ATTACHMENT B
ENVIRONMENTAL CHECKLIST
PURSUANT TO CEQA GUIDELINES SECTION 15168

CEQA Guidelines 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a previous environmental evaluation. This checklist confirms that the proposed 3000-3500 Marina Boulevard Project (proposed project) described in Attachment A is within the scope of the 2008 Opus Office Center Initial Study/Mitigated Negative Declaration (2008 IS/MND) and will have no new or more severe significant effects and no new mitigation measures are required.

In accordance with CEQA Section 21093(b) and CEQA Guidelines Section 15152(a), this Addendum tiers off the 2008 IS/MND, adopted in December 2008, which is hereby incorporated by reference.

This checklist describes and evaluates potential changes to environmental impacts from the proposed project, as revised, and as they relate to impacts identified in the 2008 IS/MND. The focus of this analysis is on impacts specific to the proposed project and that differ from those identified in the 2008 IS/MND.

This environmental checklist is used to: (1) compare the environmental impacts of the proposed project with impacts expected to result from development evaluated in the 2008 IS/MND; (2) to identify whether the proposed project would result in new or more severe significant environmental impacts; and (3) to identity if substantial changes with respect to the circumstances under which the project would be undertaken since the 2008 IS/MND was adopted would result in new or more severe significant environmental effects.

Mitigation Measures are measures that would minimize, avoid, or eliminate a significant impact. The analysis contained herein evaluated each topic to identify whether additional mitigation measures beyond those identified in the 2008 IS/MND would be warranted. As discussed in Section 1.18, the proposed project would be subject to proportionally similar water shortages as those analyzed in the 2008 IS/MND. The project applicant has agreed to implement revised mitigation measures, which would ensure that there would be sufficient water supplies to serve the proposed project.

For all other environmental topics addressed in the checklist as identified in each topical section, there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were evaluated and identified in the 2008 IS/MND.

Therefore, a subsequent Environmental Impact Report (EIR) or Negative Declaration (ND) does not need to be prepared as there are no substantial changes in the project, or the circumstances under which the project is undertaken, that would require major revisions to the previous 2008 IS/MND. Additionally, per CEQA Guidelines Section 15162(a)(3)(D), a subsequent EIR or ND does not need to be prepared if the project applicant agrees to incorporate mitigation measures different than those previously analyzed that would reduce significant impacts on the environment.

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1.1 AESTHETICS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion

Scenic Vistas

The Brisbane General Plan identifies scenic views within the project vicinity as views of San Francisco, San Bruno Mountain, South San Francisco and the East Bay. The Sierra Point Design Guidelines include special provisions to maintain corridors to allow for views of the Bay from prominent viewpoints along roadways and from public vantage points along the Bay Trail.[1] The Design Guidelines designate such a view corridor along the eastern border of the project site.

In total, the proposed project would include a maximum of 422,552 gross square feet of space across three buildings, the tallest of which would be approximately 140 feet in height. Therefore, the proposed project would be approximately 23,000 square feet smaller in size and 10 feet shorter in height than the development analyzed in the 2008 IS/MND. This reduction in the overall bulk and height of the proposed project would allow for incrementally greater visibility of scenic resources from scenic vantage points within and around the project site. Additionally, views from the public vantage points along the Bay Trail would continue to be maintained. Therefore, the proposed project would reduce the potential impact on scenic vistas, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Scenic Resources

The nearest State Scenic Highway is Interstate 280, approximately four miles west of the project site. The project site is not visible from any designated State Scenic Highways within the vicinity and development of the proposed project would not affect scenic resources along a State Scenic Highway.[2] Therefore, the proposed project would have no impact related to scenic resources, and

1 OPUS West Corporation, 2001. *Combined Site and Architectural Design Guidelines, Sierra Point*. March. Amended by the Brisbane City Council on May 12, 2008, Resolution 2008-12.

2 California Department of Transportation, California Scenic Highway Program, San Francisco and San Mateo County. Website: www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm (accessed August 15, 2018).

would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Visual Character

The project site is an open, grassy, undeveloped area with mounds of soil, concrete barricades, and trees around the periphery of the site. The site is in a visually prominent location and serves as a visual "gateway" to Brisbane as viewed from U.S. Highway 101 (U.S. 101) southbound lanes. The project site can also be seen in distant views from Brisbane, west of the highway.

As noted above, the proposed project would include a maximum of 422,552 gross square feet of space across three buildings, the tallest of which would be approximately 140 feet in height. Therefore, the proposed project would be approximately 23,000 square feet smaller in size and 10 feet shorter in height than the development analyzed in the 2008 IS/MND. The proposed project would be visually similar to the development analyzed in the 2008 IS/MND. Additionally, the proposed building design and materials would be reviewed and approved by the City during the Design Review process, which would ensure that the building design and façade, particularly as viewed from U.S. 101, provides adequate architectural treatments and landscaping that contribute to the visual character in the project vicinity. Therefore, the proposed project would have no impact related to scenic resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Light and Glare

Similar to the project evaluated in the 2008 IS/MND, implementation of the proposed project would result in the introduction of new sources of light and glare on the project site. New light and glare from the proposed project could potentially impact water vessel navigation, pose a hazard to airplane navigation in the vicinity of San Francisco International Airport (SFO), create hazards for U.S. 101 and on-ramps, or disturb wildlife in the adjacent drainage slough and tidal lands. However, implementation of Mitigation Measure VIS-1 as identified in the 2008 IS/MND would ensure that there would be no new or more severe impacts related to light and glare.

Applicable Mitigation

No substantial changes in environmental circumstances, nor revisions to the project, nor new information that could not have been known at the 2008 IS/MND was adopted that would lead to new or more severe significant impacts have occurred for this topic. Mitigation Measure VIS-1, previously identified in the 2008 IS/MND and described below, would apply to the proposed project.

Mitigation Measure VIS-1: As a condition of project approval, a photometric analysis and lighting plan shall be prepared for the proposed project. This analysis shall include an assessment of potential lighting impacts based on the height, location, light fixtures, direction and illumination intensity and hours of operation. This analysis shall identify any potential light spill beyond the site boundaries, including light that could impact water vessel or aircraft navigation. The lighting plan shall be designed to control light energy and

ensure that exterior lighting is directed downward and away from adjacent streets and buildings in a manner designed to minimize off-site light spillage and reduce impacts to water vessel and aircraft navigation. The lighting plan shall be submitted to the Planning Department and City Engineer for final approval prior to approval of a building permit.

Conclusion

The 2008 IS/MND adequately evaluated the potential aesthetic impacts of the proposed project and with implementation of Mitigation Measure VIS-1, there would be no new or more severe impacts related to aesthetics and visual resources associated with the proposed project.

1.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
e. 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?	☐	☐	☐	☒
f. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
g. 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))?	☐	☐	☐	☒
h. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
i. 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?	☐	☐	☐	☒

Discussion

The project site is located on a former sanitary landfill created in the San Francisco Bay by a series of dikes. When the landfill was closed in the 1970s, a clay cap was installed over the landfill. The project site is not classified by the State of California Department of Conservation as farmland and no agricultural uses or farmland are present within or adjacent to the project site.[3] Therefore, the proposed project would have no impact related to agricultural resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the agriculture and forestry impacts of the proposed project and there would be no new or more severe impacts related to agriculture or forestry resources associated with the proposed project.

1.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

[3] California, State of, 2016. Department of Conservation. California Important Farmland Finder. Website: maps.conservation.ca.gov/dlrp/ciff (accessed August 15, 2018).

Discussion

The project site is located with the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that monitors and regulates air pollution within the air basin. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_X), particulate matter (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter ($PM_{2.5}$).

Based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has remained unchanged since approval of the 2008 IS/MND. However, the BAAQMD has made two key regulatory changes since the 2008 IS/MND was certified. The updated Clean Air Plan was adopted in April 2017 and revised BAAQMD CEQA Guidelines were adopted in May 2017. These changes in the project circumstances as well as changes to the proposed project itself are discussed and evaluated in the following section.

Clean Air Plan Consistency

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards.

The 2008 IS/MND referenced the BAAQMD Bay Area 2005 Ozone Strategy to determine if the 2008 project would conflict with or obstruct implementation of an applicable air quality plan. The 2008 IS/MND found that the 2008 project would be consistent with the General Plan land use designation for the site, and therefore would not conflict with the Bay Area 2005 Ozone Strategy. As such, potential conflicts with the applicable air quality plan were considered to be less than significant.

The current BAAQMD clean air plan is the 2017 Clean Air Plan, which was adopted on April 19, 2017.[4] The 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how the BAAQMD will continue progress toward attaining all 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 plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve greenhouse gas (GHG) reduction targets.

The 2017 Clean Air Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants. It also includes control measures to reduce emissions of methane and

[4] Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan*. April 19.

other "super-GHGs" that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Consistency with the Clean Air Plan can be determined if a project does the following: 1) supports the goals of the Clean Air Plan; 2) includes applicable control measures from the Clean Air Plan; and 3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan. Because the 2017 Clean Air Plan is the most current clean air plan applicable to the region, the proposed project, as revised, is evaluated for compliance with this plan below.

The development associated with the proposed project is within the amount of growth evaluated within the 2008 IS/MND. The proposed project would also have a lower trip generation rate as previously assumed for the 2008 project in the 2008 IS/MND. Therefore, the changes to the 2008 project would not substantially change the rate of increase in vehicle miles traveled (VMT). Refer to Section 1.16, Transportation/Traffic below for further discussion. The proposed project is also consistent with the General Plan and Zoning Code designations that would be required for the proposed project. Therefore, implementation of the proposed project would not substantially increase population, vehicle trips, or VMT. As such, the project would not hinder the goals or implementation of any of the control measures from the Clean Air Plan.

Regional Air Pollutant Emissions

The proposed project would include the following components: grading and capping of a Class III landfill; construction of three life sciences office and laboratory buildings (two six-story buildings and one seven-story building) over a two-story podium parking garage base; construction of a pedestrian path linking the Bay Trail to the Marina Boulevard sidewalk; and various landscaping improvements.

The new land uses would result in mobile air quality emissions from increased vehicle trips to the project site and area source air quality impacts such as emissions generated from the use of landscaping equipment and water heating. The 2008 IS/MND determined that emissions associated with the 2008 project would not exceed the BAAQMD significance thresholds and, therefore, would result in a less-than-significant impact. Development of the proposed project would result in similar regional and local air quality emissions as identified in the 2008 IS/MND, including long-term project-related emissions associated with the ozone precursors ROG and particulate matter.

Emission estimates for operation of the proposed project were calculated using the current California Emissions Estimator Model version 2016.3.2 (CalEEMod), consistent with BAAQMD recommendations. The daily and annual emissions associated with project operational trip generation, energy, and area sources are identified in Table 1 for CO, ROG, NOx, PM_{10}, and $PM_{2.5}$. CalEEMod output sheets are included in Appendix A.

Table 1: Project Operational Emissions

	ROG	NO_x	PM_{10}	$PM_{2.5}$
Emissions in Pounds Per Day				
Area Source Emissions	9.7	0.0	0.0	0.0
Energy Source Emissions	0.3	2.6	0.2	0.2
Mobile Source Emissions	8.6	36.7	23.1	6.4
Total Emissions	**18.6**	**39.3**	**23.3**	**6.6**
BAAQMD Threshold	54.0	54.0	82.0	54.0
Exceed?	**No**	**No**	**No**	**No**
Emissions in Tons Per Year				
Area Source Emissions	1.8	0.0	0.0	0.0
Energy Source Emissions	0.1	0.5	0.0	0.0
Mobile Source Emissions	1.4	6.5	4.0	1.1
Total Emissions	**3.2**	**7.0**	**4.0**	**1.1**
BAAQMD Threshold	10.0	10.0	15.0	10.0
Exceed?	**No**	**No**	**No**	**No**

Source: LSA (August 2018).

The results shown in Table 1 indicate the proposed project would not exceed the significance criteria for daily ROG, NO_2, PM_{10} or $PM_{2.5}$ emissions; therefore, the proposed project would not have a significant effect on regional air quality and mitigation would not be required. In addition, these emissions would be lower than the emissions previously assumed for the 2008 project as evaluated in the 2008 IS/MND, which were calculated in pounds per day as follows: ROG (47.4); NOx (74.3); PM_{10} (73.3); and $PM_{2.5}$ (14.0). Emissions of criteria air pollutants would be reduced with the proposed project. This is primarily attributable to the ongoing implementation of more stringent air quality standards and regulations. Therefore, the proposed project would not result in any new or more significant operation-related air quality impacts and these impacts would remain less than significant.

Construction-Related Impacts

Similar to the 2008 project, construction activities associated with the proposed project would temporarily affect local air quality. Construction-period activities such as earthmoving and construction and vehicle traffic would generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water-based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application. Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when, and if, underlying materials are exposed to the atmosphere. The effects of construction activities would be increased dustfall and locally elevated levels of particulate matter downwind of construction activity.

The 2008 IS/MND identified temporary, short-term construction-related effects to air quality associated with development of the 2008 project. However, it was determined that implementation of Mitigation Measure AIR-1 would reduce potential construction-related impacts to less-than-significant levels. Implementation of the proposed project would result in similar construction-related, short-term air quality impacts as identified in the 2008 IS/MND.

Construction emissions were estimated for the proposed project using CalEEMod. As described in the Project Description included in Attachment A, the proposed project would require substantial reconstruction of the project site to modify the contours of the topsoil mounds and underlying refuse layer. Grading of the project site would remove approximately 24,300 cubic yards of soil from the site, which would require approximately 2,025 truck trips based on a typical truckload volume of 12 cubic yards per load, which was included as an input to CalEEMod. Other specific construction details are not yet known; therefore, default assumptions (e.g., construction duration and fleet activities) from CalEEMod were used. For purposes of this CalEEMod modeling analysis, the construction schedule for all improvements was assumed to be approximately 15 months. Construction-related emissions are presented in Table 2. CalEEMod output sheets are included in Appendix A.

Table 2: Project Construction Emissions in Pounds Per Day

	ROG	NO_x	Exhaust PM_{10}	Exhaust $PM_{2.5}$
Average Daily Emissions	12.6	24.7	0.9	0.9
BAAQMD Threshold	54.0	54.0	82.0	54.0
Exceed?	**No**	**No**	**No**	**No**

Source: LSA (August 2018).

