wells, and would therefore not substantially decrease groundwater supplies (refer to water supply discussion in Section 4.19 Utilities and Service Systems). There is a buried existing well on-site that was likely associated with irrigation of the greenhouses previously existing on-site. The project proposes to abandon and/or destroy the well in conformance with the County of San Mateo and RWQCB requirements. The existing well is currently inoperable and does not supply groundwater to any existing land uses. Thus, abandonment/destruction of the well would not decrease groundwater supplies or interfere with groundwater management.

There are no designated groundwater recharge areas within the Westside Groundwater Basin. The principal sources of recharge are direct infiltration of rainfall, infiltration of irrigation water, and leakage from water and sewer pipes.⁴⁰ As described in Impact HYD-1, the proposed project would reduce the pervious area on-site, resulting in a corresponding decrease in infiltration capacity. However, the project's Stormwater Management Plan shows numerous self-retaining, self-treating, bioretention areas within the landscaping that would provide opportunities for stormwater infiltration. The project would therefore not be expected to substantially interfere with groundwater recharge or impede groundwater management of the basin. **(Less Than Significant Impact)**

⁴⁰ *San Francisco Bay Hydrologic Region Westside Groundwater Basin*, California's Groundwater Bulletin 118, January 20, 2006.

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

The project site does not contain, nor is it adjacent to, any waterway. Therefore, the proposed project would not alter the course of a stream or river. Construction on the site will comply with the City's stormwater regulations (Chapters 14.04 and 15.62 of the City's Municipal Code) to ensure construction activities on the site do not result in increased soil erosion and siltation, exceed capacity of the drainage system, or add substantial sources of polluted runoff. Consistent with the City's requirements, the project would not increase site runoff from a 10-year storm for a duration of two hours of rainfall and will retain any increased flow due to reduction in pervious surfaces. **(Less Than Significant Impact)**

Impact HYD-4: The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)**

As described in Section 4.10.1.2 Existing Conditions, the project site is not located within a 100-year floodplain nor is it subject to tsunamis or seiches. **(No Impact)**

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

As previously described, the project site is located within the Westside Groundwater Basin. There are existing groundwater management plans for the northwestern portion (North Westside Groundwater Basin Management Plan) and the southern portion (South Westside Basin Groundwater Management Plan) of the Basin. The City of Daly City, which would be the water service provider for the project, is a participant in the South Westside Basin Groundwater Management Plan. The City would implement the groundwater protection and management goals and objectives of the Plan. The project, which proposes to construct 14 new townhomes, would not conflict with or obstruct the implementation of the Plan. **(Less Than Significant Impact)**

4.11 LAND USE AND PLANNING

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Local

Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

In 1967, the State legislature adopted legislation requiring the establishment of airport land use commissions in counties with one or more airports serving the general public. Amendments adopted by the legislature in 1970 required each commission to develop comprehensive ALUCPs. The purpose of the ALUCPs is to provide for the orderly growth of airports and the surrounding areas to minimize the public's exposure to excessive noise and safety hazards.

The project site is located within the AIA of SFO. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUCP.

Furthermore, properties located within the 70 dB CNEL aircraft noise contour for SFO warrant land use controls to promote noise compatibility. The project site is not located within SFO's 70 dB CNEL aircraft noise contour.

The ALUCP also includes airspace protection/height limitation criteria based on Federal Aviation Regulations. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any proposed structure of a height greater than approximately 200 feet above mean ground level is required under FAR Part 77 to be submitted to the FAA for review.

Any proposed land use policy actions, including the proposed General Plan Amendment and rezoning, that affect properties within the ALUCP Airport Influence Area B boundary in Daly City (such as the project site), must be referred to the C/CAG Board for an ALUCP consistency review and determination.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to land use and planning and are applicable to the proposed project.

Policy/Task	Description
Task CE-20.7	As a part of all new development, require, where appropriate, the provision of pedestrian-oriented signs, pedestrian-scale lighting, benches, and other street furniture so as to make non-motorized forms of travel comfortable and attractive alternatives to the automobile. Where necessary in new development, the City may require additional sidewalk and/or right-of-way width to accommodate these amenities.
Policy RME-20	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly.
Task RME-20.2	Amend the Zoning Ordinance to provide development regulations that more closely reflect the predominant neighborhood character established when the neighborhood was constructed.
Task RME-20.4	Incorporate design features in new development that reflects the character of the neighborhood, to ensure that new construction is compatible with existing development.
Policy LU-8	Ensure that landscape and hardscape improvements made to all residential properties are environmentally sound and do not negatively impact existing neighborhood aesthetics.

City of Daly City Zoning Ordinance

The Zoning Ordinance is provided in Title 17 of the Daly City Municipal Code. The Zoning Ordinance helps promote public health, safety, morals, convenience, comfort, prosperity and general welfare of residents in the City.

The project site is zoned I-D, Interim District. All territory annexed to the City are automatically zoned to an interim district until such time as the territory is zoned to another district.⁴¹

4.11.1.2 Existing Conditions

The project site has a General Plan land use designation of Residential – Low Density (R-LD). This land applies generally to those areas which were subdivided after January 1949, which have single family residences located on parcels of 3,000 square feet or more. The project site is immediately surrounded by residential land uses. A commercial development that fronts on E. Market Street is located approximately 117 feet south of the site.

⁴¹ City of Daly City. Municipal Code Chapter 17.30.

4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The project would not physically divide an established community. **(Less than Significant Impact)**

Examples of projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. The project would construct 14 new townhomes in a residential neighborhood, on a lot that is surrounded by existing one- to two-story residences. Development of the project site would be consistent with the surrounding area. In addition, the project would not result in the construction of dividing infrastructure such as highways, expressways, or major arterial streets. For these reasons, the proposed project would not physically divide an established community **(Less than Significant Impact)**

Impact LU-2: The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

General Plan and Zoning

In order to develop the project site with the proposed residences, the project would require an amended land use designation and change in zoning to Residential – Medium Density (R-MD) and R-3 Multiple-Family Residential, respectively. The R-LD designation allows between two and 14.5 DU/acre and the R-MD designation allows between 20.1 and 35 DU/acre. Thus, amending the designation of the 0.71-acre project site would increase the maximum allowable dwelling units on-site from ten to 24 units. The 14 proposed townhomes would be consistent with the R-MD designation.

As previously noted, the project site is currently zoned I-D, Interim District. This zoning is given as a placeholder for territories annexed by the City. The project would rezone the site to R-3. The proposed townhomes would not require a use permit under the R-3 zoning and would be consistent with the requirements of the zoning district, as shown below in Table 4.11-1.

Table 4.11-1: R-3 Zoning Requirements				
	Maximum Height (feet)	Maximum Lot Coverage	Minimum Front Setback (feet)	Minimum Rear Setback (feet)
Allowable	36	75%	15	10
Proposed	35	37.2%	15	10

SFO Airport Land Use Compatibility Plan

The project site is located within the SFO AIA and thus, the project would be required to comply with the SFO ALUCP. For the project site, any structure exceeding 200 feet in height above ground would require submittal to the FAA for airspace safety review. The proposed residences would reach a maximum of 35 feet above ground level, therefore, notification to the FAA would not be required. Given that the project proposes a General Plan amendment and rezoning and is located within the ALUCP Area B boundary, the project has been referred to the C/CAG Board for an ALUCP consistency review and determination. The project was determined by the C/CAG Board to be consistent with the ALUCP.⁴² The project site is outside of the 70 dB CNEL aircraft noise contour and therefore does not require controls to promote noise compatibility.