Construction emissions were not calculated for the 2008 IS/MND. However, as shown in Table 2, construction emissions associated with the proposed project would be less than significant for ROG, NOx, $PM_{2.5}$, and PM_{10} emissions. As identified above, the 2008 IS/MND required implementation of Mitigation Measure AIR-1 to reduce construction emissions to a less-than-significant level. In order to reduce construction emissions to the maximum extent feasible, Mitigation Measure AIR-1 would also be applicable to the proposed project and would be implemented via a dust control plan to be prepared by the applicant and reviewed by the City prior to issuance of grading and building permits. With implementation of Mitigation Measure AIR-1, as revised, the proposed project would not result in new significant impacts beyond those identified in the 2008 IS/MND and no new mitigation measures are required.

Local CO Impacts

As discussed in the 2008 IS/MND, because CO does not readily disperse, areas of vehicle congestion can create pockets of high CO concentrations, called “hot spots.” The 2008 IS/MND used the CALINE 4 computer simulation model to evaluate five intersections within and adjacent to the project site and determined that with implementation of the 2008 project, CO concentrations would remain well below the applicable standards, and the impact of the 2008 project on local CO concentrations would be considered less than significant.

The BAAQMD 2017 CEQA Guidelines establishes a screening methodology that provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD CEQA Guidelines, a proposed project would result in a less-than-significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans.
- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Implementation of the proposed project would not conflict with the programs established by the City/County Association of Governments for San Mateo County for designated roads or highways, a regional transportation plan, or other agency plans. Additionally, the project is expected to generate approximately 516 AM peak hour trips and approximately 469 PM peak hour trips (a decrease of 179 AM peak hour trips and 199 PM peak hour trips compared to the 2008 project). Therefore, the proposed project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. The project site is not located in an area where mixing of air is limited. Therefore, because the project does not exceed the screening criteria, the project would not result in localized CO concentrations that would exceed State or federal standards and this potential impact would remain less than significant.

Cumulatively Considerable Impact

As indicated in Table 1 above, the proposed project would not result in individually significant regional emissions for criteria pollutants. According to the BAAQMD, a project that would result in less-than-significant emissions at the individual project level would also result in less-than-significant cumulative emissions. As noted above, the proposed project would also be consistent with the region's Clean Air Plan. Therefore, as with the 2008 project, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), and the changes to the project would not result in new or more severe significant impacts.

Local Community Risk and Hazard Impacts to Sensitive Receptors

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be

aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

As discussed in the 2008 IS/MND, construction of the proposed project may expose surrounding, sensitive land uses to airborne particulates and fugitive dust, as well as a small quantity of pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment). Sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Given the location of hotels in the project vicinity, as well as the publicly-owned Bay Trail and Brisbane Marina, sensitive receptors could be exposed to increased pollutant concentrations, especially during construction. The 2008 IS/MND identified Mitigation Measure AIR-2, to require implementation of Mitigation Measure AIR-1 to reduce construction-period air quality impacts to sensitive receptors. Implementation of Mitigation Measure AIR-2 would ensure construction contractors implement the BAAQMD's best management practices. With implementation of this mitigation measure, project construction pollutant emissions would be below the BAAQMD significance thresholds. Once the project is constructed, the project would not be a source of substantial pollutant emissions. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

Implementation of Mitigation Measures AIR-1 and AIR-2 would reduce construction-related air quality impacts; therefore, the proposed project would also not result in any new or more significant construction-related air quality impacts than were evaluated in the 2008 IS/MND. This impact would remain less than significant.

Objectionable Odors

Odor impacts were also evaluated in the 2008 IS/MND. It was determined that since the 2008 project would not contain any major sources of odor and would not be located in an area with existing odors, it would not create objectionable odors affecting a substantial number of people and would have a less-than-significant impact. Implementation of the proposed project would also not result in any impacts related to odors beyond what was analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures AIR-1 (with minor revisions) and AIR-2, previously identified in the 2008 IS/MND and described below, would remain applicable to the proposed project.

Mitigation Measure AIR-1: Prior to issuance of building and grading permits, a dust control plan shall be submitted to the City Engineer for review and approval demonstrating how the project would comply with all applicable dust control regulations and best practices, including, but not limited to, those listed below. Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and specifications for the project. The following controls shall be implemented at all construction sites:

- Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- Apply non-toxic soil stabilizers to inactive construction areas;
- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible.
- Install base rock at entryways for all exiting trucks, and wash off the tires or tracks of all trucks and equipment in designated areas before leaving the site; and

- Suspend excavation and grading activity when sustained wind speeds exceed 25 mph. Sustained wind speed shall be determined by averaging observed values over a two-minute period. Wind monitoring by the construction manager shall be required at all times during excavation and grading activities.

Mitigation Measure AIR-2: Implement Mitigation Measure AIR-1 to reduce construction-period air quality impacts to sensitive receptors.

Conclusion

As previously discussed, based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has essentially remained unchanged since approval of the 2008 IS/MND; therefore, baseline conditions related to air quality remain unchanged. In addition, based on the above discussion, although the BAAQMD made two key regulatory changes since the 2008 IS/MND was certified, no new or more severe significant impacts would result from development of the proposed project as compared to the 2008 project in light of these regulatory changes. The 2008 IS/MND adequately evaluated the air quality impacts of the proposed project and with implementation of Mitigation Measures AIR-1 and AIR-2, there would be no new or more severe impacts related to air quality associated with the proposed project.

1.4 BIOLOGICAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Protected Plants and Wildlife

As described in the 2008 IS/MND, the project site is located on bay-fill that was formerly shallow water over a tidal mud flat. Because the project site consists of "new land," built from imported soil, it did not historically support natural terrestrial upland vegetation communities. Barren and disturbed land such as the project site tends to be colonized by invasive non-native plant species. An LSA biologist surveyed the project site in August 2018 and confirmed the biological conditions on the project site have not appreciably changed from those observed in 2008. Habitats on the project site continue to be dominated by ruderal vegetation composed of non-native plants such as wild oat (*Avena* sp.) and fennel (*Foeniculum vulgare*) and the project site still exhibits the effects of past off-road vehicle use (e.g., unvegetated dirt-bike trails and open areas). No special-status plants or animals were observed on the site during the 2018 survey and given the fact that the on-site habitats conditions during 2018 were similar to those in 2008, it is unlikely that any special-status plants or animals occur on the project site. A search of the California Natural Diversity Database did

not provide any additional occurrence records of special-status species that would alter the conclusions of the 2008 IS/MND. Two California Ridgeway's rails (*Rallus obsoletus obsoletus*) were observed in 2008 in the salt marsh northwest of the project site. Based on the field observation during the 2018 survey, the salt marsh where the California Ridgeway's rails were observed in 2008 does not appear to have materially changed in the interim. However, Mitigation Measures BIO-1a, BIO-1b, BIO-2a, and BIO-2b from the 2008 IS/MND would still apply to the proposed project and would ensure that potential impacts related to California Ridgeway's rails would be less than significant.

No California ground squirrels (*Otospermophilus beecheyi*) or their burrows were observed on the project site, thus it is unlikely that burrowing owls (*Athene cunicularia*), a special-status species that roosts and nests in abandoned ground squirrel burrows in ruderal habitats around the Bay, would be present. Additionally, it is unlikely that burrowing owls would nest on the site or winter on the site due to the apparent on-going use of the site by off-road vehicles. However, construction activities could impact burrowing owls if they are present on the site. Mitigation Measures BIO-3a, BIO-3b, and BIO-3c from the 2008 IS/MND would still apply to the proposed project and would ensure that potential impacts to burrowing owls would be less than significant.

All native resident and migratory birds are protected by the Migratory Bird Treaty Act of 1918 (Act; 16 U.S.C. 703-712), which makes it illegal to intentionally take, harm, or harass any migratory bird or their eggs, except under the authority of an appropriate license or permit. Few, if any, species of resident and migratory birds are expected to nest on the site due to the high level of disturbance and general lack of suitable nesting habitat, but native birds could nest in the vegetation fringing the drainage along the western edge of the project site. Mitigation Measure BIO-4 would still apply to the proposed project and would ensure that potential impacts to nesting birds would be less than significant.

Sensitive Natural Communities

Grading, construction and post-construction industrial uses associated with the project may alter or degrade salt marsh habitats adjacent to the project site. Stormwater runoff from impervious surfaces entering storm drain systems and shallow ground water from landscape irrigation and other activities associated with industrial development along the Bay shoreline may contribute to levels of contaminated freshwater flows into the Bay and adjacent salt marsh. Freshwater flows off of urban areas often carry oil and grease from parking lots and roadways, fecal matter from pets and feral animals, and pesticides from urban landscaping. In saltwater communities, additional freshwater and associated contaminant inflow, especially during the summer dry season, can substantially alter the natural species composition and result in the loss of habitat for saltwater marine species. The proposed project has the potential to increase the freshwater and contaminant input to the Bay. Mitigation Measure BIO-5 would still apply to the proposed project and would ensure that potential impacts to sensitive natural communities would be less than significant.

Implementation of the proposed project would result in an increase in shading on the drainage slough west of the project site compared to existing conditions. However, the drainage slough only receives intermittent sunlight in the morning due to existing buildings to the east and south, and only receives direct sunlight until the early afternoon due to San Bruno Mountain and U.S. 101 to

the east. Therefore, because the proposed project would only minimally decrease the total time that the slough would receive direct sunlight, and because any plants or wildlife species in the slough have already adapted to limited sunlight, this impact would be less than significant.

As noted above, conditions at the project site have not materially changed since 2008. Therefore, there would be no new or more significant impacts than those analyzed in the 2008 IS/MND related to sensitive natural communities.

Federally Protected Wetlands

As noted in the 2008 IS/MND, there are no wetlands on the project site and the proposed project would not result in direct impacts to federally protected wetlands. As noted above, conditions at the project site have not materially changed since 2008. Therefore, there would be no new or more significant impacts than those analyzed in the 2008 IS/MND related to federally protected wetlands.

Wildlife Movement Corridors

As noted in the 2008 IS/MND, the project site is composed of landfill isolated by urban development, highways, and open water of the Bay; it does not support any major wildlife movement corridors. Any local movement of mid-sized mammals such as the raccoon (*Procyon lotor*) would most likely be primarily along the Bay Shore or the drainage to the west. The proposed project will not impact these areas or marine aquatic habitats and therefore, would not interfere substantially with the movement of native or migratory fish or wildlife species. As noted above, conditions at the project site have not materially changed since 2008. Therefore, there would be no new or more significant impacts than those analyzed in the 2008 IS/MND related to wildlife movement corridors.

Tree Protection Regulations

The proposed project would result in the removal of approximately 45 trees; however, the proposed development plan includes plantings of approximately 81 trees. As noted in the 2008 IS/MND, the proposed project would comply with the City of Brisbane tree regulations as stated in Chapter 12.12 of the Brisbane Municipal Code. The project applicant would acquire tree removal permits in compliance with City regulations before ordinance-sized trees are removed. Therefore, there would be no new or more significant impacts than those analyzed in the 2008 IS/MND related to applicable ordinances or regulations that protect existing trees.

San Bruno Mountain Area Habitat Conservation Plan

As noted in the 2008 IS/MND, the eastern edge San Bruno Mountain Area Habitat Conservation Plan (HCP) is located approximately 240 to 250 feet west of the project site on the lower slopes of San Bruno Mountain. Urban development, including U.S. 101, Bayshore Boulevard, and railroad tracks, is located between the project site and the HCP area. The proposed project would not have an adverse effect on any of the biological resources in the HCP area. Therefore, there would be no new or more significant impacts than those analyzed in the 2008 IS/MND related to the HCP.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures BIO-1a, BIO-1b, BIO-2a, BIO-2b, BIO-3a, BIO-3b, BIO-3c, BIO-4, and BIO-5, previously identified in the 2008 IS/MND and described below, would remain applicable to the proposed project.

Mitigation Measure BIO-1a: Prior to initiation of grading and construction activities, a temporary construction fence shall be placed along the western edge of the project site along the row of toyon trees to restrict access of construction personnel and equipment into the salt marsh and drainage. A qualified biologist will assist construction personnel in the placement of the construction fencing and will monitor the site periodically during project construction.

Mitigation Measure BIO-1b: The project applicant shall construct a permanent fence adjacent to the pedestrian path and Bay Trail along the western and northern edge of the project site to restrict access of humans and dogs into the salt marsh. A qualified biologist shall advise the applicant regarding the location and design of the fence. The applicant shall receive approval of fence design, dimensions and location from BCDC and the Planning Department. The upland habitat on the project site should be landscaped with native shrub species such as marsh gumplant, salt grass, California sagebrush, and/or coyote brush to buffer the small marsh from activity on the pathway and provide rails and other marsh birds with shelter during extreme high tides. Such vegetation (e.g., marsh gum-plant) could also provide potential nesting habitat for various species of bird inhabiting the marsh. In the unlikely event that California black rails occur in the salt marsh, the mitigation measures outlined for California clapper rails would also protect black rails. Implementation of this two-part mitigation measure would reduce indirect impacts to California clapper rails to less-than-significant levels.

Mitigation Measure BIO-2a: Conduct pile-driving activities for the proposed project during the non-breeding season of the California clapper rail, September 1 through January 15. Pile driving during this time frame would not impact the nesting activity of clapper rails if they are present in the small salt marsh adjacent to the project site and would reduce potential indirect impacts to California clapper rails to less-than-significant levels.

Mitigation Measure BIO-2b: If pile driving cannot be restricted to the non-breeding season (September 1 through January 15), the applicant must develop a plan and schedule for pile driving subject to review and approval by the California Department of Fish and Game (CDFG), the United States Fish and Wildlife Service (USFWS) and City of Brisbane to ensure that the project is in compliance with all applicable state and federal laws and regulations pertaining to protection of the Clapper Rail. The plan may require enhanced protocol level surveys (i.e., protocol survey plus 2 to 3 additional surveys) of the adjacent salt marsh prior to pile driving activities, the establishment of appropriate buffer areas, and the use of pile driving techniques that minimize noise and vibrations. The pile driving plan, schedule and any alternative mitigations or solutions that are developed as a result of early consultations, must be reviewed and approved in writing by the CDFG, USFWS and the City of Brisbane prior to issuance of a building permit to allow pile driving.

Mitigation Measure BIO-3a: Comprehensive pre-construction surveys for burrowing owl presence shall be conducted no more than 30 days prior to any ground disturbing activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the initial preconstruction surveys, the site shall be re-surveyed. All surveys shall be conducted in accordance with current California Department of Fish and Game (CDFG) burrowing owl survey protocol (CDFG, October 17, 1995). A qualified biologist shall conduct surveys for burrowing owls in all suitable habitats on the site. Surveys shall be conducted regardless of season, as suitable habitat on-site may be used at all times of the year. A report shall be prepared at the end of each construction season detailing the results of the pre-construction surveys. The report shall be submitted to the CDFG by November 30 of each year.

Mitigation Measure BIO-3b: If burrowing owls are found on the site, CDFG shall be notified and a qualified biologist shall implement a routine monitoring program in coordination with CDFG and establish an exclusion zone around each occupied burrow in which no construction-related activity shall occur until the burrows are confirmed to be unoccupied. No disturbance shall occur within 160 feet (50 meters) of an occupied burrow during the non-breeding season (September 1 through January 31) and within 250 feet (75 meters) of an occupied burrow during the breeding season (February 1 through August 31). If burrows cannot be avoided, passive relocation methods shall be implemented pursuant to CDFG guidelines. All activities shall be coordinated with the CDFG prior to disturbance of the burrows.

Mitigation Measure BIO-3c: In the unlikely event that burrowing owls are found nesting on the site, 6.5 acres of suitable habitat, as determined by an experienced wildlife biologist and approved by CDFG, shall be preserved as mitigation for each individual or pair of owls found on-site. A management plan shall be developed for the mitigation area and approved by CDFG and the City. Mitigation may include permanent protection of on-site foraging habitat around the burrow of each pair or unpaired burrowing owl, or the permanent protection of habitat at a nearby off-site location acceptable to CDFG. The mitigation site shall be dedicated in perpetuity as wildlife habitat either through establishment of a conservation easement on the mitigation site or through transfer of ownership of the lands to an appropriate public agency that shall preserve and manage the lands as wildlife habitat.

Mitigation Measure BIO-4: If tree removal, grading or construction is scheduled to begin within the breeding season for songbirds (March 1 – August 31), a qualified biologist will conduct surveys on the project site, focusing on the trees to be removed along the Bay Trail, to identify any nesting native bird species. These surveys shall be carried out no sooner than two weeks prior to the start of construction. Impacts to active nests will be avoided by establishing an exclusion zone 25-foot buffer around the active nest. Due to the relatively high levels of local ambient noise and disturbance and the likely acclimation of local nesting birds a 25-foot buffer is deemed adequate to protect nest sites. A qualified biologist will monitor each nest once per week in order to track the status of each nest and inform the project applicant of when a nest area has been cleared for construction. To avoid impacts to birds nesting in the salt marsh and drainage to the west of the project area construction fencing shall be placed along the eastern edge of the fringing vegetation (including the planted toyon) to restrict access of construction personnel and equipment.

Mitigation Measure BIO-5: The project shall comply with conditions of the NPDES Municipal Storm Water permit and Storm Water Pollution Prevention Plan for construction and commercial operations as described in Section VIII, Hydrology and Water Quality.

Conclusion

As described above, existing conditions on the project site have not materially changed since 2008. The 2008 IS/MND adequately evaluated the biological resources impacts of the proposed project and with implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-2a, BIO-2b, BIO-3a, BIO-3b, BIO-3c, BIO-4, and BIO-5 there would be no new or more severe impacts associated with biological resources associated with the proposed project.

1.5 CULTURAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion

Historic Resources

The project site is currently vacant and is located on a former landfill. The Brisbane General Plan indicates that there are no historical resources located on the Sierra Point Peninsula.[5] The peninsula and project site were created from imported soils and refuse materials. In addition, the California Historic Information System has indicated that there is a low possibility that historic resources may be located within the project area and no further study is recommended.[6] Therefore, the proposed project would have no impact related to historic resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

[5] Brisbane, City of, 1994. *The 1994 General Plan, City of Brisbane*. June 21. Amended January 4, 2018.

[6] California Office of Historic Preservation, California Historical Resources Information System. Website: ohp.parks.ca.gov/?page_id=1068 (accessed August 15, 2018).

Archaeological Resources

The project site was formerly a sanitary landfill developed in a diked portion of the San Francisco Bay. After closure of the landfill, artificial soils and a clay cap were placed over the municipal refuse which overlies the Bay Mud below the site. It is unlikely that archaeological resources would be located in the underlying Bay Mud. Grading and site preparation work associated with the proposed project would re-grade the municipal refuse layer and a clay cap on top of the refuse layer. These activities would not excavate the underlying Bay Mud layer, and therefore, the proposed project would not impact archaeological resources. The proposed project would have no impact related to archaeological resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Paleontological Resources

There are no known significant paleontological resources or unique geologic features on the project site or within the immediate vicinity. However, paleontological resources could potentially be found in the soils that underlie the landfill. Because the underlying Bay Mud and soils would not be excavated during site preparation, including grading, or construction, the proposed project would not impact paleontological resources. Therefore, the proposed project would have no impact related to paleontological resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Human Remains

The project site has already been significantly disturbed due the development and operation of a former landfill and closure and capping of the landfill. No formal cemeteries are known to have existed on the site, which was formerly part of the San Francisco Bay. Because the underlying soils beneath the refuse layer would not be excavated during the proposed project, human remains would not be disturbed. Therefore, the proposed project would not impact human remains. The proposed project would have no impact related to human remains, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential cultural resources impacts of the proposed project and there would be no new or more severe impacts related to cultural resources associated with the proposed project.

1.6 GEOLOGY AND SOILS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Discussion

Seismicity and Seismic Hazards

Fault Rupture. Fault rupture is generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., within the past 11,000 years). Alquist-Priolo Earthquake Fault Zones delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. The project site is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo Earthquake Fault Zone to the project site is the San Andreas Fault, which is located approximately 4.8 miles northwest of the project site.[7,8] No known active or potentially active faults exist on the project site. Therefore, the potential of the proposed project to expose people or structures to risk as a result of fault rupture is less than significant.

[7] California Geological Survey, 2000. Earthquake Zones of Required Investigation, San Francisco South Quadrangle. Available online at: gmw.conservation.ca.gov/SHP/EZRIM/Maps/SAN_FRANCISCO_SOUTH_EZRIM.pdf (accessed July 17, 2018).

[8] California Geological Survey, 2010. Fault Activity Map of California (2010). Website: maps.conservation.ca.gov/cgs/fam (accessed July 17, 2018).

Ground Shaking. The San Andreas Fault has the potential to generate violent ground shaking at the project site.[9]

The Working Group on California Earthquake Probabilities and the United States Geological Survey (USGS) have predicted a 6.4-percent probability of a 6.7 magnitude (M_w,or Moment Magnitude)[10] or greater earthquake on the Northern San Andreas Fault between 2014 and 2044, a 14.3-percent chance on the Hayward Fault, a 7.4-percent chance on the Calaveras Fault, and a total probability of 72 percent that an earthquake of that magnitude will occur on one of the regional San Francisco Bay Area faults during that time.[11]

The City of Brisbane requires all projects to comply with the currently applicable California Building Code. The 2016 California Building Code (Title 24, California Code of Regulations)[12] which provides for stringent construction requirements on projects in areas of high seismic risk based on numerous inter-related factors. It is acknowledged that seismic hazards cannot be completely eliminated, even with implementation of advanced building practices. However, the seismic design standards of the California Building Code are intended to prevent catastrophic building failure in the most severe earthquakes currently anticipated.

Mitigation Measures GEO-1a through 1c in the 2008 IS/MND require all structures to be designed and constructed in conformance with the most recently adopted California Building Code requirements for seismic design, require a site-specific, design-level geotechnical investigation to be prepared by a licensed professional, and require prospective building occupants to be informed about earthquake safety.

Therefore, consistent with the findings of the 2008 IS/MND, compliance with the 2016 California Building Code, which is required by both the City and the State and implementation of Mitigation Measures GEO-1a through 1c, would ensure that the potential impacts associated with ground shaking would be less than significant.

Seismic-Related Ground Failure and Liquefaction. The potential for different types of ground failure to occur during a seismic event is discussed below.

> ***Liquefaction Potential.*** Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. These soils lose strength during ground shaking. Due to the loss of strength, the soil may move both horizontally and vertically. In areas where

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9 Association of Bay Area Governments, 2018. San Mateo County Earthquake Hazard, Shaking Scenarios. Website: resilience.abag.ca.gov/earthquakes/sanmateo (accessed July 18, 2018).

10 Moment magnitude (M_W) is now commonly used to characterize seismic events as opposed to Richter Magnitude. Moment magnitude is determined from the physical size (area) of the rupture of the fault plane, the amount of horizontal and/or vertical displacement along the fault plane, and the resistance to rupture of the rock type along the fault.

11 United States Geological Survey, 2015. *UCERF3: A New Earthquake Forecast for California's Complex Fault System, USGS Fact Sheet 2015-3009*, March. Available online at: pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf (accessed July 18, 2018).

12 Brisbane, City of. Code of Ordinances, Title 15.

sloping ground or open slope faces are present, this mobility can result in lateral spreading. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that are relatively close to the ground surface. However, loose sands that contain a significant amount of fines (silt and clay) may also liquefy.

The project site is not located in an area that has been identified by the California Geological Survey as being susceptible to seismically-induced liquefaction.[13] The Geotechnical Investigation[14] prepared for the project indicates that the project site could be susceptible to liquefaction due to the loose and cohesionless material underlying the project site. Each of the potentially-liquefiable soil layers are less than four and a half feet thick. The Geotechnical Investigation estimates that up to one and a half inches of liquefaction settlement could occur at the project site in the event of a major earthquake. Therefore, liquefaction would be a potentially significant impact.

Lateral Spreading. Lateral spreading, the horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face, is typically associated with liquefaction of subsurface layer(s) near the bottom of an exposed slope. The Geotechnical Investigation concluded that the potential for lateral spreading to occur at the project site is low because the potentially-liquefiable soil layers are relatively thin and discontinuous. Therefore, potential for lateral spreading to occur on the project site would be less than significant.

Seismic Settlement. Seismic settlement (also referred to as cyclic densification) can occur when non-saturated, cohesionless sand or gravel soil is densified by earthquake vibrations. According to the Geotechnical Investigation, loose and cohesionless materials are identified in three of the seven borings drilled at the project site, which indicates the potential for seismic densification to occur. The anticipated seismic densification settlement is one inch. Therefore, seismic settlement would be a potentially significant impact.

The Geotechnical Investigation includes recommendations for foundations, floor slabs and earthwork to address settlement due to liquefaction and seismic settlement. Mitigation Measures GEO-2a through 2c in the 2008 IS/MND require all structures to be designed and constructed in conformance with the most recently adopted California Building Code requirements for seismic design, require a site-specific, design-level geotechnical investigation to be prepared by a licensed professional, and require the preparation of an Inspection and Repair Plan to delineate an inspection schedule and identify responsibility for repair for the settlement.

Therefore, implementation of Mitigation Measures GEO-2a through 2c, identified in the 2008 IS/MND, would ensure that the potential impacts associated with liquefaction and seismic settlement would be less than significant.

13 California Geological Survey, 2000, op. cit.

14 Langan, 2018. *Geotechnical Investigation, 3000-3500 Marina Boulevard, Brisbane, California*. August 3.

Landslides. The proposed project is located in a relatively flat area and is therefore not likely to be affected by landslides. In addition, the project site is not located in an area mapped by the California Geological Survey as being susceptible to earthquake-induced landslides.[15] Therefore, the potential for impacts related to landslides is less than significant.

Erosion/Loss of Top Soil

The development of the project site would involve construction activities such as grading and excavation, which could result in temporary soil erosion when the disturbed soils are exposed to wind or rainfall. Because the proposed project would involve over an acre of land disturbance, it would be required to comply with the State Water Board's Construction General Permit, which requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would include erosion control best management practices that would minimize erosion during construction. Upon completion of construction, the project site would be required to comply with Provision C.3 of the MRP, which would minimize the discharge and transport of pollutants. Therefore, the proposed project would result in less-than-significant impacts related to soil erosion or loss of top soil.

Unstable and Expansive Soils

Unstable Soil. As previously discussed above, the project site would not be subject to lateral spreading or landslides, but does have the potential for liquefaction-induced settlement. The design and construction of the project in accordance with geotechnical recommendations would reduce potential impacts related to liquefaction to a less-than-significant level.

Subsidence/Soil Collapse. Subsidence can result from the removal of subsurface water resulting in either gradual depression or catastrophic collapse of the ground surface. The proposed project would not utilize groundwater at the project site. Dewatering may be required during project construction. Construction-related dewatering would not be expected to result in subsidence or soil collapse as the dewatering would be temporary, localized, and affect only the uppermost water-bearing zone. Therefore, potential impacts related to subsidence/soil collapse would be less than significant.

The 2008 IS/MND also analyzed potential displacement of utilities due to the slumping of the levees during a seismic event and identified Mitigation Measure GEO-3, which would require dike inspections and repair. The 2008 IS/MND also discussed the implementation of the Post-Earthquake Inspection and Corrective Action Plan (Action Plan) for the former Sierra Point Landfill area after an earthquake of a Magnitude 7.0 or greater, and identified Mitigation Measure GEO-4 which would require an update to the Action Plan. Because CEQA generally does not require the analysis of the impact from the existing environmental conditions on a project, the discussion with regard to slumping of the levees and updating of the Action Plan does not relate to an environmental impact and is for informational purposes.

[15] California Geological Survey, 2000, op. cit.

Expansive Soils

Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. Expansive soils typically have substantial clay content. The changes in soil volume can result in substantial cosmetic and structural damage to buildings and hardscape developed over expansive soils. The Geotechnical Investigation found (in soil borings) that the fill underlying the site generally consists of soft to very stiff clay with varying amounts of sand and gravel. Though the Geotechnical Investigation does not characterize the expansion potential of these soils, it is possible that theses clayey soils are expansive.

These effects can be mitigated by moisture conditioning the expansive soil, placing non-expansive fill below slabs and foundations, designing foundations and slabs to resist ground movements associated with volume changes, supporting foundations below the zone of severe moisture change, and/or limiting moisture changes in the surficial soils by using positive drainage away from the building as well as limiting landscape watering. The Geotechnical Investigation states that all engineered fill placed at the site should have low expansion potential. In addition, Mitigation Measures GEO-2a through 2c in the 2008 IS/MND require all structures to be designed and constructed in conformance with the most recently adopted California Building Code requirements and require a site-specific, design-level geotechnical investigation to be prepared by a licensed professional. This design-level geotechnical investigation would address any potential impacts related to expansive soils. Therefore, potential impacts related to expansive soils would be less than significant.