The project would be consistent with the proposed General Plan Land Use designation and zoning district, as well as the SFO ALUCP. Therefore, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

⁴² C/CAG Board of Directors. *Resolution 22-107*. December 8, 2022.

4.12 MINERAL RESOURCES

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

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

4.12.1.2 *Existing Conditions*

The San Mateo County General Plan identifies 13 mineral resources found in San Mateo County. Seven of these minerals: chromite, clay, expansible shale, mercury, sand and gravel, sands (specialty), and stone (dimension), are not likely to be used primarily because of limited quantities, urbanization or economic infeasibility. Daly City does not contain any mineral resources within its limits.

4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) 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"/>
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Impact MIN-1:	The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. (No Impact)			

Due to the fact that the project site is located on urban land in the City of Daly City, there are no significant mineral resources on or in the vicinity of the project site. **(No Impact)**

Impact MIN-2:	The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. (No Impact)
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Please see the discussion for MIN-1, above. **(No Impact)**

4.13 NOISE

4.13.1 Environmental Setting

4.13.1.1 *Background Information*

Noise

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

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq} , DNL, or CNEL.⁴³ These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

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

4.13.1.2 *Regulatory Framework*

Federal

Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne

⁴³ L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq} .

vibration are shown in Table 4.13-1 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

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

State

California Building Standards Code

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

Local

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport

As discussed in more detail in Section 4.10 Land Use, the project site is located within the AIA of SFO. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUCP. The site is located outside of the SFO 70 dB CNEL noise contour.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to noise and are applicable to the proposed project.

Policy/Task	Description
Policy NE-1	Use the future noise contour map to identify existing and potential noise impact areas.
Policy NE-3	Maintain a CNEL level of not more than 70 dBA L_{eq} in residential areas.
Task NE-2.1	Use the Noise Control Guidelines to assess the suitability of a site for new development in combination with the noise contours to accurately identify areas that may need additional noise study and mitigation. Noise mitigations include additional insulation, double glazing of windows and increasing building setbacks from the noise source. Mitigations should also be creative and attractive whenever possible and appropriate. Creative noise mitigation measures can include incorporation of fountains using water to mask freeway noise and noise walls of an appropriate scale painted with decorative murals.
Task NE-3.1	Continue to enforce the environmental noise requirements of the State Building Code (Title 24).
Task NE-5.1	Additional noise studies should be conducted in “Conditionally Acceptable” noise environments to ensure adequate mitigation features are employed. Usually conventional construction with closed windows and fresh air supply systems will maintain a healthy noise environment.
Task HE-4.2	For all development proposals with the 65dB CNEL noise contour, the City shall require a noise study that identifies the proposed project’s compliance with requirement of Task 4.1. If the project qualifies for review under CEQA, the City shall incorporate the noise study and any mitigation measures into the CEQA document and shall adopt findings that the project, as conditioned, complies with the interior noise level requirement.
Task NE-9.1	Depending upon the hours of operation, intensity of use, and the location of sensitive receptors in the area, the expansion or change of use could cause noise impacts. Acoustical studies should be performed, at the applicant's expense, during the discretionary and environmental review processes and conditions should be placed on the project accordingly
Task NE-11.3	Require all future development within the Airport Influence Area B boundary for San Francisco International Airport to conform to the relevant height/airspace protection, aircraft noise, and safety policies and land use compatibility criteria contained within the most recent adopted version of the ALUCP for the environs of San Francisco International Airport.

4.13.1.3 *Existing Conditions*

The project site is bounded by 3rd Avenue to the west and residential uses to the north, east, and south. The noise environment on the project site primarily results from vehicular traffic along 3rd Avenue and the surrounding roadway network and aircraft departures from SFO. According to the

General Plan EIR, the existing roadway noise ranges between 65 to 70 dBA on 3rd Avenue and 65 to 70 dBA on Hillside Boulevard and E. Market Street. Based on the General Plan noise contours, noise levels on the project site are between 60 to 65 dBA. The project site is not within the 65 CNEL noise contour for SFO.

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
Impact NOI-1:	The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. (Less than Significant Impact with Mitigation Incorporated)			

Permanent Noise Impacts

The project would add approximately 92 total average daily vehicle trips to surrounding roadways. For a project to result in a noticeable change in roadway noise, i.e., 3 dBA increase, roadway volumes would have to double with the addition of project trips. Primary access to the site is provided by 3rd Avenue which serves an existing residential neighborhood with more than double the number of units proposed by the project. The project would not double the number of vehicle trips on 3rd Avenue, a primarily residential street, therefore, the project would not result in a noticeable change in roadway noise. The proposed townhomes would generate noise levels compatible with the surrounding residential uses. The project would not result in a significant permanent ambient noise level increase. **(Less than Significant Impact)**

Temporary Noise Impacts

The construction schedule assumes that the project would be built out over a period of approximately nine months. The project would be constructed in various phases involving demolition, site preparation, grading, foundation, building construction, paving, and building interior/ architectural coating. Construction noise levels would fluctuate across the site based on the type of construction activity occurring with the site demolition, grading, and foundation phases being the noisiest periods of construction. Project construction would include several days of overlap when multiple phases are being carried out simultaneously. The project does not include construction activities that would generate substantial loud noise such as pile driving or demolition of a large building.

Impact NOI-1: Project implementation would result in intermittent short-term noise impacts resulting from construction-related activities.

Mitigation Measures: In accordance with the City's General Plan and Municipal Code, construction activities would be completed with incorporation of the following BMPs to further reduce potential temporary construction noise impacts:

MM NOI-1.1: The applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- 1) Construction activities shall be limited to the hours between 8:00 am and 5:00 pm, Monday through Friday, and prohibited on weekends and holidays in accordance with the City's General Plan, unless permission is granted with a development permit or other planning approval.
- 2) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- 3) Unnecessary idling of internal combustion engines should be strictly prohibited.
- 4) Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from nearby receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at nearby receptors. Any enclosure openings or venting shall face away from receptors.
- 5) Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- 6) A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This measure would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- 7) Control noise from construction workers' radios to a point where they are not audible at existing structures bordering the project site.
- 8) The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent land uses so that construction activities can be scheduled to minimize noise disturbance.

- 9) Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- 10) Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

With the implementation of the identified BMPs above, the proposed project would reduce construction noise impacts to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact NOI-2:	The project would not result in generation of excessive groundborne vibration or groundborne noise levels. (Less than Significant Impact)
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Construction of the proposed residential development would not require pile driving or other significant vibration caused by construction activity. Therefore, the construction of the proposed development would not generate vibration levels that exceed limits defined by the City of Daly City. **(Less Than Significant Impact)**

Impact NOI-3:	The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. (Less than Significant Impact)
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SFO is a public-use airport located approximately 6.9 miles southeast of the project site. According to the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, the project site lies outside the 65 dBA CNEL 2020 noise contour of the airport. Therefore, future exterior noise levels due to aircraft from SFO would be compatible with the City’s exterior noise standards for aircraft noise. **(Less than Significant Impact)**

4.14 POPULATION AND HOUSING

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Housing Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.⁴⁴ The City of Daly City Housing Element and related land use policies were last updated in 2015.