Septic Tanks/Wastewater Disposal

During operation, the project site would be serviced by the City of Brisbane. Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, the proposed project would have no impact related to septic tanks or alternative waste water disposal systems.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures GEO-1a, GEO-1b, GEO-1c, GEP-2a, GEO-2b, and GEO-2c, previously identified in the 2008 IS/MND and described below, would remain applicable to the proposed project.

Mitigation Measure GEO-1a: All structures shall be designed and constructed in conformance with the most recently adopted California Building Code requirements for seismic design. The City Engineer shall approve all final design and engineering plans.

Mitigation Measure GEO-1b: As a condition of approval and prior to the issuance of a grading permit, the applicant shall submit a final site-specific, design-level geotechnical investigation, to be prepared by a licensed professional, to the City for review and approval. The geotechnical investigation shall include recommendations for grading, avoidance of settlement, and differential settlement of infrastructure and buildings. The recommendations shall be incorporated into all development plans submitted for the project.

To address the potential of differential ground settlement, the construction of water, sewer and storm drain lines shall include flexible utility connections at buildings and provide support for the utilities under buildings on the structures themselves, consistent with the requirements established in the Sierra Point Design Guidelines and implementing documents.

Mitigation Measure GEO-1c: The applicant shall provide information to prospective building occupants regarding earthquake safety. The information shall include one or more of the following publications:

- Information obtained from the California Division of Mines and Geology in its 1997 report "Guidelines for Evaluating and Mitigating Seismic Hazards in California" (which can be downloaded from the Division's home page at www.consrv.ca.gov);
- "The Commercial Property Owner's Guide to Earthquake Safety," produced by the Seismic Safety Commission (SSC) and available at 1755 Creekside Oaks Drive, Suite 100, Sacramento, CA 95883 or at 916-263-5506); and
- "Peace of Mind in Earthquake Country" (Peter Yanev, 1991, Chronicle Books).

Mitigation Measure GEO-2a: All structures shall be designed and constructed in conformance with the most recently adopted California Building Code requirements for building design in areas undergoing compaction. The Building Official shall approve all final design and engineering plans.

Mitigation Measure GEO-2b: As required in Mitigation Measure GEO-1b, the applicant shall prepare and submit to the City for final approval a final design-level geotechnical investigation that includes recommendations for avoidance of settlement and placement of fill materials.

Mitigation Measure GEO-2c: The final geotechnical investigation shall include an Inspection and Repair Plan to address future settlement of the project site. The Inspection and Repair Plan shall delineate an inspection schedule for storm water conveyances and other utilities (on at least an annual basis) to determine adverse effects of settlement. The plan shall identify responsibility for repair of any affected improvements (e.g., property owner, lessees, or property management company). The inspection results and repairs shall be documented to the City in a biannual report.

Conclusion

The 2008 IS/MND adequately evaluated the potential impacts related to geology and soils of the proposed project and with implementation of Mitigation Measures GEO-1a, GEO-1b, GEO-1c, GEO-2a, GEO-2b, and GEO-2c there would be no new or more severe impacts associated with geology and soils associated with the proposed project.

1.7 GREENHOUSE GAS EMISSIONS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion

Greenhouse gas (GHG) emissions associated with the proposed 2008 project were evaluated in Section III Air Quality of the 2008 IS/MND. The 2008 IS/MND determined that the 2008 project would result in a less-than-significant impact related to GHG emissions and global climate change. However, at the time the 2008 IS/MND was prepared, no numeric significance thresholds were formally adopted. Therefore, the following analysis was prepared consistent with CEQA Guidelines §15064.4 to evaluate the impacts of project-related GHG emissions based on the guidance in the BAAQMD's 2017 CEQA Guidelines.

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur Hexafluoride (SF_6)

While GHGs produced by human activities include naturally-occurring GHGs such as CO_2, CH_4, and N_2O, some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere. Certain other gases, such as water vapor, are short-lived in the atmosphere compared to those GHGs that remain in the atmosphere for significant periods of time, contributing to climate change in the long term.

Water vapor is generally excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this analysis, the term "GHGs" will refer collectively to the six gases identified in the bulleted list provided above.

Construction Greenhouse Gas Emissions

Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Using CalEEMod, it is estimated that the proposed project would generate approximately 1,041.4 metric tons of CO_2e during construction. Implementation of Mitigation Measures AIR-1 and AIR-2 as identified in the 2008 IS/MND would reduce construction-related GHG emissions by reducing the amount of construction vehicle idling and by requiring the use of properly maintained equipment. Therefore, project construction impacts associated with GHG emissions would be considered less than significant.

Operational Greenhouse Gas Emissions

Long-term operation of the proposed project would generate GHG emissions from area and mobile sources as well as indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions would include project-generated vehicle trips associated with trips to the

proposed project. Area-source emissions would be associated with activities such as landscaping and maintenance of the project site, and other sources.

Following guidance from the BAAQMD, GHG emissions were estimated using CalEEMod. Table 3 shows the calculated GHG emissions for the proposed project. Motor vehicle emissions are the largest source of GHG emissions for the project at approximately 74 percent of the total. Energy use is the next largest category at 20 percent. Water source emissions are each about 6 percent of the total emissions respectively. Additional calculation details are included in Appendix A.

Table 3: GHG Emissions (Metric Tons Per Year)

Emissions Source	Operational Emissions				
	CO_2	CH_4	N_2O	CO_2e	Percent of Total
Area Source Emissions	0.0	0.0	0.0	0.0	0
Energy Source Emissions	1,188.0	0.1	0.0	1,196.2	20
Mobile Source Emissions	4,486.5	0.2	0.0	4,490.9	74
Waste Source Emissions	6.5	0.4	0.0	16.1	0
Water Source Emissions	186.9	5.4	0.1	361.4	6
Total Annual Emissions				**6,064.7**	**100**
BAAQMD Numeric Threshold				**1,100**	**-**
Exceed?				**Yes**	**-**
Total Emissions Per Service Population[1]				**4.5**	**-**
BAAQMD Service Population Threshold				**4.6**	**-**
Exceed?				**No**	**-**

Source: LSA (August 2018).
Note:
[1] The Brisbane General Plan assumes 3.22 employees per square feet of office use. Based on 422,552 square feet, the project would result in approximately 1,361 new jobs.

According to the BAAQMD, a project would result in a less-than-significant GHG impact if it would meet one or more of the following criteria: result in operational-related GHG emissions of less than 1,100 metric tons of CO_2e a year, or result in operational-related GHG emissions of less than 4.6 metric tons of CO_2e per service population (residents plus employees).

Based on the analysis results, the proposed project would generate approximately 6,064.7 metric tons of CO_2e which would exceed the BAAQMD's numeric threshold of 1,100 metric tons CO_2e.

The project would result in the development of 422,552 square feet of office, lab (R&D), restaurant, and commercial recreation use and approximately 1,361 new jobs.[16] Therefore, the project's GHG emissions would result in a GHG efficiency of 4.5 metric tons CO_2e per service population, which is below the BAAQMD's threshold of 4.6. Therefore, because the project would result in emissions below the 4.6 metric tons CO_2e per service population, the proposed project would not generate

[16] The Brisbane General Plan assumes 3.22 employees per 1,000 square feet of office use. Brisbane, City of, 1994. General Plan Land Use Element. Amended January 4, 2018. Pg. V-24.

significant GHG emissions and would have a less-than-significant impact related to operational GHG emissions.

Consistency with Greenhouse Gas Reduction Plans

The City of Brisbane regulates GHG emissions through implementation of the City's Climate Action Plan (CAP), adopted September 17, 2015.[17] The primary goal of the CAP is to reduce the City of Brisbane's GHG emissions to comply with AB 32. The CAP outlines specific actions, called "measures" that seek to reduce Brisbane's GHG emissions. The measures in the CAP relate to energy, water use, solid waste, and road emissions/transportation. These measures are assumed to lead to specific, quantifiable reductions of GHG emissions.

Consistency with the CAP can be determined if the project would support the goals of the CAP, include applicable control measures, and would not disrupt or hinder implementations of any control measures from the CAP. The project's consistency with these objectives is described in Table 4 below.

Table 4: Project Compliance with Brisbane Climate Action Plan

Climate Action Plan Measure	Project Compliance
Energy Measures	
EC1: Commercial green building ordinance	***Compliant.*** The proposed project would be LEED Gold certified, and therefore would meet the conditions of the green building ordinance.
EC5: Promote PG&E commercial and industrial energy efficiency/demand response programs	***Compliant.*** The proposed project would include optimized energy performance including lighting utilizing either solar power or light emitting diode (LED) technology; solar panels on the building rooftops; water efficient landscaping, high efficiency toilets, and low-flow fixtures; and landscaping throughout the site.
EM1: Energy efficient street lighting	***Compliant.*** The proposed project would include optimized energy performance including lighting utilizing either solar power or LED technology
Solid Waste Measures	
WC1: Set higher diversion rate goal	***Compliant.*** The proposed project would incorporate construction waste management measures.
WC4: Yard waste ordinance	***Compliant.*** The proposed project would incorporate organic waste management measures.
Water Measures	
EW1: Water conservation incentives	***Compliant.*** The proposed project would incorporate water efficient landscaping, high efficiency toilets, and low-flow fixtures.
All **Sector** Measures	
A1: Participate in County Green Business Program	***Compliant.*** The proposed project would be LEED Gold certified.

Source: LSA (August 2018).

[17] Brisbane, City of, 2015. *City of Brisbane Climate Action Plan*. September 17.

In addition to the measures described above, the proposed project would incorporate the following GHG reduction measures:

- Public transportation access through a shuttle system serving BART and Caltrain stations;
- Provision of multi-use regional trails;
- Bicycle storage and changing rooms;
- Preferred parking stalls for carpool/vanpool vehicles; and
- Reduced site disturbance, maximized open space.

The proposed project would implement the measures identified in the CAP that are applicable to the project to reduce GHG emissions. With implementation of these measures as described above, the project would be in compliance with the CAP. The proposed project would implement GHG reduction strategies in compliance with the CAP and would not be a significant source of GHG emissions. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions GHG emissions.

Applicable Mitigation

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures AIR-1 and AIR-2 previously identified in the 2008 IS/MND and described in Section 1.3, Air Quality, would remain applicable to the proposed project.

Conclusion

As previously discussed, GHG emissions associated with the proposed 2008 project were evaluated in Section III Air Quality of the 2008 IS/MND. The 2008 IS/MND determined that the 2008 project would have a less-than-significant impact to GHG emissions and global climate change. However, at the time the 2008 IS/MND was prepared, no numeric significance thresholds had formally been adopted. Therefore, the above analysis was prepared consistent with CEQA Guidelines §15064.4 to evaluate the impacts of project-related GHG emissions based on the guidance in the BAAQMD's 2017 CEQA Guidelines. As discussed above, with implementation of Mitigation Measures AIR-1 and AIR-2, there would be no new or more severe impacts related to GHG emissions associated with the proposed project.

1.8 HAZARDS AND HAZARDOUS MATERIALS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion

Transport, Use, Storage, and Disposal of Hazardous Materials

The project proposes the construction of three life sciences (office and laboratory/R&D) buildings over one two-story podium parking structure. During project construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. Workers who handle hazardous materials are required to adhere to health and safety requirements enforced by the federal Occupational Safety and Health Administration (OSHA) and California OSHA. Hazardous materials must be transported to and from the project site in accordance with the Resource Conservation and Recovery Act (RCRA) and the U.S. Department of Transportation (DOT) regulations, and also disposed of in accordance with RCRA regulations at a facility that is permitted to accept the waste.

Operation of the proposed life science facilities could involve transport, use, storage and disposal of hazardous materials. The San Mateo County Environmental Health Department (SMCEH) is the Certified Unified Program Agency (CUPA), responsible for local enforcement of State and federal laws pertaining to hazardous materials and hazardous waste management. Any on-site transport, use, storage, and disposal of hazardous materials equal to or greater than the minimum reportable quantities (55 gallons for liquids, 500 pounds for solids and 200 cubic feet at standard temperature and pressure for compressed gases) must be conducted in accordance with the requirements of the SMCEH and any other applicable federal and State regulations.

Consistent with the findings of the 2008 IS/MND, due to mandatory compliance with federal, State, and local regulations, potential impacts associated with future hazardous material use, transport, and disposal are considered less than significant.

Release of Hazardous Materials and Risk of Upset

The project site is located in the northwestern portion of the former Sierra Point Solid Waste Disposal site (landfill). The history of the landfill is described in the 2008 IS/MND and the Phase I Environmental Site Assessment[18] prepared for the project and is summarized below. Development of the landfill began with construction of an earthen dike in the early to mid-1960s. The landfill operated between 1965 and 1972. An initial Order was issued by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) in 1982 for closure of the landfill. This Order was rescinded in 1996, with issuance of a new Order (96-058) with landfill closure and post-closure requirements. Numerous environmental investigations have been undertaken on the former landfill since at least 1980 for groundwater, soil, and landfill gas, including an investigation in 1993 to determine whether materials in the former landfill constitute a hazardous waste.

The former closed landfill site is under the oversight of California State Water Resources Control Board (State Water Board)/CIWMB (now California Department of Resources Recycling and Recovery), with San Mateo County as the Local Enforcement Agency (LEA). The site's property owners are required to comply with the Water Board's Order 96-058, which includes semi-annual monitoring and quarterly activities and reporting, as part of the required Discharge Monitoring Program, and landfill closure and post-closure requirements pursuant to Title 27 of the California Code of Regulations.