Regional and Local

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range transportation, land-use, and housing plan intended support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution and GHG emissions in the Bay Area. Plan Bay Area 2040 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified PDAs.⁴⁵ The project site is located within a PDA.

ABAG allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population, and Housing, which is an integrated land use and transportation plan through the year 2040 (upon which Plan Bay Area 2040 is based).

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to population and housing and are applicable to the proposed project.

⁴⁴ California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed December 8, 2020. <http://hcd.ca.gov/community-development/housing-element/index.shtml>.

⁴⁵ Association of Bay Area Governments and Metropolitan Transportation Commission. "Project Mapper." <http://projectmapper.planbayarea.org/>. Accessed December 8, 2020.

Policy/Task	Description
Policy HE-1	Maintain and, where possible, create larger housing development sites throughout the City.
Policy HE-2	Support infill housing in existing neighborhoods by offering streamlined planning and environmental reviews.
Policy HE-3	Provide regulatory incentives for developers to construct higher-density mixed-use development along Mission Street, Geneva Avenue, and any other locations with close proximity to public transit.

4.14.1.2 *Existing Conditions*

According to a May 2022 estimate by the California Department of Finance, Daly City has a total population of 102,875 persons.⁴⁶ There are estimated to be 33,934 housing units in the City, with the largest categories of housing consisting of 15,907 single-detached units and 8,354 structures containing five or greater units.⁴⁷ According to ABAG projections, Daly City's population will grow to a total of 121,330 by 2040.⁴⁸

4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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"/>

Impact POP-1: The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
(Less than Significant Impact)

According to the City's General Plan, an increase of approximately 950 residents per year is projected between 2010 and 2030. The project proposes to construct 13 net new housing units. With

⁴⁶ California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State 2011-2022 with 2020 Census Benchmark*. Accessed on October 26, 2022. Available at: <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.

⁴⁷ Ibid.

⁴⁸ Association of Bay Area Governments. "Projections 2040." Accessed December 8, 2020. Available at: <http://projections.planbayarea.org/>.

an average occupancy of 3.16 residents per household,⁴⁹ the proposed development would result in an increase of 41 new residents. Although the General Plan includes low-density housing on the project site, population growth induced by the proposed medium-density residential project would result in limited additional residential units in the City and remain consistent with planned growth under the General Plan and ABAG projections. Therefore, the proposed project would result in growth consistent with City plans. Additionally, the project is consistent with the General Plan policies to create larger housing development and support infill development (Policies HE-1.1 and HE-2). For this reason, there would be a less than significant impact due to direct or indirect unplanned population growth. **(Less than Significant Impact)**

Impact POP-2:	The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. (Less than Significant Impact)
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The project would demolish one single-family residence in order to construct the proposed 14 townhomes. The project would not displace a substantial number of existing people and would be constructing a net increase of 13 housing units. The project would not necessitate the construction of replacement housing elsewhere. **(Less than Significant Impact)**

⁴⁹ California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State 2011-2022 with 2020 Census Benchmark*. Accessed on October 26, 2022. Available at: <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.

4.15 PUBLIC SERVICES

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

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

Government Code Section 65995 through 65998

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

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

Local

City of Daly City Capital Plan

In 2008, the City expanded its Capital Plan to cover a 20-year period. It was estimated that 2.8 million square feet of commercial space and 2,641 residential units would be added to the City, which is slightly more than projected in the 2013 General Plan. The study also projected the extent of capital improvements for public facilities which would be needed in the City over the same time period. The City identified the capital improvements which would be needed to provide City services to all areas over the next 20 years. The relationship between the additional projected commercial and residential development and the need for improvements in public facilities was analyzed. The City formulated impact fees that are based on the extent to which any need for new public facilities is attributed to new development.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to public services and are applicable to the proposed project.

Policy/Task	Description
Policy SE-3.1	Support and maintain the City’s Insurance Service Office rating of a Class 2, which establishes the fire insurance rates for the City.
Policy SE-3.2	Provide for a seven-minute total reflex time for arrival of a first due company to 90 percent of all emergency incidents.
Policy SE-3.3	Provide for an eleven-minute total reflex time for arrival of multiple fire companies to 90 percent of all structure fires.
Policy SE-3.4	Maintain fire company reliability, whereby 90 percent of all incidents are handled by the district fire company.

4.15.1.2 *Existing Conditions*

Fire Protection

The City of Daly City is served by the North County Fire Authority (NCFA), a Joint Powers Authority which currently serves the communities of Brisbane, Daly City, and Pacifica.⁵⁰ The NCFA responds to all fires, hazardous materials spills, and medical emergencies in the City. The closest station to the project site is Station No. 92, located at 18 Bepler Street, approximately one mile north of the project site.

Police Protection

Police protection services for the project site are provided by the Daly City Police Department, which is headquartered at 333 90th Street, approximately 1.2 miles west of the project site. The Daly City Police Department employs 111 sworn personnel.⁵¹

Schools

The project site is located within the Jefferson Elementary School District and the Jefferson Union High School District. The nearest elementary school is Susan B. Anthony Elementary, approximately 0.5 miles east of the project site, located at 575 Abbot Avenue. The nearest middle school is Thomas R. Pollicita Middle School, approximately 0.3 miles east of the project site, located at 550 E. Market Street. The nearest high school is Jefferson High School, approximately 0.5 miles north of the project site, located at 6996 Mission Street.

⁵⁰ City of Daly City. “Fire Department”. Accessed November 12, 2020.

http://www.dalycity.org/City_Hall/Departments/Fire_Department.htm

⁵¹ City of Daly City. “Police Officer”. Accessed November 12, 2020.

http://www.dalycity.org/City_Hall/Departments/police_department/employment/policeofficer.htm#:~:text=The%20Daly%20City%20Police%20Department,serves%20a%20population%20of%20107%2C000.

Parks

According to the General Plan, 13 municipal parks and 12 tot lots are located in Daly City, resulting in a total of 82.95 acres of developed public recreational open space. The nearest park is Hillside Park, approximately 0.4 miles northeast of the project site, located at 222 Lausanne Avenue. Hillside Park is approximately 6.40 acres and contains tennis courts, basketball courts, a playground for small children, picnic tables, open fields, walking trails, and a cultural center.

Libraries, Community Centers, and Other Facilities

The Daly City Library provides library services to the residents of Daly City. The nearest library branch, the John Daly Library, approximately 0.8 miles north of the project site, is located at 134 Hillside Boulevard.

There are two community centers, one art center, and one public clubhouse in Daly City. The nearest of these centers is the Albert Teglia Community Center, approximately 0.4 miles northeast of the project site, located at 285 Abbot Avenue.

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 public services:				
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact PS-1:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. (Less than Significant Impact)
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As part of the permitting process, the North County Fire Department 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 proposed project would

result in an incremental increase in the demand for fire protection services. The service area of the NCFA includes the cities of Daly City, Brisbane, and Pacifica. As a result, the proposed project's increase in service population would be insignificant compared to the total projected population increase within the NCFA service area. For this reason, the proposed project would not individually require new or altered fire protection facilities, and as a result, would have a less than significant impact on the environment. **(Less than Significant Impact)**

Impact PS-2:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. (Less than Significant Impact)
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The proposed project would result in an incremental increase in the demand for police protection services within the DCPD service area. However, the increase of 41 residents (see Section 4.14 Population and Housing) would be insignificant with the total projected increase in population within the City. According to the City's General Plan, an increase of approximately 950 residents per year is projected between 2010 and 2030. Thus, the increase in police service demand generated by the project would not exhaust existing police facilities. As a result, the proposed project would have a less than significant impact on the provision of police protection services and would not require the construction or alteration of existing facilities. **(Less than Significant Impact)**

Impact PS-3:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. (Less than Significant Impact)
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As previously mentioned in Section 4.15.1.2 Existing Conditions, the project site is within the Jefferson Elementary School District and the Jefferson Union High School District. According to the Developer Fee Justification Study for Jefferson Elementary School District published in 2014, the statewide student generation factor is 0.5 for grades K-8.⁵² According to the Level I Developer Fee Study for Jefferson Union High School District published in 2020, the student generation rate for multi-family housing units is 0.111.⁵³ Thus, the proposed 14 new townhomes would generate approximately seven new students in K-8 and two new students in grades 9-12. Table 3.11-3 of the General Plan EIR presented future enrollment within the various school districts that serve Daly City, and concluded that after accommodating modest growth in student population from General Plan buildout, the Jefferson Elementary School District would have available capacity of 693 students, and Jefferson High School District would have available capacity of 573 students. Therefore, the number of new students generated by the project would not significantly impact school facilities and would not require new or altered school facilities. **(Less than Significant Impact)**

⁵² Jefferson Elementary School District. Developer Fee Justification Study for Jefferson Elementary School District. February 2014. Accessed July 21, 2017.

⁵³ Jack Schreder & Associates, Inc. Level I Developer Fee Study for Jefferson Union High School District. July 28, 2020.

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. (Less than Significant Impact)
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As previously described in Section 4.15.1.2 Existing Conditions, Daly City contains approximately 82.95 acres of developed public recreational open space. This does not include the numerous nearby regional park facilities. The approximately 6.40-acre Hillside Park is approximately 0.4 miles northeast of the project site.

Based on the City's current parkland dedication ratio of three acres per 1,000 residents in the Municipal Code, the City will need to provide 15.8 acres of parkland to meet future need resulting from anticipated population growth (without ameliorating existing deficiencies). To meet this demand, the General Plan proposes a task to develop part of the 140-acre undeveloped Mussel Rock area into a park for community use. The program for the park will be further developed through Program RME-3 which calls for the preparation of a Parks and Recreation Analysis and Master Plan. The Parks and Recreation Analysis and Master Plan will address existing and future opportunities for parks and recreational services for the city and guide the planning, selection, dedication and funding of future park land in the city. The Master Plan would allow priorities to be adopted and identify park site locations and development plans be determined at the time the acquisition and development process begins. The General Plan includes policies and programs to help parkland development to meet additional recreational need, which would reduce impact to a less than significant level. Given the expansive existing and planned park space within Daly City and the relatively small number of residents the project would generate, the project would not result in the need for new or altered park facilities. **(Less than Significant Impact)**

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. (Less than Significant Impact)
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As described above, the residential population growth accommodated by the proposed project would result in an incremental increase in demand for City public services and facilities, including libraries. However, the population increase resulting from the proposed project would be within the planned growth in service population of the City, and, as a result, would not cause a substantial adverse impact associated within the provision of new or altered libraries or other public facilities. **(Less than Significant Impact)**

4.16 RECREATION

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

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

Local

Parkland Dedication

The City of Daly City Municipal Code currently has parkland dedication standards within Title 16 – Subdivisions. Section 16.30 of the Municipal Code has a standard for parks of three acres per 1,000 people. This requirement may be satisfied through either on-site park construction, land dedication, or an in-lieu fee equal to the land value plus ten percent towards costs of off-site improvements.⁵⁴

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to recreation and are applicable to the proposed project.

Policy/Task	Description
Policy RME-11	Areas designated as open space recreation-public shall continue to be maintained and upgraded by the Public Works Department.
Policy RME-12	Encourage a diverse, equitable, and integrated system of park facilities throughout Daly City that are accessible to all age, social, and economic groups and all geographic areas of the City.
Policy RME-13	Require the dedication of parkland or the payment of an in-lieu fee in accordance with Subdivision Map Act.
Policy RME-14	Prioritize the dispersal of park in-lieu fees collected from the development of new subdivisions to ensure that the fees are spent in the appropriate areas.

⁵⁴ City of Daly City. *Municipal Code 16.30.050*. Accessed December 8, 2020.

4.16.1.2 Existing Conditions

Public recreational open space within Daly City consists of City parks and facilities, and State and County Parks. There are 13 municipal parks and 12 tot lots within Daly City, totaling 82.95 acres of developed recreational area.⁵⁵ In addition to City parks, San Bruno Mountain State and County Park provides 2,063 acres of public park space comprising state and San Mateo County managed land.

The nearest recreational facility to the project site is Hillside Park, approximately 0.4 miles northeast of the project site, located at 222 Lausanne Avenue. Hillside Park is approximately 6.40 acres and contains tennis courts, basketball courts, a playground for small children, picnic tables, open fields, walking trails, and a cultural center.

4.16.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
Impact REC-1:	The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. (Less than Significant Impact)			

The project would generate approximately 41 new residents. Residents generated by the project would result in an incremental increase in the use of existing neighborhood and regional parks and recreational facilities. Physical deterioration of these facilities would not be substantially accelerated by the increased use generated by the project. Additionally, the City is in the process of preparing a Parks and Recreation Analysis and Master Plan that will address existing and future opportunities for parks and recreational services within the city and guide the planning, selection, dedication and funding of future park land in the city. The Master Plan would allow priorities to be adopted and identify park site locations and development plans be determined at the time the acquisition and development process begins. Given the expansive existing and planned park space within Daly City and the relatively small number of residents the project would generate, the project would have a less than significant impact on existing recreational facilities. **(Less than Significant Impact)**

⁵⁵ City of Daly City. Daly City 2030 General Plan. Resource Management Element. March 25, 2013.

Impact REC-2: The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

Each proposed townhome unit would include a minimum of 150 sf of private open space. Construction and operation of these facilities is included in the analysis of this Initial Study. The project would not include any other recreational facilities or require the construction or expansion of recreational facilities. **(Less than Significant Impact)**

4.17 TRANSPORTATION

The following discussion is based, in part, on a VMT Analysis prepared for the project by Hexagon Transportation Consultants, Inc. (Hexagon), dated December 2022. A copy of the report is included in Appendix E of this Initial Study.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

State

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including San Mateo County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2040.

Senate Bill 743

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

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

Regional and Local

San Mateo County Congestion Management Program

The City/County Association of Governments (C/CAG), as the Congestion Management Agency for San Mateo County, is required to prepare and adopt a Congestion Management Program (CMP) on a biennial basis. The purpose of the CMP is to identify strategies to respond to future transportation needs, develop procedures to alleviate and control congestion, and promote countywide solutions. Also included in the CMP is the Traffic Impact Analysis (TIA) Policy, which provides uniform procedures to analyze traffic impacts. According to the CMP, an acceptable level of service at signalized intersections is LOS E.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to transportation and are applicable to the proposed project.