Construction of buildings over a closed landfill could result in environmental impacts in several ways: 1) vapor intrusion of volatile organic compounds to indoor air; 2) preferential contaminant migrations pathways through foundation construction; and 3) methane gas explosion. Each potential impact is discussed in detail below:

Vapor Intrusion of Volatile Organic Compounds to Indoor Air. Volatile organic compounds in soil gas could migrate upward and collect inside the new structures through vapor intrusion, creating a health risk for future building occupants. The landfill has been inspected and landfill gases have been monitored in compliance with Water Board Order 96-058. The most recent monitoring event

[18] Partner Engineering and Science, Inc., 2018. *Phase I Environmental Site Assessment Report, Planned Office Research & Development, 3000-3500 Marina Boulevard, Brisbane, California*. January 17.

was conducted in September 2017. Groundwater and leachate samples were collected and results are summarized in the latest semi-annual monitoring and inspection report.[19] Leachate well, LW-2, and groundwater monitoring wells MW-2A and MW-3B are located within the project site. Well caps were observed to be in good condition at the time of the September 2017 inspection. According to the monitoring and inspection report, for this sampling event, no analytical laboratory testing was required for LW-2, and MW-3B was used for water depth monitoring only. Groundwater monitoring well MW-2A was sampled and tested for volatile organic compounds (VOCs). Naphthalene (a specific type of VOC) was found to be present at a concentration of 14 micrograms per liter (µg/L), which is below the Groundwater Vapor Intrusion Human Health Risk Levels for Commercial Use in Shallow Groundwater Scenario of 170 µg/L. Selected dissolved metals (Arsenic, Barium, Nickel, and Selenium) were reported above laboratory reporting limits. As metals are not volatile, there are no vapor-intrusion human health risk levels established for these metals.

In addition, because the proposed project would include one two-story podium parking garage below the life sciences office and laboratory buildings, this could potentially mitigate against vapor intrusion impacts as a parking garage is a low-occupancy area with ventilation included in the design. Furthermore, as required in Section 20923 of Title 27 of the California Code of Regulations, migration of landfill gases, including through vapor intrusion, are required to be taken into consideration of the project design and controlled to provide for the protection of public health and safety and the environment. Therefore, vapor intrusion of volatile organic compounds to indoor air would not pose a significant health risk impact on building occupants.

Preferential Contaminant Migration Pathways through Foundation Construction. Foundation construction, which would include pile driving through the closed landfill materials and Bay Mud, could create preferential pathways for contaminants to migrate along the piles or other foundation components.

The Geotechnical Investigation[20] prepared for the project recommends that if voids are formed around piles during installation, these voids should be backfilled with grout or bentonite slurry from the bottom of the void to the bottom of the pile cap or slab to repair the clay cap. This would provide a barrier to contaminant migration along the piles. Upon proper implementation of the Geotechnical Investigation recommendations, potential conduits for contaminant migration along piles and other foundation components would be eliminated. Therefore, the potential for preferential contaminant migrations pathways through foundation construction to occur at the project site would be less than significant.

Methane Gas Explosion. The presence of underground methane gas, which tends to migrate upward through soils, could collect in basements or utility vaults and create the potential for explosion hazards.

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19 Ch2M, 2018. Fall 2017 *Semiannual Monitoring and Inspection Report, Former Sierra Point Landfill Brisbane and South San Francisco, California*, prepared for Sierra Point Environmental Management Association, Inc. March.

20 Langan, 2018, op. cit.

The Geotechnical Investigation[21] prepared for the project recommends methane levels be measured around the pile at the completion of pile driving and backfill voids (if any) to repair clay cap and prevent contamination of the upper fill and release of methane gas. The Geotechnical Investigation also recommends a landfill gas collection and venting system beneath the floor slab to prevent methane gas from collecting beneath the slab. As also set forth in Section 20923 of Title 27 of the California Code of Regulations, a landfill gas (methane) monitoring program must be designed by a registered civil engineer or a certified engineering geologist and be installed and operated. The monitoring program must be designed to account for potential migration pathways or barriers including but not limited to local soil and rock conditions. The operator[22] shall ensure that landfill gases are controlled to provide for the protection of public health and safety and the environment. Therefore, the potential of methane gas explosion at the project site would be less than significant.

Mitigation Measure HAZ-1 as identified in the 2008 IS/MND requires any site redevelopment activities to comply with Water Board Order 96-058 and applicable post-closure SWRCB/CIWMB (now California Department of Resources Recycling and Recovery) Title 27 California Code of Regulations requirements enforced by the Local Enforcement Agency. In addition, it requires the project to comply with San Mateo County requirements for proposed excavation activities on former landfills for worker health and safety, and the requirements of the Brisbane General Plan and other City requirements such as grading and building permits.

Consistent with the findings of the 2008 IS/MND, continued compliance with applicable local, State, and federal regulations and compliance with Mitigation Measure HAZ-1, would reduce potential exposure of people and the environment to hazardous materials associated with development on a former landfill to a less-than-significant level.

Emission of Hazardous Materials Within 0.25 Miles of a School

The nearest school is Brisbane Elementary School, which is located more than 0.5 miles northwest of the project site. The proposed project does not include school facilities. Consistent with the findings of the 2008 IS/MND, there would be no impact to existing or proposed school facilities.

Hazardous Materials Site Pursuant to Government Code Section 65962.5

The provisions of Government Code Section 65962.5 require the Department of Toxic Substances Control (DTSC), the State Water Board, the California Department of Health Services, and the California Department of Resources Recycling and Recovery (formerly the California Integrated Waste Management Board) to submit information pertaining to sites associated with solid waste disposal, hazardous waste disposal, leaking underground tank sites, and/or hazardous materials releases to the Secretary of Cal/EPA. Based on a review of regulatory databases, including listed hazardous materials release sites compiled pursuant to Government Code Section 65962.5, the

21 Ibid.

22 An operator means the landowner or other person who through a lease, franchise agreement or other arrangement with the landowner becomes legally responsible to the State for including, but not limited to, the following requirements for a solid waste facility or disposal site: (A) obtaining a solid waste facility permit; (B) complying with all applicable federal, state and local requirements; (C) the physical operation of the facility or site; and (D) closing and maintaining the site during the post-closure maintenance period.

project site is not listed as a hazardous materials release site due to activities and land uses in the past. Therefore, consistent with the findings of the 2008 IS/MND, the proposed project would not result in any hazardous conditions related to its inclusion on the Code Section 65962.5 list.

Aviation Hazards

The project site is located approximately 3 miles northwest of the San Francisco International Airport. The project site is not located within the Airport Safety Zones or Airport Influence Area of the San Francisco International Airport,[23] and is not located in the vicinity of a private air strip.[24] Therefore, consistent with the findings of the 2008 IS/MND, potential aviation hazards from implementation of the proposed project would be less than significant.

Emergency Response or Evacuation Plan

The City of Brisbane has developed an Emergency Management Plan which is regularly updated. The Plan provides procedures and establishes policies for managing any disaster and provides directions on evacuating the City, and emergency communications and field responses, among other items. Consistent with the findings of the 2008 IS/MND, the proposed project is not expected to result in any significant interference with established emergency response and evacuation plans, or with regular updating of the City's Plan. Therefore, the proposed project would have no impact on emergency response or evacuation plans.

Wild Fire

The project site is not susceptible to Very High Fire Hazard according to California Department of Forestry and Fire Protection mapping.[25] In addition, implementation of the proposed project with buildings, paved surfaces, irrigated landscaping, and fire protection devices would likely reduce the potential for fire hazard. Therefore, consistent with the findings of the 2008 IS/MND, the potential for wildland fire hazards would be considered less than significant.

Applicable Mitigation

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measure HAZ-1 previously identified in the 2008 IS/MND and described below, would remain applicable to the proposed project.

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

24 Federal Aviation Administration, 2018. Airport Contacts Information. Effective: July 19, 2018. Database searched for both public-use and private-use facilities in San Mateo County. Website: www.faa.gov/airports/airport_safety/airportdata_5010 (accessed July 13, 2018).

25 California Department of Forestry and Fire Protection, 2008. Very High Fire Hazard Severity Zones in LRA, San Mateo County. November 24.

Mitigation Measure HAZ-1: Any site development activities must comply with the requirements of the Water Board Order, applicable post-closure SRWCB/CIWMB Title 27 CCR requirements enforced by the LEA, including, but not limited to: ensuring landfill cover and integrity; drainage and erosion control systems; a means to address differential settlement; gas control and monitoring, including installation of a geomembrane (or equivalent system); and development of a post-closure emergency response plan. Construction activities must also comply with San Mateo County requirements for proposed excavation activities on former landfills for worker health and safety, and the requirements of the Brisbane General Plan and other City requirements (Grading Permit, Building Permit).

Conclusion

The 2008 IS/MND adequately evaluated the potential impacts related to geology and soils of the proposed project and with implementation of Mitigation Measure HAZ-1 there would be no new or more severe impacts associated with hazards and hazardous materials associated with the proposed project.

1.9 HYDROLOGY AND WATER QUALITY

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e. 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?	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion

Water Quality Standards

Construction. Construction activities of the proposed project would involve disturbance, grading, and excavation of soil, which could result in temporary erosion and movement of sediments, particularly during precipitation events. In addition, the potential for chemical releases is present at most construction sites due to the use of paints, solvents, fuels, lubricants, and other hazardous materials associated with heavy construction equipment. If stormwater contacts disturbed soil and/or improperly stored hazardous materials, sediments and contaminants could be entrained in stormwater runoff that could reach waterways and cause a violation of water quality standards or degrade water quality.

The proposed project would disturb greater than one acre of land, and therefore would be required to comply with the requirements of the Construction General Permit (State Water Board Order 2009-0009-DWQ).[26] Construction activities subject to the Construction General Permit include clearing, grading, excavation, and soil stockpiling. The Construction General Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. A SWPPP identifies all potential pollutants and their sources, including erosion, sediments, and constructions materials and must include a list of Best Management Practices (BMPs) to reduce the discharge of construction-related stormwater pollutants. A SWPPP must include a detailed description of controls to reduce pollutants and outline maintenance and inspection procedures. Typical sediment and erosion BMPs include protecting storm drain inlets, establishing and maintaining construction exits and perimeter controls to avoid tracking sediment off-site onto adjacent roadways. A SWPPP also defines proper building material staging and storage areas; paint and concrete washout areas; describes proper equipment and vehicle fueling and maintenance practices; measures to control equipment and vehicle washing and allowable non-stormwater discharges; and includes a spill prevention and response plan.

Temporary dewatering may be required during construction activities involving excavation. Dewatering effluent may have high turbidity and could contain contaminants. Turbid and/or contaminated groundwater could cause degradation of the receiving water quality if discharged directly to storm drains or surface water without treatment. The discharge of dewatering effluent would be subject to permits from the City of Brisbane or the Regional Water Board, depending if the discharge were to the sanitary sewer or storm drain system, respectively. The Construction General Permit allows the discharge of dewatering effluent if the groundwater is uncontaminated and is properly filtered or treated, using appropriate technology. If the dewatering activity is deemed by the Regional Water Board not to be covered by the Construction General Permit, then the discharger could potentially prepare a Report of Waste Discharge, and if approved by the Regional Water Board, be issued site-specific Waste Discharge Requirements (WDRs) under National Pollutant Discharge Elimination System (NPDES) regulations. If it is infeasible to meet the requirements of the Construction General Permit, acquire site-specific WDRs, or meet the City of Brisbane's sewer discharge requirements, the construction contractor would be required to transport the dewatering effluent off-site for treatment and disposal.

Required compliance with State and local regulations regarding stormwater and dewatering during construction would ensure that the proposed project would result in less-than-significant impacts to water quality during construction.

Operation. Because the project would replace over 10,000 square feet of existing impervious surface area, the project would be required to comply with Provision C.3 requirements of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP).[27] Provision C.3 of the

[26] State Water Resources Control Board, 2009. Division of Water Quality. *Construction General Permit Fact Sheet*. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

[27] San Francisco Bay Regional Water Quality Control Board, 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, November 19.

MRP requires implementation of low impact development (LID) source control, site design, and stormwater treatment for regulated projects. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. As indicated on the project's C.3 and C.6 Development Review Checklist, the project would include lined bioretention areas as biotreatment measures.

The project would result in the replacement of over one acre or more of impervious surface. However, it is exempted from hydromodification requirements because it is located within low gradient areas. Section 13.06.170 of the Brisbane Municipal Code requires BMPs for new developments and redevelopments to establish controls on the volume and rate of stormwater runoff as may be appropriate to minimize the discharge and transport of pollutants.

Consistent with the findings of the 2008 IS/MND, continued compliance with applicable regulations, as described above, would reduce potential impacts of the project related to water quality to a less-than-significant level.

Deplete Groundwater Supplies

Dewatering may be performed during construction activities involving excavation. If performed, construction-related dewatering would be temporary and limited to areas of excavation on the project site and would not substantially contribute to depletion of groundwater supplies. During operation, the project site would be serviced by the Brisbane Water District and would not involve the use of groundwater as potable water.

Consistent with the findings of the 2008 IS/MND, the project would not result in an impact related to substantial depletion of groundwater supplies or interference with groundwater recharge.

Drainage Pattern and Surface Run-off

Development of the proposed project would not result in the alteration of the course of a stream or river. The project would be subject to existing stormwater regulations regarding construction and post-construction stormwater requirements under the Construction General Permit and MRP, respectively. In addition, Section 13.06.170 of the Brisbane Municipal Code requires BMPs for new developments and redevelopments to establish controls on the volume and rate of stormwater runoff as may be appropriate to minimize the discharge and transport of pollutants and ensure that post-development stormwater flow rates would not substantially exceed pre-development rates. Consistent with the findings of the 2008 IS/MND, compliance with State and local regulations would ensure that the project would result in less-than-significant impacts related to altering drainage patterns, increasing runoff, and exceeding the capacity of stormwater drainage systems.

Flooding and Dam Failure Inundation

The northeastern portion of the project site is located in an area designated as "Special Flood Hazard Areas Subject to Inundation By the 1 Percent Annual Chance Flood" Zone A on the current Flood Insurance Rate Map (FIRM) published by the Federal Emergency Management Agency (FEMA).[28] The Zone A designation indicates detailed hydraulic analyses have not been performed and no base flood elevations or flood depths are shown.

The City's Municipal Code requires construction or development of properties in the Special Flood Hazard Area to apply for a development permit, which includes, but is not limited to, proposed elevation in relation to mean sea level of the lowest floor of all structures. The City's Municipal Code also establishes permit review procedures, designates and identifies the duties of the floodplain administrator (the building official), provides provisions for flood hazard reduction such as standards of construction, and identifies variance procedures.

The project would not result in the alteration of levees or dams, and therefore the project would not result in flooding impacts related to dam failure or increase the likelihood of levee failure.

Consistent with the findings in the 2008 IS/MND, compliance with the requirements in the City's Municipal Code would reduce potential flooding impacts to a less-than-significant level.

Inundation by Seiche, Tsunami, or Mudflow

A seiche is the oscillation of a body of water. Seiches occur most frequently in enclosed or semi-enclosed basins such as lakes, bays or harbors. They can be triggered in an otherwise still body of water by strong winds, changes in atmospheric pressure, earthquakes, tsunami, or tides. Triggering forces that set off a seiche are most effective if they operate at specific frequencies relative to the size of an enclosed basin. Coastal measurements of sea level often show seiches with amplitudes of a few centimeters and periods of a few minutes due to oscillations of the local harbor, estuary, or bay, superimposed on the normal tidal changes. Seiches are not considered a hazard in the Bay based on the natural oscillations of the Bay.[29] Therefore, inundation from seiche would be less than significant.

Tsunamis are long-period water waves caused by underwater seismic events, volcanic eruptions, or undersea landslides. Tsunamis affecting the San Francisco Bay Area would originate west of the Bay in the Pacific Ocean. Areas that are highly susceptible to tsunami inundation tend to be low-lying coastal areas, such as tidal flats, marshlands, and former Bay margins that have been artificially filled. Inundation or damage caused by a tsunami may disrupt highway traffic in those low-lying

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28 Federal Emergency Management Agency, 2012. Flood Insurance Rate Map, Santa Mateo County and Incorporated Areas, Map Number 06081C0042E, October 16.

29 Borrero, et al., 2006. *Numerical Modeling of Tsunami Effects at Marine Oil Terminals in San Francisco Bay*. *Report prepared for: Marine Facilities Division of the California State Lands Commission.* June 8.

areas. Tsunamis entering San Francisco Bay through the relatively narrow Golden Gate would tend to dissipate as the energy of the wave spreads out as the Bay becomes wider and shallower.[30]

The California Emergency Management Agency has produced tsunami inundation maps for areas along the state's coastline, including Brisbane.[31] The maps identify areas at risk of inundation from a combination of maximum-considered tsunamis for each area. The tsunami inundation map for the San Mateo Quadrangle indicates the project site is not located in a tsunami inundation area.

The project site and surrounding topography is relatively flat and therefore the project would not result in impacts related to mudflow (a type of landslide that occurs on slopes).

For these reasons, consistent with the findings in the 2008 IS/MND, impacts related to inundation by seiche, tsunami, or mudflow are less than significant.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential hydrology and water quality impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.10 LAND USE AND PLANNING

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

30 Ibid.

31 California Emergency Management Agency, 2009. Tsunami Inundation Map for Emergency Planning, State of California, County of San Mateo, San Francisco South Quadrangle. July 15.

Discussion

Divide an Established Community

The project site is located at the northwest corner of the Sierra Point Peninsula and is adjacent to the San Francisco Bay and California State Lands to the north; US 101, the northbound on-ramp, and a drainage slough to the west; and commercial/office uses to the east and south. The project site is accessible from Marina Boulevard and a portion of the Bay Trail runs along the northern edge of the site and connects to sections of the trail on Sierra Point east of the project site, and eventually to Oyster Cove Marina to the south.

The Sierra Point Peninsula, including the project site, is physically separated from central Brisbane by US 101 and the Union Pacific Railroad tracks to the west, but vehicular and pedestrian access is provided via the Sierra Point Parkway highway undercrossing. Regional access to the peninsula is provided from the Sierra Point Parkway freeway ramps, west of the project site. The 2008 IS/MND found that pedestrian and vehicular circulation would be improved throughout the site. Pedestrian circulation improvements would include improvements to the Bay Trail and construction of a pedestrian path circumscribing the western portion of the site, connecting the Bay Trail to Marina Boulevard. Vehicular access to the site would be provided by two driveways from Marina Boulevard.

The proposed project would not alter the existing network of roads, sidewalks, and trails beyond that which was already evaluated in the 2008 IS/MND. Additionally, the proposed project design and land use would be consistent with adjacent buildings. Therefore, the proposed project would have a less-than-significant impact related to the physical division of an established community, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Conformance with Land Use Plans

Applicable plans and regulations for the project site include the City of Brisbane General Plan, the City of Brisbane Zoning Ordinance, and the Combined Site and Architectural Design Guidelines for Sierra Point (Design Guidelines).[32] The Sierra Point Biotech Project Draft Environmental Impact Report, Section IV.A, Land Use and Planning Policy includes a detailed description of the policies that regulate the project site.[33]

The Brisbane General Plan designates the project site as Sierra Point Commercial/Retail/Office (SP C/R/O), which allows for commercial enterprises, encompassing a wide range of uses.[34] The City of Brisbane's Zoning Ordinance (Zoning Ordinance) designates the site as Sierra Point Commercial District (SP-CRO). Permitted uses include: offices; hotels; retail sales and rental; restaurants; bars;

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32 OPUS West Corporation, 2001, op. cit.

33 Brisbane, City of, 2006. *Public Review Draft Sierra Point Biotech Project Environmental Impact Report*. State Clearinghouse Number 2006012024. November.

34 Such uses may include, but not be limited to, retail uses, personal services, medical, professional and administrative offices, corporate headquarters, hotels, conference centers and cultural facilities, commercial recreation, restaurants, and other uses of a commercial character. Public and semi-public facilities and educational institutions may be located under this designation.

financial institutions; personal services; commercial gyms and health facilities; meeting halls; and marinas. The proposed life sciences use (combined office and lab/R&D uses as defined by the Zoning Ordinance) with incidental restaurant and commercial recreational uses would be consistent with the existing General Plan designation and Zoning district for the site.

The project site is located within the jurisdiction of several agencies. The Water Board is responsible for the issuance of NPDES permits for stormwater discharge as well as the oversight of compliance with the Waste Discharge Requirements for the Sierra Point Landfill. Details concerning the Water Board's regulations are discussed in Section 1.9, Hydrology and Water Quality.

The San Mateo County Environmental Health Division, Solid Waste Program is responsible for the verification that project approval is consistent with the post-closure landfill development requirements of the California Integrated Waste Management Board (CIWMB). Details concerning development on the landfill are discussed in Section 1.8, Hazards and Hazardous Materials.

The northern portion of the project site within 100 feet of the mean high tide line is subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). The policies of the San Francisco Bay Plan (BCDC) and the Bay Trail Plan (Association of Bay Area Governments) regulate the development of the shoreline and Bay Trail on the project site.

The project site is located in the Central Bay Area on Map 5 in the Bay Plan.[35] The highest expected water level is the 5.85 elevation line and BCDC jurisdiction extends 100 feet inland from the slough onto the western portion of the project site. The proposed project would include improvements to the Bay Trail along the shoreline portion of the project site. BCDC would consider the consistency of these improvements with Bay Plan policies prior to issuance of a permit for development.

The proposed project would not require any variances, modifications, or amendments beyond those already analyzed in the 2008 IS/MND. Therefore, the proposed project would have a less-than-significant impact to applicable land use plans, policies, or regulations, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Habitat Conservation Plan

The project site is not located within the jurisdiction of the San Bruno Mountain Area Habitat Conservation Plan. The parameters of the plan are located approximately 240 to 250 feet west of the project site on the lower slopes of San Bruno Mountain. Therefore, the proposed project would not conflict with the applicable conservation plan for the area. The proposed project would have no impact related to habitat conservation plans or natural community conservation plans, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

[35] San Francisco Bay Conservation and Development Commission, 1968. *San Francisco Bay Plan*. Amended January 2012.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential land use impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.11 MINERAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

The project site is located on a former sanitary landfill that was constructed in a portion of the San Francisco Bay by a series of dikes. The underlying soils consist of Bay Mud overlying layers of clay, gravelly sand and gravelly clay to a depth of several hundred feet. No known mineral resources are located within or near the project site. Mineral extraction activities have not taken place within or around the project site in recent history. Because no known mineral resources are present at the project site, implementation of the proposed project would not result in the loss of availability of a known mineral resource. Therefore, the proposed project would have no impact related to mineral resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential impacts to mineral resources. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.12 NOISE

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

The ambient noise conditions have not changed substantially since preparation of the 2008 IS/MND. Regulatory requirements and standards that govern the generation of and exposure to noise within the community have also not changed since adoption of the 2008 IS/MND. Potential impacts of the proposed project as compared to the 2008 project with respect to noise are discussed below.

Construction-Period Impacts

Noise generated by the construction period for the proposed project would temporarily increase noise levels in the vicinity of the project site. Each stage of construction would involve a different mix of operating equipment, and noise levels would vary based on the amount and types of equipment in operation and the location of the activity. These activities would be similar with the proposed project as compared to the 2008 project.

As with the 2008 project, the typical maximum noise level generated by backhoes on the proposed project site is assumed to be 86 dBA L_{max} at 50 feet from the operating equipment. Assuming each piece of construction equipment operates at some distance apart from the other equipment, the worst-case combined noise level during the site preparation phase of construction would be 91 dBA L_{max} at a distance of 50 feet from an active construction area. The closest sensitive receptors adjacent to the proposed construction areas include the office park buildings east and south of the project site. The closest receptors would be exposed to construction noise levels during this phase of construction of up to 88.4 dBA L_{max} when excavation occurs along the property boundary lines.

In addition, as evaluated in the 2008 IS/MND, the use of pile drivers is also expected during construction of this project. As shown in Table 7 of the 2008 IS/MND, the maximum noise level generated by a pile driver on the proposed project site is anticipated to be 93 dBA L_{max} at 50 feet from the pile driver. The closest receptors are located within approximately 85 feet of the proposed pile driving areas. At this distance they would be exposed to maximum noise levels due to pile driving of up to 88.4 dBA L_{max}.

The 2008 IS/MND identified potentially significant impacts associated with project construction. However, implementation of Mitigation Measure NOISE-1 would reduce construction noise to a less-than-significant level. Construction of the proposed project would result in similar short-term noise impacts as identified in the 2008 IS/MND. Implementation of Mitigation Measure NOISE-1 would reduce construction-period noise impacts to a less-than-significant level; therefore, the proposed project would also not result in any new or more significant construction-period noise impacts than were evaluated in the 2008 IS/MND.

Traffic Noise Impacts

The 2008 IS/MND also evaluated traffic noise impacts. As identified in the 2008 IS/MND, the original project is located approximately 315 feet from the centerline of US 101 and would be exposed to noise levels of up to 70 dBA L_{dn}, which is considered acceptable for commercial/retail/office uses. Since the proposed project location is unchanged, similar impacts to traffic noise levels as those identified in the 2008 IS/MND would result.

Vibration Impacts

The 2008 IS/MND evaluated the original project's potential to expose persons within or around the project site to excessive ground borne vibration. It was determined that implementation of Mitigation Measure NOISE-1 would reduce construction-period ground borne vibration and ground borne noise levels to a less-than-significant level. In addition, the 2008 IS/MND determined that no permanent noise sources that would expose persons to excessive ground borne vibration or noise levels would be associated with implementation of the project. Since changes to the proposed project would be minor and since the proposed project would be located on the same site as the project evaluated in the 2008 IS/MND, implementation of the proposed project would not result in any new or more significant ground borne vibration impacts than were described in the 2008 IS/MND.

Aircraft Noise Source Impacts

The project site is located approximately 3.9 miles from the closest airport, San Francisco International Airport (SFO). The 2008 IS/MND determined that since the original project would not be located in an airport land use plan or within 2 miles of a public or public use airport, implementation of the original project would not expose persons within the project site to excessive noise levels. As discussed above, construction of the proposed project would occur on the same site as the original project and would therefore result in similar impacts as those identified in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was certified leading to new or more severe significant impacts. Mitigation Measure NOISE-1, as identified in the 2008 IS/MND and described below, would remain applicable to the proposed project.

Mitigation Measure NOISE-1: The project shall comply with the following noise reduction measures:

- General construction activities shall be allowed only between the hours of 7:00 a.m. to 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends and holidays. Pile driving shall be limited to Monday through Friday 8:00 a.m. to 5:00 p.m. and prohibited on Saturdays and Sundays. Construction outside of these hours may be approved through an exception permit issued by the Planning Director. The exception permit shall include appropriate conditions to minimize noise disturbance of affected hotel, office and commercial uses.

- All heavy construction equipment used on the project site shall be maintained in good operating condition, with all internal combustion, engine-driven equipment fitted with intake and exhaust mufflers that are in good condition.

- All stationary noise-generating equipment shall be located as far away as possible from neighboring property lines.

- Post signs prohibiting unnecessary idling of internal combustion engines.

- The construction manager shall identify and designate a “noise disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints and institute reasonable measures warranted to correct the problem. The noise disturbance coordinator shall report all complaints and resolution thereof to the City via monthly reports. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

- Utilize air compressors that are designated as “quiet” and other “quiet” construction equipment sources where such technology exists.

Conclusion

The 2008 IS/MND adequately evaluated the potential noise impacts of the proposed project and, with implementation of Mitigation Measures NOISE-1 as identified in the 2008 IS/MND, there would be no new or more severe impacts related to noise associated with the proposed project.

1.13 POPULATION AND HOUSING

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Induce substantial 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)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

Population Growth

The 2008 IS/MND evaluated the addition of 1,435 new jobs associated with development of the site. Implementation of the proposed project would result in the development of 422,552 square feet of office, lab (R&D), restaurant, and commercial recreation use and approximately 1,361 new jobs.[36] The City has planned for employment growth on the project site as demonstrated by the 1994 General Plan designation of Sierra Point Commercial/Retail/Office (SPCRO). In addition, the Sierra Point Design Guidelines allow for office and commercial development on the project site as described in Section 1.10, Land Use and Planning. As of 2012, there were approximately 4,165 jobs within the City.[37] The additional jobs associated with the proposed project would be less than those analyzed in the 2008 IS/MND and within the projected increase of 3,525 jobs expected between 2018 and 2030 per Association of Bay Area Governments projections.[38]

The proposed project would generate approximately 74 fewer jobs than evaluated in the 2008 IS/MND. New jobs associated with the proposed project could potentially encourage people to move to Brisbane, resulting in an indirect increase in new residents in the City. However, this potential incremental increase has been anticipated by the City and has been included in its growth projections. The proposed project would not result in substantial unforeseen population or employment growth beyond that planned for the area. Therefore, the proposed project would

36 The Brisbane General Plan assumes 3.22 employees per square feet of office use. Brisbane, City of, 1994. General Plan Land Use Element. Amended January 4, 2018. Pg. V-24.