Policy/Task	Description
Policy CE-6	Support regional efforts to improve traffic while accommodating future development.
Policy CE-7	Ensure an effective transit system by supporting the work of other agencies in their efforts to expand public transit in and around Daly City.
Task CE-13.3	Consider impacts to the existing and future bicycle and pedestrian network when completing environmental review for private development projects, and require mitigation measures where necessary and reasonable to ensure that these systems are not impacted.

4.17.1.2 *Existing Conditions*

Roadway Network

Regional access to the project site is provided by I-280, State Route 82 (SR 82, also referred to as Mission Street), and State Route 1 (SR 1). Local access to the project site is provided via E. Market Street, Castle Street, San Pedro Road, John Daly Boulevard, Sullivan Avenue, and Junipero Serra Boulevard. These roadways are described below:

I-280 is an eight- to 12-lane freeway with a posted speed limit of 65 miles per hour (mph). The north-south freeway connects Daly City with nearby cities, such as San Francisco and San Bruno, and regional destinations, such as San José. Additionally, it provides access to the greater freeway network with direct connections to Interstates 680 and 880, U.S. Highway 101, and State Routes 1, 35, 92, and 85. The Sullivan Avenue off-ramp provide access to the project site via San Pedro Road, from I-280 South. The Junipero Serra Boulevard interchange provides access to the project site via John Daly Boulevard from I-280 North.

SR 82 is a four- to six-lane state highway that functions as an arterial in the vicinity of the project site with a posted speed limit of 35 mph. It provides regional access to the project site from San Francisco to the north via its interchange with I-280. Interchanges at E. Market Street and Castle Street provide access to the project site via direct connections to 3rd Avenue from both the north and south of SR 82.

SR 1 is a six- to ten-lane freeway in the vicinity of the project with a posted speed limit of 65 mph. SR1 extends northward through San Francisco and southward through Pacifica. The off-ramp at Junipero Serra Boulevard provides access to the project site via San Pedro Road, from SR 1 North. The hook-ramp at John Daly Boulevard provides access to the project site via Hillside Boulevard, from SR 1 South.

Bicycle and Pedestrian Facilities

Pedestrian access is provided via sidewalks along the 3rd Avenue frontage of the project site, and along other vicinity streets including Castle Street, E. Market Street, and Hillside Boulevard. The project vicinity largely lacks bicycle facilities. There are no designated bicycle lanes along Hillside Boulevard, E. Market Street, or Mission Street. John Daly Boulevard contains Class I bike lanes⁵⁶ west of SR1. Class III bike lanes⁵⁷ are proposed in the City's Bicycle Master Plan for the remainder of John Daly Boulevard as well as Hillside Boulevard, E. Market Street, Mission Street, and other roadways in the project vicinity.

Transit Services

SamTrans

SamTrans provides the principal bus service in San Mateo County. It operates local and school buses, as well as express routes to San Francisco. It is also a service provider for paratransit. All scheduled buses are equipped with front-loading racks that can hold up to two bicycles. In the project vicinity, bus stops exist along E. Market Street and Hillside Boulevard. The closest bus stop is located on the corner of E. Market Street and Hillside Boulevard, approximately 0.2 miles southeast of the project site.

BART

The nearest BART station is the Colma BART station, located approximately 0.8 miles southwest of the project site. From the Colma BART station, riders can access Fremont, Pleasanton/Dublin, Richmond and Pittsburg as well as numerous points in between. Trains run on approximately 15-minute headways during commute hours. There are also a number of bus routes and shuttles operated by SamTrans that stop at the Colma BART station.

4.17.1.3 *Methodology*

VMT Analysis

At the time of this report, the City of Daly City is undertaking a process of updating its significance thresholds to be consistent with SB 743, and the CEQA 2019 Update Guidelines Section 15064.3, subdivision (b). The City has not released draft significance thresholds to determine project VMT impacts. In the absence of a City policy or draft numeric thresholds, this study utilized the OPR guidelines in analyzing VMT.

⁵⁶ Class I bike lanes, or shared-use paths, are facilities with exclusive right of way for bicyclists and pedestrians, away from the roadway.

⁵⁷ Class III bike lanes, or bike routes, designate a preferred route for bicyclists on streets shared with motor traffic not served by dedicated bikeways to provide continuity to the bikeway network.

4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
Impact TRN-1:	The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. (Less than Significant Impact)			

Roadways

The City of Daly City does not currently have an adopted VMT policy. Per SB 743, the City's LOS standards cannot be used in CEQA analysis for transportation impacts. The CMP requires traffic impact analyses when a project generates greater than a 100 peak hour trips. The project would not generate more than 100 peak hour trips and, therefore, a County CMP analysis is not required. The project's VMT impact is discussed in Impact TRN-2, below.

Bicycle and Pedestrian Facilities

The project would not generate a large volume of pedestrian or bicycle trips and would not exceed the capacity of existing facilities. The project would also not conflict with the City's Bicycle and Pedestrian Master Plan.

Transit

The project could generate new transit users but is not anticipated to exceed the capacity of bus service near the project site. The project would not conflict with any SamTrans policies related to the transit system. **(Less than Significant Impact)**

Impact TRN-2:	The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). (Less than Significant Impact)
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The VMT thresholds used for this project are based on the Governor's Office of Planning and Research (OPR)'s recommendations. Per OPR guidelines, projects that generate or attract fewer than

110 trips per day may be assumed to cause a less than significant transportation impact. The number of trips the project would generate were estimated using the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition (2017) daily trip rates for "Multifamily Housing Low-Rise" (Land Use Code 220) located in a general Urban/Suburban area. The project would generate approximately 92 net new trips.

Furthermore, according to OPR, residential and office projects that locate in areas with low VMT, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT. According to the MTC's ArcGIS VMT tool, the 2040 Plan Bay Area Model forecasted daily VMT for the project transportation analysis zone (TAZ 201) are 9.47, 9.3, and 8.36 miles per resident in years 2020, 2030, and 2040, respectively. The San Francisco Bay Area average daily VMT is 15.0, 14.4, and 13.8 miles per resident in years 2020, 2030, and 2040, respectively.

Given that the project would generate less than 110 trips and the average VMT for residents within the project's transportation analysis zone is lower than the regional average, the project would have a less than significant VMT impact. **(Less than Significant Impact)**

Impact TRN-3:	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (Less than Significant Impact)
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Vehicle access to the residences and parking lot would be provided via a 26-foot-wide driveway along 3rd Avenue with a ten-foot-wide vehicular access gate. Separated pedestrian access would be provided to the front townhomes via private, gated walkways extending from the 3rd Avenue sidewalk. A four-foot wide, gated walkway would be located adjacent to the project driveway and provide pedestrian access to the remainder of the townhomes. The project driveway would be clear of any obstructions, thereby ensuring the exiting vehicles can see pedestrians on the sidewalk, and bicyclists and other vehicles traveling along 3rd Avenue. Landscaping would be planted in a manner that would ensure no conflicts with a driver's ability to locate a gap in traffic and see oncoming pedestrians, bicyclists, and vehicles. Trees planted along the project frontage on 3rd Avenue would be at the back of sidewalk and a proper height to provide sight lines for vehicles. No other objects exist or are proposed along the project frontages that would reduce vehicle sight distance. For these reasons, the proposed project would not create an operational safety hazard. **(Less than Significant Impact)**

Impact TRN-4:	The project would not result in inadequate emergency access. (Less than Significant Impact)
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The driveway would lead to a 120-foot hammerhead dead-end, turn-around apparatus, perpendicular to the driveway. The proposed internal access road would provide a hammerhead turnaround for circulation of emergency vehicles and would be reviewed by City staff to ensure adequacy. Therefore, the project would not result in inadequate emergency access. **(Less than Significant Impact)**

4.18 TRIBAL CULTURAL RESOURCES

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
 - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
 - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

4.18.1.2 *Existing Conditions*

Archaeological resources in Daly City consist primarily of the remains of the Ohlone Indian tribe, which inhabited a large area along the California Coast from the San Francisco Bay to the Monterrey Bay. The Mussel Rock archaeological site is the only source of Ohlone artifacts within the City.

The project site is currently vacant but was previously used for agricultural purposes and disturbed for construction of the associated greenhouses and single-family residence.

4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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:				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact TCR-1: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact with Mitigation Incorporated)**

No tribes have contacted the City to request notification under AB 52. The project site is mostly undeveloped, with the exception of the single-family residence on the northern portion of the site. In the event that an inadvertent discovery of a tribal cultural resource is made, mitigation measures MM CUL-2.1, MM CUL-2.2, and MM CUL-3.1 would be implemented, as stated in Section 4.5 Cultural Resources of this Initial Study. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact TCR-2: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact with Mitigation Incorporated)**

Please see response to Impact TCR-1. **(Less than Significant Impact with Mitigation Incorporated)**

4.19 UTILITIES AND SERVICE SYSTEMS

The following discussion is based, in part, on a hydraulic analysis prepared for the project by Brown and Caldwell, dated May 2021, and a sanitary sewer capacity evaluation prepared for the project by Woodard & Curran, dated April 2021. Copies of these reports are included in Appendix F and Appendix G of this Initial Study, respectively.

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Daly City adopted its most recent UWMP in June 2021.

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

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

Local

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to utilities and service systems and are applicable to the proposed project.

Policy/Task	Description
Policy RME-1	Reduce average per capita demand by implementing cost effective water conservation programs that address all applicable methods of water conservation.
Task RME-1.1	Enforce the provisions of the Indoor Water Use Efficiency Ordinance through an extensive public outreach campaign to residents and contractors, to be completed by 2014.
Policy RME-2	Require drought resistant landscaping and water conserving irrigation methods in new development, and encourage the replacement of existing water-intensive landscaping.
Task RME-2.1	Enforce the provisions of the Water Conservation in Landscaping Ordinance and conduct a public education effort to ensure that residents, businesses, and contractors are aware of the Ordinance provisions.
Policy RME-3	Continue to use recycled wastewater for irrigating and explore opportunities to expand capacity to accommodate its use in development projects, landscaped medians, golf courses, cemeteries, parks, and school playgrounds.
Policy RME-4	For development projects which will create water demand exceeding a pre-defined amount, require that developers provide a water supply analysis for the project to demonstrate water availability to adequately serve the proposed project.
Policy RME-8	Through the development of a Stormwater Management Program, ensure that all new development complies with applicable municipal stormwater Municipal Regional Stormwater NPDES Permit by incorporating controls that reduce water quality impacts over the life of the project in way that is both technically and economically feasible, and reduces pollutants in stormwater discharges to the maximum extent practicable.
Task RME-8.2	Evaluate acceptable development standards for stormwater treatment mechanisms and publish such standards for distribution to developers. Such standards shall be based on a thorough evaluation of modern stormwater control mechanisms and shall, to the extent feasible, consider soil conditions in various parts of Daly City.

- Task RME-8.4 Assess projected stormwater impacts from new development in conformance with the San Mateo County Water Pollution Prevention Program, CEQA Guidelines and relative to state and federal standards.
- Policy RME-9 Balance stormwater mitigation measures with the other inherent benefits of higher density development that is in close proximity to public transit, i.e., reduction of VMT on local and regional roadways, to the extent permitted under the Municipal Regional Stormwater Permit.
- Policy HE-27 Through the development of a Stormwater Management Program, ensure that all new development complies with applicable Municipal Regional Stormwater NPDES Permit requirements by incorporating controls that reduce water quality impacts over the life of the project in way that is both technically and economically feasible, and reduces pollutants in stormwater discharges to the maximum extent practicable.
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Daly City Urban Water Management Plan (2020)

The UWMP is a long-range plan that assesses the City's water supply over a 25-year planning horizon (2045) to ensure adequate water supplies to meet existing and future demands for water. The UWMP presents forecasted supplies and demands, describes conservation programs, and includes a water shortage contingency analysis.

Daly City Municipal Code

Chapter 17.41, Water Conservation in Landscaping, establishes regulations to implement water conservation practices on existing and new landscapes. For projects containing more than 1,000 square feet of irrigated landscape, a landscape permit is required which requires irrigation design review. Further, this Chapter mandates that any owner of landscape of over one acre in size shall comply with local agency programs that may be instituted relating to irrigation audits, surveys and water use analysis, and shall maintain landscape irrigation facilities to prevent water waste and runoff.

4.19.1.2 Existing Conditions

Water Supply

Water service to the project site is provided by the Daly City Department of Water and Wastewater Resources (DWWR). The City relies on local groundwater pumping from six municipal wells and water supply purchases from the SFPUC.⁵⁸ The City also uses tertiary recycled water from the North San Mateo County Sanitation District wastewater treatment plant, to offset potable/aquifer water demands. The project site is served by a four-inch water main in 3rd Avenue.

Storm Drainage

As discussed in Section 4.10 Hydrology and Water Quality, the project site is located within the Colma Creek Watershed which extends from San Bruno Mountain to its outlet at the San Francisco Bay just north of the San Francisco Airport and south of Point San Bruno. The project site is primarily unpaved, with the exception of the single-family residence and associated driveway.

⁵⁸ City of Daly City. *General Plan Environmental Impact Report. Utilities and Service Systems*. 2012.

Approximately 1,700 square feet (5.5 percent) of the 31,140 square-foot site is made up of impervious surface area while the rest of the project site (94.5 percent) is pervious surface area. Stormwater not absorbed within the project site is directed to the curb inlets and conveyed into the existing 12-inch stormwater line under 3rd Avenue.

Wastewater/Sanitary Sewer System

Wastewater collection and treatment for Daly City is managed by the North San Mateo County Sanitation District (NSMCSD), which is a subsidiary of the City of Daly City. Wastewater produced within the District is treated at the NSMCSD Treatment Plant (WWTP), which is located at the corner of John Daly Boulevard and Lake Merced Boulevard.

Sanitary sewer lines in the project area are maintained by the City of Daly City Department of Water and Wastewater Resources. There is an existing six-inch sanitary sewer line in 3rd Avenue.

The City's WWTP has an average dry weather flow design capacity of 10.3 million gpd. However, the NSMCSD discharges and operates the WWTP at or below the permitted average dry weather flow rate of eight million gpd (averaged over three consecutive dry months) and does not anticipate a need to increase the permitted flow rate in the next five years.