37 United States Census Bureau, 2012. 2012 Economic Census.

38 Association of Bay Area Governments, 2013. *Projections 2013*.

result in a reduced impact associated with population growth, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Displacement of Housing and People

The project site is vacant and does not contain housing units or persons. Therefore, the proposed project would have no impact associated with the displacement of housing and people, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential population and housing impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.14 PUBLIC SERVICES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. 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:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

Discussion

The proposed project would result in the construction of three life science buildings over a two-story podium parking garage that would provide approximately 422,552 square feet of office, lab (R&D), restaurant, and commercial recreation uses. The proposed project would result in a decrease in demand for public services as compared to the 2008 IS/MND, as the proposed project would

include approximately 23,000 less square feet of building space and 74 fewer employees. Additionally, the proposed project could improve safety on the project site because it would construct safety lighting and bring a permanent daytime population to the site. The proposed buildings would be constructed in accordance with the applicable building codes and would incorporate required fire protection measures. Therefore, the proposed project would have a reduced impact on public services, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential public services impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.15 RECREATION

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion

Implementation of the proposed project would result in approximately 1,361 new employees on the Sierra Point Peninsula, 74 fewer than analyzed in the 2008 IS/MND. Therefore, the proposed project would have a reduced impact on use of the Bay Trail, Brisbane Marina, and landscaped open space areas on the project site as compared to the 2008 IS/MND. Employees associated with the proposed project may periodically use existing parks and recreational facilities, but the use of these facilities would not result in a substantial physical deterioration or accelerate deterioration of these facilities.

The proposed project would include improvements to the Bay Trail and construction of pedestrian paths throughout the project site. The Bay Trail would be closed temporarily during construction; however, this temporary closure would not substantially disrupt recreational use of the trail as the project site contains the western terminus of the trail on the peninsula. As discussed throughout this

environmental checklist, mitigation measures to reduce potential impacts to the environment from construction and operation of the trail and path are identified in the 2008 IS/MND would still be applicable. Therefore, the proposed project would have a reduced impact related to recreational facilities, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND adequately evaluated the potential recreation impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.16 TRANSPORTATION/TRAFFIC

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location which results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☒
f. Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion

This section compares traffic impacts from the proposed project with impacts identified in the 2016 Addendum to the 2008 IS/MND filed by the City in March 2017 (2016 Addendum), [39] the Transportation Impact Analysis[40] for which is included as Appendix B. A Site Plan Review was conducted for the proposed project by Hexagon Transportation Consultants and is discussed in this section, and included in Appendix C.[41] Additionally, parking demand and transportation demand strategies are identified in a memorandum prepared by Fehr & Peers, included as Appendix D.[42]

Conflict with an Applicable Plan

The Transportation Impact Analysis prepared for the 2016 Addendum estimated 731 vehicle trips during the AM peak hour, and 803 vehicle trips during the PM peak hour would be generated by the previous project. According to the Site Plan Review, the proposed project would generate 516 vehicle trips during the AM peak hour and 469 vehicle trips during the PM peak hour.[43] Therefore, since the transportation analysis prepared as part of the 2016 Addendum remains current and the proposed project would generate less traffic, the conclusions presented in the 2016 TIA are still valid.

The 2016 Addendum concluded that, similar to the 2008 IS/MND, under Existing Plus Project conditions there would be significant impacts at the following two intersections:

- Sierra Point Parkway/US 101 Northbound Ramps and
- Sierra Point Parkway/Shoreline Court.

However, these impacts could be mitigated to a less-than-significant level with implementation of Mitigation Measures TRAF-2 and TRAF-3. Additionally, the transportation analysis prepared for the 2016 Addendum found that no freeway segments would operate at an unacceptable Level of Service (LOS) in the Existing Plus Project condition.

In the Background Plus Project condition, there would be significant impacts to one intersection: Sierra Point Parkway/US 101 Northbound Ramps. However, this impact could be mitigated to a less-than-significant level with implementation of Mitigation Measure TRAF-2. Similar to Existing Plus Project conditions, no freeway segments would operate at an unacceptable LOS and no mitigation measures would be required.

Therefore, because the proposed project would generate fewer trips than those analyzed in the transportation analysis prepared for the 2016 Addendum, and the proposed project would

39 LSA Associates, Inc., 2016. *Addendum to the Opus Office Center Initial Study/Mitigated Negative Declaration*. December.
40 Fehr & Peers, 2016. *Sierra Point Opus Office Center Transportation Impact Analysis*. December 21.
41 Hexagon Transportation Consultants, Inc., 2018. *3000-3500 Marina Boulevard (Brisbane, California) Site Plan Review.* August 24.
42 Fehr & Peers, 2018. *3000-3500 Marina Parking and TDM Analysis Memorandum*. July 31.
43 Hexagon Transportation Consultants, Inc., 2018. op. cit.

implement the applicable mitigation measures identified in the 2008 IS/MND, traffic and transportation impacts associated with the proposed project would be similar or less than those identified in the 2008 IS/MND.

Site Access and On-Site Circulation

Vehicular access to the project site would be provided via two driveways on Marina Boulevard. According to the proposed site plan, the northern driveway is shown to allow all turning movements. This would require the median on Marina Boulevard to be modified to close the existing median break and open a new break at the project driveway. The driveway is shown to be 26 feet wide. The northern driveway would provide direct access to the podium parking garage and one loading dock. The southern driveway is shown to be 26 feet wide, and would be limited to right in/out movements by the existing median on Marina Boulevard. The southern driveway would provide direct access to the surface parking lot, podium parking garage, and another loading dock.

In general, the project site plan provides good circulation with limited dead-end aisles, driveway aisle widths of 24 feet, which would allow adequate space for two-way traffic, and adequate parking stall dimensions. The Site Plan Review includes recommendations for potential issues within the parking garage, however, these issues would not increase hazards related to design of the site. The design of the proposed project would be modified during the Use Permit process, and therefore the proposed project would result in a less-than-significant impact related to design hazards.

Emergency Access

The project would include an access road that is 20 feet wide along the north side of the project site. This access road would connect the northern driveway drive aisle to the southern driveway drive aisle, and provide a continuous route around the project site for emergency vehicles. Therefore, the project's emergency vehicle access would be sufficient.

Parking Capacity

Parking-related impacts, such as insufficient parking supply to meet demand, are not considered impacts under CEQA.[44] Therefore, the discussion of parking demand and supply is provided for informational purposes only.

The City parking code does not include a category for R&D uses. For the purpose of this analysis, the requirements for an Administrative Office use were applied to the proposed project. Based on the City of Brisbane's off-street parking requirement, Administrative Office uses are required to provide vehicle parking spaces at a rate of 1 space per 300 square feet of gross floor area. Thus, based on the proposed size of the project, the project would be required to provide 1,408 vehicle parking spaces. However, the 3000-3500 Parking and TDM Analysis prepared by Fehr & Peers (included in Appendix D) concludes that based on the ITE Parking Generation Manual and a review of local parking demand at similar Bay Area sites, the project's maximum demand is expected to be 2.42 spaces per 1,000 square feet. This corresponds to an estimated vehicle parking demand of 1,023

[44] *Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist. (2013) 215 Cal.App.4th 1013.*

spaces. In addition, the project's parking and Transportation Demand Management (TDM) analysis report concludes that the project's TDM program should be able to achieve a 28 percent reduction in parking demand. Therefore, the vehicular parking demand calculated by Fehr & Peers for the project site, based on office usage, is estimated to be 737 parking spaces.

The project plan set provides a total of 781 vehicle parking spaces (127 spaces in the surface lot, 316 on the ground level of the parking garage, and 338 on level 2 of the parking garage). Although the proposed project parking supply falls below the City requirement, the proposed parking supply would exceed the estimated parking demand outlined in the project's parking and TDM analysis report.

Alternative Transportation

Pedestrian paths, sidewalks, and crosswalks would connect the proposed project with the adjacent street network. An existing crosswalk east of the proposed project connects the project site and the Bay Trail with properties to the south, across Marina Boulevard.

The proposed project would add a small amount of pedestrian and bicycle traffic to the area's circulation network. However, this addition would not result in the exceedance of available capacities on these pedestrian and bicycle facilities. No features are proposed that would be unsafe to pedestrian or bicycle travel.

Applicable Mitigation

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measure TRAF-2, TRAF-3, and TRAF-7 previously identified in the 2008 IS/MND and described below, would remain applicable to the proposed project.

Mitigation Measure TRAF-2: The applicant shall be responsible for installing a signal and restriping to convert the northbound shared-through-left lane to an all-movement lane at the intersection of Sierra Point Parkway and US 101 NB Ramps (#9) (or paying their fair share of these improvements should they have been previously completed), to the satisfaction of the City Engineer in regards to design and the timing of the improvement. This mitigation measure would allow the intersection to operate at LOS C during the AM peak hour and LOS B during the PM peak hour.

Mitigation Measure TRAF-3: Based on the Second Amendment document, the applicant shall be responsible for signalizing the intersection of Sierra Point Parkway and Shoreline Court (#10) and the addition of a second eastbound left-turn lane and the conversion of the northbound through lane to a left-turn lane (or paying their fair share of these improvements

should they have been previously completed), to the satisfaction of the City Engineer in regards to design and the timing of the improvement. This mitigation measure would allow the intersection to operate at LOS B during the AM peak hour and LOS D during the PM peak hour.

Mitigation Measure TRAF-7: The applicant shall provide the amount of parking as required under the parking modification conditional use permit.

Conclusion

The proposed project would result in fewer trips than those estimated for the 2016 TIA. Therefore, the conclusions of the 2016 TIA would be applicable to the proposed project. With implementation of Mitigation Measures TRAF-2, TRAF-3, and TRAF-7, the proposed project would not result new or more significant impacts than those analyzed in the 2008 IS/MND. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.17 TRIBAL CULTURAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☐	☒
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion

As noted in Section 1.5, Cultural Resources, the project site is currently vacant and is located on a former landfill. The Brisbane General Plan indicates that there are no historical resources located on the Sierra Point Peninsula. The California Historic Information System has indicated that there is a

low possibility that historic resources may be located within the project area and no further study is recommended.[45] Therefore, the proposed project would have a less-than-significant impact related to tribal cultural resources, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the 2008 IS/MND was adopted leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The 2008 IS/MND evaluated the potential tribal cultural resources impacts for the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

1.18 UTILITIES AND SERVICE SYSTEMS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☒	☐	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

[45] California Office of Historic Preservation, op cit.

Discussion

Wastewater Treatment Requirements and Facilities

As noted in the 2008 IS/MND, the proposed project would be located on a vacant parcel on the Sierra Point Peninsula and would be served by existing sanitary services in the project vicinity. The City provides sanitary sewer services to residents and businesses in its service area. The sewer collection system consists of more than 80,000 feet of laterals, mains, trunks, and 20,000 feet of force mains ranging in size from 6 to 24 inches in diameter. A series of gravity collection system mains and smaller pumping stations convey most of the wastewater flow to the Valley Drive Pump Station. Wastewater is then delivered to the 78-inch diameter City of San Francisco interceptor and ultimately conveyed to the Southeast Treatment Plant (SEP) in San Francisco. On average, the SEP treats approximately 60 mgd of wastewater and handles 160 wet tons of biosolids each day. The SEP has a wet weather capacity of approximately 250 mgd.

The SEP facility operates in compliance with the wastewater treatment requirements of the Regional Water Board for both dry weather and wet weather conditions.[46] As a result, the proposed project would not exceed the wastewater treatment requirements of the applicable Regional Water Board.

Water and Wastewater Infrastructure

The City of Brisbane distributes water to local residents and businesses through five turnouts along the 44-inch Crystal Springs #1 Pipeline and 60-inch Crystal Springs #2 Pipeline. As described in the 2008 IS/MND, the City of Brisbane does not have off-line water storage directly available to the lower pressure zone on Sierra Point, which includes the project site. An off-line emergency water supply interconnection with California Water Service (Cal Water) exists on Shoreline Court that directly feeds the 16-inch diameter water perimeter supply loop on Sierra Point. Existing water storage capacity would be inadequate to meet fire flow requirements for the project site. Mitigation Measures UTL-1a, UTL-1b, UTL-1c, and UTL-2 identified in the 2008 IS/MND, which would still apply to the proposed project, would reduce potential impacts related to fire flow supply to a less-than-significant level.

As noted in the 2008 IS/MND, the extension/upgrade of wastewater infrastructure to the project site could result in significant impacts on the environment. Mitigation Measures UTL-3 and UTL-4 identified in the 2008 IS/MND would still apply to the proposed project and would reduce this impact to a less-than-significant level.

Additionally, implementation of Mitigation Measures GEO-1b and GEO-2c identified in the 2008 IS/MND would reduce impacts related to the construction of new wastewater infrastructure to a less-than-significant level.

[46] Regional Water Quality Control Board, 2013. NPDES Permit No. CA0037664, Order No. 2013-0029, for the City and County of San Francisco Southeast Water Pollution Control Plant, North Point Wet Weather Facility, and Bayside Wet Weather Facilities. Adopted, August 14.

Stormwater Drainage Facilities

As noted in the 2008 IS/MND, the project site is within the Sierra Point subwatershed, which drains directly into the Bay and is independent of the two main watershed areas in Brisbane. The project site is divided into three drainage areas that drain to the Bay. The northeast portion of the site drains to an existing catch basin and 8-inch line located on the northeast corner of the site, which is then conveyed to an existing 24-inch outfall to the Bay. The western portion of the site drains to the adjacent drainage slough and the southeast portion of the site drains to an existing off-site catch basin connected to a 12-inch storm drain in Marina Boulevard, which drains to a 24-inch line and then to an existing nearby outfall to the Bay.

Detailed site development plans, including Best Management Practices (BMPs) and a Management and Maintenance program for on-site storm water facilities to protect water quality during operation of the project will be submitted by the applicant to the City of Brisbane Planning and Community Development Department as part of the application package for a building permit. A C.3/C.6 Development Review Checklist was completed by the project applicant. The checklist indicates that the following features would be integrated into the project:

- Sheet flow runoff from seven catchment areas, which would include both pavement and roof areas, would be directed to seven biotreatment areas within the project site.

- Supplemental controls would be incorporated into the project to minimize changes in volume, flow rate, timing and duration of runoff if it is determined that the existing system does not have sufficient capacity. The proposed project design would include the use of landscaped areas with reduced C-factors. Additional alternatives, such as detention within enclosed pipes, would be reviewed during the construction document phase to determine if additional runoff management is needed.