Solid Waste

Solid waste is collected from Daly City homes and businesses and is processed by Republic Services of Daly City at its Mussel Rock Transfer Station. Materials that cannot be recycled or composted are transferred to the Ox Mountain Sanitary Landfill near Half Moon Bay. In 2001, Browning-Ferris Industries, owner of the Ox Mountain Landfill, obtained a revised solid waste facility permit for Ox Mountain to increase the permitted disposal acreage from 173 acres to 191 acres and to change the closure date of the facility from 2018 to 2023, with a longer period of operation allowed pending renewal of the landfill's permit. The current landfill permit estimates closure of the landfill in 2034.⁵⁹ The Ox Mountain Landfill has a remaining capacity of approximately 22,180,000 cubic yards of solid waste. Capacity may change based on such factors such as amount of waste landfilled, compaction rates, waste settlement, and cover soil use, and therefore the closure date may also change.

⁵⁹ CalRecycle. "Solid Waste Information Sheet: Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002)." Accessed October 26, 2022. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223>

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
Impact UTL-1:	The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. (Less than Significant Impact)			

Water

In order to accommodate the proposed townhomes, the project would include modifications to the existing water system. The project would upsize approximately 480 feet of the existing four-inch diameter water main in 3rd Avenue to an eight-inch water main from Castle Street to Habitat Way. The existing four-inch water main is partially under the sidewalk and would be abandoned. The new eight-inch diameter water main would be constructed in the street right-of-way. All water connections currently served by the existing four-inch water main would be transferred to the new eight-inch water main. The proposed modifications to the existing water system would be subject to the construction-related mitigation measures and standard conditions described in previous sections of this Initial Study and thus, would not have a significant impact on the environment.

Wastewater/Sanitary Sewer

Several capacity improvements have been planned for the trunk sewer downstream of the project site. These improvements are not associated with the proposed townhomes and will be implemented separately by the City. Based on the sanitary sewer modeling completed for the project, the proposed development would result in a small increase in sewage flows that could be adequately supported by the existing sanitary sewer system without any additional modifications. Therefore, the project would not require new or expanded wastewater facilities.

Stormwater Drainage

The project would result in a net increase of impervious surface area. On-site stormwater treatment would occur through the use of flow-through planters and bio-retention areas. Consistent with the City's requirements, the project would not increase site runoff from a 10-year storm for a duration of two hours of rainfall and will retain any increased flow due to reduction in pervious surfaces. Adherence to the City's stormwater retention requirements would ensure the project would not require new or expanded stormwater facilities.

Electricity and Telecommunications

The project shall underground all electrical and telecommunication services, including adjacent property services as may be necessary to ensure that existing overhead drop services do not traverse the proposed townhomes. Undergrounding of electrical and telecommunication services shall be subject to the construction-related mitigation measures and standard conditions described in previous sections of this Initial Study and thus, would not have a significant impact on the environment. The project would result in an increase in utilities demand; however, the project would not necessitate substantial construction or relocation of utility facilities. **(Less than Significant Impact)**

Impact UTL-2:	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. (Less than Significant Impact)
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Based on the UWMP's 2020 goal of 124 gallons per capita per day (gpcd), the project would result in a net increase of 5,084 gallons per day (gpd) in water demand.⁶⁰ The UWMP estimated that the City would have excess water supply in normal, dry, and multiple-dry years through 2040. Excess water supply across all scenarios ranged from 91 to 333 million gallons per year (MGY). Increased water demand from the project would be equivalent to approximately two percent⁶¹ of the excess water available in the second- and third-year dry scenarios for 2020, the scenarios with the least amount of excess water. Therefore, the City has capacity to supply the project during normal, dry, and multiple dry years. **(Less than Significant Impact)**

⁶⁰ 41 net new residents x 124 gpcd = 5,084 gpd

⁶¹ 5,084 gpd x 10⁻⁶ million gallons per gallon x 365 days of the year = 1.86 MGY.

1.86 MGY/ 91 MGY x 100 = 2.0 percent.

Impact UTL-3: The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

The WWTP has an average dry weather flow design capacity of 10.3 million gallons per day (mgd). The General Plan FEIR determined that full buildout of the General would generate approximately 6.66 mgd. This is below the permitted flow rate of eight mgd, leaving 1.34 mgd of unused capacity at buildout. The project would add approximately 4,321 gpd⁶² of wastewater to be treated at the WWTP, or approximately 0.32 percent of the unused capacity. This would be a less than significant increase in wastewater flow. In addition, the WWTP monitors its wastewater to ensure that it meets all requirements and the RWQCB routinely inspects treatment facilities to ensure permit requirements are met. For these reasons, there would be adequate capacity at the WWTP. **(Less than Significant Impact)**

Impact UTL-4: The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

Waste generation and disposal data for Daly City is maintained by CalRecycle. According to the CalRecycle, the total amount of solid waste landfilled in 2019 was 52,899 tons.⁶³ The project would generate approximately six tons of solid waste per year.⁶⁴ The project would increase solid waste generation in the City by substantially less than one percent and therefore would not generate solid waste in excess of local standards or capacity and would not impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

Impact UTL-5: The project would not be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

The project would comply with solid waste management and reductions statutes and regulations including CALGreen requirements for recycling and salvaging of construction and demolition waste. **(Less than Significant Impact)**

⁶² Wastewater is conservatively estimated at 85 percent of potable water demand.

⁶³ CalRecycle. "Disposal Rate Calculator". Accessed December 8, 2020.
<https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator>.

⁶⁴ CalEEMod. Appendix D Default Data Tables: Table 10.1 Solid Waste Disposal Rates. October 2017. Solid waste disposal rates were calculated based on the land use type Condo/Townhouse.

4.20 WILDFIRE

4.20.1 Environmental Setting

4.20.1.1 *Regulatory Framework*

4.20.1.2 *Existing Conditions*

The California Department of Forestry and Fire Protection (Cal Fire) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZ), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. The project site is not located in a FHSZ.⁶⁵

4.20.2 Impact Discussion

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

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

⁶⁵ California Board of Forestry and Fire Protection. *Fire Hazard Severity Zones Maps*. Accessed November 11, 2020. <https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

4.21

MANDATORY FINDINGS OF SIGNIFICANCE

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

Impact MFS-1: The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. **(Less than Significant Impact with Mitigation Incorporated)**

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified mitigation measures. As discussed in Section 4.4 Biological Resources, the project would not impact sensitive habitat or species but requires the implementation of appropriate mitigation measures for nesting preconstruction bird surveys. There are no historic buildings on-site or in the immediate project vicinity as discussed in Section 4.5 Cultural Resources. However, the project requires implementation of appropriate mitigation measures if project construction encounters buried archaeological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact MFS-2:	The project does not have impacts that are individually limited, but cumulatively considerable. (Less than Significant Cumulative Impact)
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Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

Resource Topics with No Cumulative Impact

The project would not result in wildlife hazards and would have no impact on agricultural resources or mineral resources. Impacts discussed in Geology and Soils and Land Use, would all be less than significant and would be limited to the project site. Therefore, the project has no potential to combine with other projects to result in cumulative impacts to those resources. **(No Cumulative Impact)**

Air Quality and GHGs

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Daly City were developed such that a project-level impact would also be a cumulatively considerable impact. The project would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts. The discussion in Section 4.3 Air Quality provides analysis of the cumulative health risk effects of the project’s TACs emissions during construction, and concluded those effects would be less than significant. **(Less than Significant Cumulative Impact)**

Biological Resources

The project would have no impact on special status species, wetlands, riparian habitat, or conflict with applicable habitat plans. The project would result in a net increase of six trees and with implementation of MM BIO-1.1 would have a less than significant impact on nesting birds. Therefore, the project would have no potential to combine with other projects to result in a cumulatively significant impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

Hydrology and Water Quality

Cumulative developments near the project would be subject to similar hydrological and urban runoff conditions. All projects occurring within Daly City would be required to implement the same Standard Conditions of Approval and measures related to construction water quality as the proposed project (including preparation of a SWPPP if disturbance if greater than one acre). In addition, all current and probable future projects that would disturb more than one acre of soil or replace/add more at least 10,000 square feet of impervious surfaces would be required to meet applicable site design and runoff reduction measures. For these reasons, the cumulative projects, including the

proposed project, would not result in significant cumulative hydrology or water quality impacts. **(Less than Significant Cumulative Impact)**

Hazards and Hazardous Materials

The use, storage, transportation, and disposal of maintenance chemicals of the project would be managed in accordance with existing laws and regulations that ensure herbicide and pesticide storage, and transportation to and from the cumulative sites. The project would implement MM HAZ-2.1 to address impacted soils on the site and ensure the project would not result in a significant cumulative impact related to hazardous materials. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

Noise

Construction noise would be temporary and would be kept to a less than significant level by the implementation of MM NOI-1.1. There are several projects along Mission Street that may be under construction at the same time as the proposed project.⁶⁶ The nearest of which is located at 7310 Mission Street, approximately 1,000 feet from the project site. It is not likely that this project would have potential to combine noise impacts with the project to result in cumulatively significant construction noise due to the distance between the projects. Additionally, the project at 7310 Mission Street, and any other nearby projects, would be required to implement similar construction noise BMPs and therefore, would not generate construction noise that would result in a cumulatively significant impact. The project's operational noise would be compatible with the surrounding residences and would not have potential to contribute to a significant cumulative operational noise impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

Population and Housing, Public Services and Recreation

The project would result in a net increase of 13 DU. Population growth generated by the project and cumulative projects would be consistent with the growth projected by the General Plan. Residents of the proposed project would be served by existing public services and recreational facilities. The project would not result in the need for new or altered facilities. The project would not result in a cumulatively significant impact on population and housing, public services or recreational facilities. **(Less than Significant Cumulative Impact)**

Transportation

The project would generate approximately 92 net new vehicle trips per day. The project would result in a less than significant number of VMT. The project would be consistent with applicable policies regarding transportation and circulation and, therefore, would not result in a cumulative conflict with those policies. The project would comply with current building and fire codes and be reviewed by the NCFA to ensure adequate emergency access, as would all other projects in the vicinity. Therefore, the project would not result in a cumulatively significant impact to emergency access or other transportation issues. **(Less than Significant Cumulative Impact)**

⁶⁶City of Daly City, Planning Division. Current Residential Project List. February 11, 2020. Accessed February 2, 2021. <https://www.dalycity.org/DocumentCenter/View/3396/Current-Project-List-Updated-01-01-20-PDF?bidId=>

Impact MFS-3: The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. **(Less than Significant Impact with Mitigation Incorporated)**

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction TACs, lead-contaminated soils, and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Impact with Mitigation Incorporated)**

SECTION 5.0 REFERENCES

The analysis in this Initial Study is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

AEI Consultants. Phase I Environmental Site Assessment. October 1, 2020.

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CalEPA. Cortese List Data Resources. Accessed December 1, 2020.
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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

City of Daly City

Department of Economic and Community Development

Michael Van Lonkhuysen, Planning Manager

Brian Paland, Assistant Planner

6.2 CONSULTANTS

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Connor Tutino, Associate Project Manager

Ryan Osako, Graphic Artist

Hexagon Transportation Consultants, Inc.

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Casey Divine, Air Quality Consultant

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Historic Resources Consultant

Kimberly Butt, Principal

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Elizabeth Graux, Architect

SECTION 7.0 ACRONYMS AND ABBREVIATIONS

ABAG	Association of Bay Area Governments
ACM	Asbestos-containing material
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
BAAQMD	Bay Area Air Quality Management District
Bgs	Below ground surface
BMPs	Best Management Practices
Btu	British thermal units
CalARP	California Accidental Release Program
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalTrans	California Department of Transportation
CAP	Clean Air Plan
CARB	California Air Resources Board
CBC	California Building Code
C/CAG	City/County Association of Governments
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CGS	California Geological Survey
CH ₄	Methane
CMP	Congestion Management Plan
CO	Carbon monoxide
CO ₂	Carbon dioxide
CO ₂ e	Carbon dioxide equivalent
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency

DDD	Dichlorodiphenyldichloroethane
DDE	Dichlorodiphenyldichloroethylene
DDT	Dichlorodiphenyltrichloroethane
DEHHSL	Direct Exposure Human Health Screening Levels
DPM	Diesel particulate matter
DTSC	Department of Toxic Substances Control
DU	Dwelling unit
DWWR	Department of Water and Wastewater Resources
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FEMA	Federal Emergency Management Agency
FHBM	Flood Hazard Boundary Map
FHSZ	Fire Hazard Severity Zones
FIRM	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHGs	Greenhouse gases
Gpcd	Gallons per capita per day
Gpd	Gallons per day
GWP	Global warming potential
HAZWOPER	Hazardous Waste Operations and Emergency Response
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HI	Hazard Index
HSWA	Federal Hazardous and Solid Waste Amendments
HVAC	Heating, ventilation, and air conditioning
ICES	Innovate and Creative Environmental Solutions
In./sec	Inches/second
ITE	Institute of Transportation Engineers
LBP	Lead-based paint

LID	Low-impact development
LOS	Level of service
MBTA	Migratory Bird Treaty Act
MEI	Maximally exposed individual
MGY	Million gallons per year
MMTCO ₂ e	Million metric tons of CO ₂ E
MND	Mitigated Negative Declaration
Mpg	Miles per gallon
Mph	Miles per hour
MRP	Municipal Regional Stormwater NPDES Permit
MTC	Metropolitan Transportation Commission
NAHC	Native American Heritage Commission
NCFA	North County Fire Authority
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
N ₂ O	Nitrous oxide
NOD	Notice of Determination
NOI	Notice of Intent
NO _x	Nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NSFHA	Non-Special Flood Hazard Area
NSMCSD	North San Mateo County Sanitation District
O ₃	Ground-level ozone
OITC	Outdoor-Indoor Transmission Class
OPR	Office of Planning and Research
PCBs	Polychlorinated biphenyls
PCE	Peninsula Clean Energy
PDA	Priority Development Areas
PFCs	Perfluorocarbons
PM	Particulate matter

PPV	Peak particle velocity
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Need Allocation
R-LD	Residential – Low Density
R-MD	Residential – Medium Density
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
Sf	Square feet
SF ₆	Sulfur hexafluoride
SFHA	Special Flood Hazard Area
SFO	San Francisco International Airport
SFPUC	San Francisco Public Utilities Commission
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMCEHSD	San Mateo County Environmental Health Services Division
SMGB	State Mining and Geology Board
SO _x	Sulfur oxide
SR	State Route
STC	Sound Transmission Class
STLC	Soluble Threshold Limit Concentration
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic air contaminant
TAZ	Transportation Analysis Zone
TCRs	Tribal Cultural Resources
TIA	Traffic Impact Analysis
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
UWMP	Urban water management plan
VMT	Vehicle miles traveled