- Landscaped areas would provide micro-detention, as much as possible, and would be designed to drain via natural swales rather than concrete channels.

The proposed project would require the construction of new storm water drainage facilities, the environmental effects of which have been considered and evaluated in the appropriate topical sections of this document, as well as in the 2008 IS/MND. As noted in the 2008 IS/MND, implementation of Mitigation Measures GEO-1b and GEO-2c, described in Section 1.6, Geology and Soils, would reduce impacts related to the construction of new stormwater infrastructure to less-than-significant levels.

Water Supply

Senate Bill 610, now codified as Water Code Sections 10910 and 10911, requires land use planning entities, when evaluating certain large development projects, to request an assessment of the availability of water supplies from the water supply entity that will provide water to the project. This legislation requires projects that would result in more than 250,000 square feet of floor space to prepare a Water Supply Assessment (WSA). Because the proposed project would result in 422,552 square feet of office space, a WSA was prepared for the proposed project.

The following subsection is based on the 2018 WSA[47] prepared for the proposed project by Tully and Young, which is included as Appendix E. The 2018 WSA evaluates the sufficiency of the water supplies available to the City of Brisbane to meet existing and anticipated future demands, including the demand associated with the project, over a 20-year horizon for normal, single dry, and multiple dry years.

The City of Brisbane receives its water from the San Francisco Public Utilities Commission (SFPUC) though a wholesale water supply contract. The City of Brisbane has an individual water supply contract, but is also part of the 2009 Water Supply Agreement with 25 other wholesale customers who all rely on SFPUC for 95 percent or more of their water supply, with the City of Brisbane relying on SFPUC for 100 percent.

The City of Brisbane has a total Individual Supply Guarantee (ISG) of 1,098 acre-feet per year in normal conditions. As described in the 2018 WSA, the City of Brisbane has sufficient water supply to meet the projected water demands of the proposed project while continuing to support its existing customers and projected new development in normal water years through 2040, as shown in Appendix F.

During single dry year conditions, the City would experience a 17 percent reduction in supply across all customers. Under multiple dry year conditions, the shortage increases to a 28 percent reduction in supply across all customers. To mitigate these shortages, the City anticipates requiring temporary demand reduction from all of its customers, as well as looking to permanent demand reduction achieved through changes to existing customers' appliances and fixtures. The City is also investigating opportunities to shift water supplies available from the SFPUC in normal years to years when supplies are reduced through innovative projects such as local water banking, unbalanced exchanges with other SFPUC wholesalers, and temporary water acquisitions.

With and without the proposed project, the City would not have adequate water supplies to meet anticipated demand under the future (2040) single dry year or future multiple dry years and shortages citywide of up to 20 acre-feet per year are anticipated. Therefore, the City would not have sufficient water supplies to serve the proposed project under single dry years or future multiple dry years. The 2008 IS/MND and WSA concluded that there would be similar shortages in single and multiple dry years, at a proportionally lesser volume relative to the proposed project's individual water demands.

The 2008 IS/MND included Mitigation Measures UTL-5a through UTL-5c to reduce single and multiple dry year water supply impacts to a less-than-significant level. Water usage in the proposed project under drought conditions would be subject to those measures, as revised below, in order to reduce impacts to future water supply related to the proposed project to a less-than significant level, as shown in Appendix F.

[47] Tully & Young, 2018. *Sierra Point Phase 3 Project SB 610 Water Supply Assessment*. October.

Mitigation Measure UTL-5a: As a condition of approval and prior to the issuance of any building permits for the project, the applicant shall implement additional water conservation measures for the project. The proposed project shall comply with all applicable elements of the SFPUC's Water Conservation Program ~~C, as described in the WSA, In addition, the project shall comply with Program~~ D, as described in the 2008 WSA, and shall install waterless urinals, dedicated landscape meters for outdoor irrigation use, and ~~native~~low-water use plants. The program design and demand reduction shall be reviewed and approved by the City Engineer. The specific water conservation measures shall be incorporated into the final building ~~design~~permit application documents.[48]

Mitigation Measure UTL-5b: As a condition of approval and prior to the issuance of the occupancy permit, the applicant shall also participate in Program E, as described in the 2008 WSA prepared by Brown and Caldwell, which includes the funding of landscape irrigation retrofits and residential high efficiency toilet retrofit programs for the City. In addition, the applicant shall contribute up to $50,000 to fund an investigation to increase the City's available water supply during single and multiple dry years via aquifer injection and water banking.

Mitigation Measure UTL-5c: Future water supply shortages would be managed through water conservation and rationing programs and increased demand management. In accordance with previously adopted Water Conservation Programs, the project site and all other water users in the Brisbane Water Service Area could be subject to mandatory reductions in consumption on a system-wide basis, mandatory reductions in consumption for outside irrigation, restrictions on various types of water use, excess use charges and flow restrictions and termination of water service for non-compliance with the program elements.

Per CEQA Guidelines Sections 15162(a)(2) and (3), a subsequent EIR or ND does not need to be prepared if there are no substantial changes in the project, or the circumstances under which the project is undertaken, that would require major revisions to the previous EIR or ND. Additionally, per CEQA Guidelines Section 15162(a)(3)(D), a subsequent EIR or ND does not need to be prepared if the project applicant agrees to incorporate mitigation measures different than those previously analyzed that would reduce significant impacts on the environment.

[48] Note that the conservation measures SFPUC's Water Conservation Program C, as described in the 2008 WSA and previously referenced in the 2008 IS/MND in this mitigation measure, have since been superseded by updated California Building Code and State Water Conservation in Landscaping Act to achieve greater efficiency in building and plumbing materials and landscaping irrigation standards.

As noted above, the proposed project, and the circumstances under which the project is undertaken, would not require major revisions to the 2008 IS/MND. The proposed project would be subject to proportionally similar water shortages as those analyzed in the 2008 IS/MND. The project applicant has agreed to implement the revised mitigation measures included above, which would ensure that there would be sufficient water supplies to serve the proposed project, as shown in Appendix F.

Therefore, because there are no substantial changes in the proposed project, or the circumstances under which the project is undertake, that would require major revisions to the 2008 IS/MND, and project applicant has agreed to implement Mitigation Measures UTL-5a through UTL-5c, as revised, the proposed project would not result in any new or more severe impacts related to water supply than were previously identified in the 2008 IS/MND.

Solid Waste

Implementation of the proposed project would result in the generation of solid waste associated with project construction and operation. Construction activities would comply with Brisbane Municipal Code Chapter 15.75 requiring the implementation of a Waste Management Plan, which would reduce the amount of waste generated during the construction activities associated with the project.[49]

The South San Francisco Scavenger Company (SSFSC) provides solid waste collection within the City. Solid waste from Brisbane is disposed at the Altamont Landfill and the Corinda Los Trancos Landfill (Ox Mountain Landfill).[50] The Altamont Landfill is permitted to dispose of mixed municipal waste, construction debris, and contaminated soils and has a remaining capacity of 65,400,000 cubic yards with an estimated closure date in 2025.[51] The Ox Mountain Landfill is permitted to dispose of mixed municipal waste and construction debris and has a remaining capacity of 22,180,000 cubic yards with an estimated closure date in 2034.[52] Additionally, because the proposed project includes 23,000 less square feet of building space and 74 fewer employees, less solid waste would be generated at the project site. Therefore, the proposed project would be served by a landfill with sufficient permitted capacity to accommodate the proposed project's solid waste disposal needs. The proposed project would have a reduced impact related to solid waste disposal, and would not result in new impacts or substantially increase the severity of impacts over those analyzed in the 2008 IS/MND.

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49 Brisbane Municipal Code, 2017. Chapter 15.75. Recycling and Diversion of Debris from Construction and Demolition. January 5.

50 CalRecycle, 2017. Jurisdiction Disposal by Facility. Disposal during 2017 for Brisbane. Website: www.calrecycle.ca.gov/LGCentral/Reports/DRS/Destination/JurDspFa.aspx (accessed August 20, 2018).

51 CalRecycle, 2014. Solid Waste Information System Facility Detail: Altamont Landfill & Resource Recovery (01-AA-0009). Website: www2.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail (accessed August 20, 2018).

52 CalRecycle, 2015. Solid Waste Information System Facility Detail: Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002). Website: www2.calrecycle.ca.gov/SWFacilities/Directory/41-AA-0002/Detail (accessed August 20, 2018).

Applicable Mitigation

As noted above, the proposed project would require mitigation measures that would be substantially different than those identified in the 2008 IS/MND. Consistent with CEQA Guidelines Section 15162(a)(3)(D), the project applicant has agreed to implement revised Mitigation Measures UTL-5a through UTL-5c as listed below, and subsequent environmental review would not be required. Mitigation Measures UTL-1a, UTL-1b, UTL-1c, UTL-2, UTL-3, and UTL-4a, previously identified in the 2008 IS/MND and also listed below, would still apply to the proposed project.

Mitigation Measure UTL-1a: As a condition of approval and prior to issuance of building permits, the applicant shall incorporate a pressure reducing/pressure sustaining valve on the 16-inch interconnection between CalWater and the City of Brisbane Water Districts in a valve box located in the center median of Shoreline Court, or pay their fair share as determined by the Public Works Department if the improvement has already been completed. The valve shall be properly sized and have the ability to provide bidirectional fire flow to Sierra Point and the proposed project while concurrently maintaining the capacity to provide the required fire flow and pressure to the CalWater District. The new interconnection assembly shall comply with the City of Brisbane Public Works Department, CalWater and North County Fire Department specifications.

Mitigation Measure UTL-1b: As a condition of approval and prior to issuance of building permits, an agreement must be made between CalWater and the City of Brisbane Water District and a program prepared that identifies and establishes responsibilities and operating ranges for the pressure reducing/pressure sustaining valve and the routine maintenance and testing of the facility. The applicant shall be responsible for the costs associated with preparation and implementation of the program, or pay their fair share as determined by the Public Works Director if the program is already in place.

Mitigation Measure UTL-1c: The project applicant shall pay their fair share, as determined by the City of Brisbane Public Works Department, for the future development of a water storage tank sized to provide local fire and maximum day demands water volume to serve Sierra Point.

Mitigation Measure UTL-2: The proposed project shall include a dedicated fire flow supply loop separate from the potable water system properly sized to handle project fire flow requirements and connected, through a double detector check valve assembly, directly into the street main at two separate locations in accordance with Public Works Department and Fire Authority specifications. Each fire supply loop connection to the street main shall include a double detector check valve. A fire loop

system separated from the potable water system will allow for smaller water mains to serve the peak daily demand for the project, thereby allowing for quicker water turnover in the potable water system. Separate potable and fire supply systems will also allow for maintenance on either looped system without affecting the other. The separate potable water service shall be looped by connecting directly into the street main at two separate metered locations.

As an alternative, the applicant could submit a proposal for a dual-use fire/potable water loop but, as part of such a submittal, must provide sufficient evidence (e.g., hydraulic calculations) to the satisfaction of the City Engineer, that the water would not stagnate in such a dual-use system and that the impact would be mitigated to a less-than-significant level.

Additional water quality measures may be required in the event that a dual-use fire/potable water loop is installed. Such measures include, but are not limited to, programmable automatic water line flushing units and in-line water quality monitoring stations. Design for the reuse of the flushing discharge water, such as recycling the water back into the landscaping, would be required.

Mitigation Measure UTL-3: The project applicant shall pay for the installation of larger pumps or a complete replacement of the Sierra Point Lift Station, as determined by the Public Works Department, to accommodate the increase in peak sewer flows from the project site. In the event the improvements have been completed at such time as the applicant is ready to develop, the applicant shall pay a fair share of such improvements as determined by the Public Works Director. Additional required improvements to the lift station may include replacement of the electrical system and a larger standby generator.

Mitigation Measure UTL-4: The project applicant shall eliminate all existing service fittings along the 16-inch diameter perimeter water line adjacent to the project site and shall replace the line with a straight length of identical high-density polyethylene (HDPE) pipe with fused joints. All future services shall be cut-in shop fabricated tees. The applicant shall pay for a full-time City inspector to be on site during the installation of the HDPE water pipe. A 2-inch blow-off shall be installed along the northeast end of the property along the 16-inch water main. Future valves shall be installed inside an underground vault.

Mitigation Measure UTL-5a: As a condition of approval and prior to the issuance of any building permits for the project, the applicant shall implement additional water conservation measures for the project. The proposed project shall comply with all applicable elements of the SFPUC's Water Conservation Program D, as described in the 2008 WSA, and shall install waterless urinals, dedicated landscape meters for outdoor irrigation use, and low-water use plants. The program design and demand reduction shall be reviewed and approved by the City Engineer. The specific water conservation measures shall be incorporated into the final building permit application documents.[53]

Mitigation Measure UTL-5b: As a condition of approval and prior to the issuance of the occupancy permit, the applicant shall also participate in Program E, as described in the 2008 WSA prepared by Brown and Caldwell, which includes the funding of landscape irrigation retrofits and residential high efficiency toilet retrofit programs for the City. In addition, the applicant shall contribute up to $50,000 to fund an investigation to increase the City's available water supply during single and multiple dry years via aquifer injection and water banking.

Mitigation Measure UTL-5c: Future water supply shortages would be managed through water conservation and rationing programs and increased demand management. In accordance with previously adopted Water Conservation Programs, the project site and all other water users in the Brisbane Water Service Area could be subject to mandatory reductions in consumption on a system-wide basis, mandatory reductions in consumption for outside irrigation, restrictions on various types of water use, excess use charges and flow restrictions and termination of water service for non-compliance with the program elements.

Conclusion

With the incorporation of the revised mitigation measures related to water supply, as agreed to by the project applicant, the 2008 IS/MND adequately evaluated the utilities and service systems impacts of the proposed project. With implementation of Mitigation Measures UTL-1a, UTL-1b, UTL-1c, UTL-2, UTL-3, UTL-4, and revised Mitigation Measures UTL-5a, UTL-5b, and UTL-5c, there would be no new or more severe impacts related to utilities and service systems associated with the proposed project.

[53] Note that the conservation measures SFPUC's Water Conservation Program C, as described in the 2008 WSA and previously referenced in the 2008 IS/MND in this mitigation measure, have since been superseded by updated California Building Code and State Water Conservation in Landscaping Act to achieve greater efficiency in building and plumbing materials and landscaping irrigation standards.

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